



AGENDA / ORDRE DU JOUR
REGULAR COUNCIL MEETING / RÉUNION RÉGULIÈRE DU CONSEIL

Wednesday, May 16, 2018 at 6pm / mercredi le 16 mai 2018 à 18h
Council Chambers / Salle du conseil

- 1. Call to Order and Roll Call / Ouverture de la réunion et présence**
- 2. Adoption of Agenda / Adoption de l'ordre du jour (and Additions if applicable)**
- 3. Disclosure of Pecuniary Interest / Déclarations d'intérêts pécuniaires**
- 4. Delegations / Délégations**
 - 4.1 Presentation of the 2017 Annual Financial Report by Collins Barrow**
 - Resolution to approve the audited 2017 Financial Statements
- 5. Reports and Items for Consideration / Rapports et sujets pour considération**
 - 5.1 General Government / Gouvernement général**
 - 5.1.1** Resolution to become a member of Green Economy North (*from May 2nd meeting*)^{p.3}
 - 5.2 Finance / Finances (NIL)**
 - 5.3 Public Works & Environment Services / Travaux public et services de l'environnement**
 - 5.3.1** Resolution to award the Contract for Winter Operations ^{p.7}
 - 5.3.2** Resolution to award the Contract for Capital Road Work on Dokis Reserve Rd ^{p.8}
 - 5.4 Community Services / Services communautaires**
 - 5.4.1** Resolution to approve a financial donation of 150\$ in honour of the Proclamation of June as Seniors' Month (*from May 2nd meeting*)
 - 5.5 Emergency Services and Public Safety / Services d'urgence et sécurité publique (NIL)**
 - 5.6 Development & Planning / Développement et planification (NIL)**
 - 5.7 Correspondence / Correspondance**
 - 5.7.1** Resolution to authorize the annual donation to Ecole St-Antoine of \$250 to assist in the ^{p.9} costs of year end activities, in return the school organizes an annual waste pick-up in surrounding streets on June 1st, 2018
- 6. Consent Agenda / Ordre du jour regroupé**
 - 6.1 Adoption of Minutes / Procès-verbaux adoptés**
 - 6.1.1** Combined Council Meeting of held May 2, 2018 ^{p.10}
 - 6.2 Receipt of Minutes / Procès-verbaux reçus (NIL)**

6.3 Items for Consideration or Information / Items pour consideration ou information

- 6.3.1** Resolution to approve the 2018 student bursary for the École secondaire de la Rivière-des-Français for an amount of \$500 (*from May 2nd meeting*)
- 6.3.2** Information - Véloroute Voyageur Cycling Route Update **p.17**

6.4 By-laws / Règlements

- 6.4.1** 2018-28 Property Standards By-law (*from May 2nd meeting*) **p.19**
- 6.4.2** 2018-29 Clean Yard By-law (*from May 2nd meeting*) **p.39**
- 6.4.3** 2018-30 Agreement with Economic Partners Sudbury East/West Nipissing Inc. for a Sudbury East Region Economic Development Officer (*from May 2nd meeting*) **p.50**
- 6.4.4** 2018-31 Land Lease Agreement with MTO - Communication Antenna **p.51**
- 6.4.5** 2018-08 Third Reading of Engineer's Report By-law (Hwy 607, Dupuis & Timony Drain) **p.52**
(*1st and 2nd Reading at January 30th, 2018*)

7. Notices of Motion / Avis de motion

8. Announcement and Inquiries / Annonce et questions

9. Closed Session / Session à huis clos

- under section 239 (2) (a) "the security of the property of the municipality or local board" with respect to an update on the terms of the Agreements with the French River Rapids

10. Adjournment / Ajournement

Resolution to adopt Confirmation By-law

Resolution to adjourn



Municipality of French River

Administration Information Report to Council

RE: Green Economy North Membership

OBJECTIVE: To provide Council with information to become a member with Green Economy North

BACKGROUND:

At the May 2nd Council Meeting, Mr. Richard Eberhardt from Green Economy North presented to Council on becoming a member with their organization and to explain the benefit(s) that they would bring to the Municipality and the Community.

Facility GHG emissions reporting contributes to the development, implementation and evaluation of climate change and energy use policies and strategies by providing a more precise picture of the sources and emissions of GHGs from Canadian facilities.

Accurate monitoring of greenhouse gas (GHG) emissions is an important part of assessing Canada's overall environmental performance. Since March 2004, the Government of Canada has required facilities across Canada to report their GHG emissions annually through the Greenhouse Gas Reporting Program (GHGRP).

Starting with reports for the year 2017, the GHGRP will apply to a wider range of GHG emitting operations in Canada. All facilities that emit the equivalent of 10,000 tonnes (10 kilotonnes) or more of GHGs in carbon dioxide equivalent units (CO₂ eq) per year will be required to submit a report.

ANALYSIS:

Membership for Municipalities means:

- We will receive a complete Energy Consumption and GHG Emissions Audit on our major facilities (Arena, ACC, and Municipal Office) to find potential efficiencies/cost savings and to know how big our Carbon Foot print is.
- Facility Thermal and Electrical Energy Assessments
- Action Planning, project identification for Asset Management Planning, and implementation
- Regional recognition for being in the program

Being a member also has benefits for the community:

- Support with Municipal Focused Funding Streams (Community Improvement Planning)
- Assisting with Community Energy and Emissions Plan Models
- Community Level Engagement

GHG Funding

The Municipal GHG Challenge Fund is a program funded by the proceeds from Ontario's carbon market that aims to support community-led action on climate change.

Provides 100% funding of the eligible costs for greenhouse gas emissions reduction projects proposed by municipalities.

The Municipal GHG Challenge Fund is part of Ontario's Climate Change Action Plan to fight climate change, reduce greenhouse gas emissions and transition to a low-carbon economy. The action plan, cap and trade program form the backbone of Ontario's strategy to cut greenhouse gas emissions to 15% below 1990 levels by 2020, 37% by 2030 and 80% by 2050.

What's new for this round:

- Funding request can be up to \$2 million per project
- Municipalities may submit two applications, both of which may be successful
- Projects must commence by July 2019 and must be complete by July 2022
- Projects are not eligible if they are intended to be registered as an offset initiative under the Climate Change and Low-carbon Economy Act, 2016, or used as the basis for offsetting or displacing GHG emissions
- Projects currently underway are only eligible if they have not begun construction or installation at the time of the application deadline

Municipal projects that are eligible for funding would aim to reduce greenhouse gas emissions in any sector, including in buildings, energy supply, water, transportation, waste and organics. Projects that are currently underway are only eligible if they have not begun construction or installation at the time of the application deadline.

A higher score will be given to municipalities that have completed a community-wide GHG emissions inventory, targets, and plan, and to projects that align with the municipality's GHG emissions planning. A higher score will also be given to applicants that will be leveraging funding for up to 50% of eligible costs from the municipality and/or other sources.

If a municipality has a population of less than 10,000, it will have the option to not be scored on the community-wide GHG emissions inventory, targets, and plan section.

Municipalities are encouraged to partner with community organizations and other municipalities to implement their project.

BUDGET/LEGAL IMPLICATIONS: COST

\$2,000 membership fee with Green Economy North

INTERDEPARTMENTAL IMPACTS:

- Parks & Recreation/Facilities: Planning and Implementation
- Administration: Grant Applications, Asset Management Planning and Implementation

ATTACHMENTS:

Green Economy North brochure

CONCLUSION/RECOMMENDATIONS:

It is recommended that Council become a member of Green Economy North for a cost of \$2,000 per year.

Respectfully submitted:

Approved:

Carlie Zwiers
Executive Assistant
Administrative
May 8, 2018

Marc Gagnon
Chief Administrative Officer



MEMBERSHIP FOR MUNICIPALITIES



<p>“For the Corporation of the Town of French River” (or ANY organization)</p>	<p>“For the Community of French River” (ONLY for Municipalities and First Nation Communities)</p>
<p>Assistance with project level planning, implementation and incentives, corporate-level target setting and</p> <ol style="list-style-type: none"> 1) Complete Energy Consumption and GHG Emissions Audit 2) Facility Thermal and Electrical Energy Assessments 3) Action planning, project identification and implementation support 4) Sustainability Team development, workshops and training 5) Recognition at the regional level for your efforts 	<p>Capacity Building towards Community Energy planning and access to Municipal focused services.</p> <ol style="list-style-type: none"> 1) Community Energy Leadership Team Development 2) Support with Municipal-focused funding streams 3) Assistance with Community Energy and Emissions Plan models 4) Community-level engagement 5) Networking with active municipalities in the region
<p>Because carbon pricing will continue to make operations more expensive, and increasing energy costs will continue to limit the organization’s potential for growth and development.</p>	<p>Because investment streams for capital improvements at the provincial and federal level will increasingly be reserved for communities who have completed energy and emissions planning. Because it will soon integrate with basic planning activities required of municipalities.</p>

Cost: \$2000 / year (Based on FTE employee count)
No renewal committment



Municipality of French River

Report to Council
by the Public Works & Environmental Department

RE: Tender Results Winter Maintenance

OBJECTIVE: To award the Tender for the winter maintenance contract.

BACKGROUND:

The current contract expired at the end of the 2017-18 winter season, as per our procurement policy a tender was issued.

ANALYSIS:

The Request for Tender #2018-009 was issued on April 9th, 2018 with a deadline of May 3rd, 2018 for the supply of equipment for winter maintenance in the Alban area of the Municipality. The tenders were opened publicly by staff on May 3rd, 2018 and one bid was received.

The following chart is an analysis of the total costs excluding HST for the recommended award of the contract.

B. Thomas Bulldozing Inc. (Requirements Met)	2018-19	2019-20	2020-21
Tandem per hour	160	165	170
Loader per hour	140	145	150
4x4 pick-up per hour	125	130	135
Winter sand mix per ton	28	28.50	29

BUDGET/LEGAL IMPLICATIONS:

Part of the budget for 2018.

CONCLUSION/RECOMMENDATIONS:

It is recommended that Council award the contract to B. Thomas Bulldozing Inc. and that a contract be prepared for approval by Council.

Respectfully submitted:

Robert Martin
Acting Director
Public Works And Environmental
Date: May 16 , 2018

Approved:

Marc Gagnon
Chief Administrative Officer



Municipality of French River
Report to Council
by the Public Works & Environmental Department

RE: Tender Results Dokis road

OBJECTIVE: To award the Tender for the Capital works, Dokis Road.

BACKGROUND:

The Municipality issued tenders in 2017 to replace culverts and repair frost heaves on Dokis Reserve Road, in order to complete this project repairs were required in 2018.

ANALYSIS:

The Request for Tender #2018-008 was issued on April 18th, 2018 with a deadline of May 9th, 2018 for Capital work on Dokis Reserve Road. The tenders were opened publicly by staff on May 9th, 2018.

The following chart is an analysis of the total costs excluding HST for the recommended award of the contract.

Name of Contractor	Total cost	Requirements Met
2582826 Ontario Inc.	\$91,540.65	Yes
B. Thomas Bulldozing	\$111,441.90	Yes
Bayview Excavating Ltd.	\$87,973.84	Yes
Interpaving Ltd.	\$243,281.09	Yes

BUDGET/LEGAL IMPLICATIONS: Included in the capital budget for 2018

INTERDEPARTMENTAL IMPACTS: None.

CONCLUSION/RECOMMENDATIONS: It is recommended that Council award the contract to Bayview Excavating Ltd. for the sum of \$87,973.84 plus applicable HST.

Respectfully submitted:

Approved:

Robert Martin
Acting Director
Public Works And Environmental
Date: May 16 , 2018

Marc Gagnon
Chief Administrative Officer



École St Antoine
20 rue St Antoine

Téléphone: (705) 898-2205 Télécopieur: (705) 898-2016

Gisèle Lamy - directrice

RECEIVED

MAY - 7 2018

MUNICIPALITY OF FRENCH RIVER

le 3 mai 2018

Cher M. le Maire et Conseillers,

L'école St-Antoine vient solliciter un don au montant de 250,00\$ de la part de la Municipalité de la Rivière des Français pour aider à défrayer les coûts pour les sorties éducatives de fin d'année pour les élèves de l'école St-Antoine.

En retour, les élèves vont ramasser les poubelles dans le voisinage, le vendredi 1^{er} juin. Les divers groupes d'élèves seront assignés quelques rues autour de l'école qu'ils seront responsables de nettoyer.

Il serait grandement apprécié si la municipalité de la Rivière des Français pouvait aussi fournir les gants et les sacs de poubelles.

Nous croyons que ceci est une activité gagnante. Les élèves apprennent à être fiers d'aider leur communauté et les bords des rues dans le voisinage de l'école seront nettoyés.

Nous vous remercions de l'attention que vous porterez à cette demande.

Veuillez agréer l'expression de mes sentiments distingués.

Gisèle Lamy
Directrice



Municipality of French River

MINUTES OF THE COMBINED COUNCIL MEETING

held in the Council Chambers
Wednesday, May 2, 2018 at 6pm

Members Present:

Mayor Claude Bouffard(Chair), Councillors Michel Bigras, Ronald Garbutt, Malcolm Lamothe, Gisèle Pageau, Denny Sharp, Dean Wenborne

Members Excused:

Officials Present:

Marc Gagnon, Chief Administrative Officer
Mélanie Bouffard, Clerk
Tom Ng, Treasurer/Tax Collector
Robert Martin, Parks, Recreation & Facilities Manager
Carlie Zwiers, Executive Assistant

Guests:

Richard Eberhardt, Green Economy North
Paul Frustaglio, French River Rapids
9 Members of public

1. Call to order and roll call

The Chair called the meeting to order at 6:00 p.m.

2. Adoption of Agenda (*and Additions if applicable*)

Moved By Ron Garbutt and Seconded By Denny Sharp

Resol. 2018- 100

BE IT RESOLVED THAT the agenda be approved as distributed.

Carried

The closed session moved up the agenda following the Delegation of the French River Rapids.

3. Disclosure of Pecuniary Interest

None declared.

4. Delegations

4.1 Green Energy North

Richard Eberhardt of Green Economy North made a presentation on how the Municipality could become a member of their program and of the services included with the membership for the annual fee of \$2,000.

Green Economy North is Northern Ontario's membership-based sustainable business program that provides affordable support to member organizations that want to set and meet sustainability targets. Their members have access to a wide variety of support, from technical workshops to one-on-one coaching.

As part of the membership, members receive support such as a complete Energy Consumption and GHG Emissions Audit of facilities (French River could prioritize major facilities such as the Arena, ACC, and Municipal Office), Energy Assessments, Action Planning, project identification for Asset Management Planning and implementation, support with Municipal Focused Funding Streams and assistance with Community Energy and Emissions Plan Models Community Level Engagement.

Council will consider the membership at the Regular Council Meeting of May 16th, 2018.

4.2 French River Rapids - NOJHL

Paul Frustaglio, President of the French River Rapids presented a picture of the team as a token of appreciation and provided a summary of the past year, their current issues and future plans. Mr. Frustaglio announced the hiring of Shawn Frappier as the new coach who is local and well known in the hockey industry.

Regardless of the team's challenges during the season, they have achieved goals such as keeping the team in French River, winning more games during this season than in the total past two, the increase in attendance and having 19 players out of 23 living in the community.

The French River Rapids are very fortunate for the community support and are hoping that it continues to increase. They have been very active and visible in the community again this season by helping in community events and working within the business community.

The team recognized that they contribute to the economy during the winter season where revenues in the communities are very low; many examples were given on how they contribute to the local economy and how they brought a positive image to French River in the hockey media.

Their future endeavors include having a competitive team to participate in the Dudley-Hewitt Cup and the initiative of establishing a type of private high school campus in the area through the Blyth Academy.

Mr. Frustaglio suggested that a community sign to announce events/activities would help to inform everyone of what's going on and that improved heat in all areas of the stands would help in making fans more comfortable. (#1 complaint of attendees)

Mr. Frustaglio was thankful of the continued supportive relationship with Council and the community.

12. Closed Session

Moved By Mike Bigras and Seconded By Malcolm Lamothe

Resol. 2018- 101

BE IT RESOLVED THAT the meeting be closed as authorized in the Municipal Act pursuant to Section 239 (a) "the security of the property of the municipality or local board" with respect to an update on the terms of the Agreements with the French River Rapids.

Carried

Moved By Ron Garbutt and Seconded By Denny Sharp

Resol. 2018- 103

BE IT RESOLVED THAT the open session reconvenes at 7:46 p.m.

Carried

As a result of the Closed Session, the Chair reported that Council will be reviewing the agreements with the French River Rapids.

5. Resolution to resolve into Committee

Moved By Gisele Pageau and Seconded By Mike Bigras

Resol. 2018- 104

BE IT RESOLVED THAT Council now go into Committee of the Whole to consider delegations, reports and correspondence for consideration.

Carried

COMMITTEE OF THE WHOLE

Councillor Gisèle Pageau chaired the Committee of the Whole meeting.

6. Reports and Items for Consideration

6.1 General Government (NIL)

6.2 Finance

6.2.1 Resolution to authorize Reserve Transactions

The Treasurer presented the report provided under separate cover and advised that a Resolution is urgent to be able to finalize the 2017 Year End in time for the preparation of the Financial Statements to be approved at the May 16th Regular Council Meeting.

BE IT RESOLVED THAT Council approves the 2017 Reserve Transactions as detailed in the attached report dated May 2, 2018.

Carried

6.3 Public Works & Environment Services

6.3.1 Report - Analysis of Landfill Site Hours of Operation

The Acting Manager presented the report included in the agenda package.

Following discussion, Staff will further analyse the additional suggestions made by Council and will provide a revised report at the May 16th Regular Council Meeting for consideration.

6.4 Community Services

6.4.1 Draft Agreement with Economic Partners Sudbury East/West Nipissing Inc. for a Sudbury East Region Economic Development Officer

The CAO provided further information under separate cover to update Council on the ongoing regional project with Economic Partners as approved at a Council Meeting held June 21, 2017. The Agreement outlines the terms with Economic Partners and the Sudbury East Municipalities for the hiring of the Sudbury East Economic Development Officer which will be managed by Economic Partners Sudbury East/West Nipissing over the next three years.

A resolution will be presented at the May 16th Regular Council Meeting to adopt a By-law to authorize the Agreement.

6.4.2 Proclamation of June as Seniors' Month and recommendation for a financial donation

Councillor Pageau presented the report included in the agenda package.

Following discussion, Council generally agreed with the Proclamation and the donation of \$150. A resolution will be presented at the May 16th Regular Council Meeting to authorize the donation.

The Proclamation of June as Seniors' Month will be published in the Vision.

6.5 Emergency Services and Public Safety

6.5.1 Draft revised Property Standards By-law

The by-law was revised to conform to new legislation and to standardize regulations for the Shared Building and By-law Department.

Following discussion, Council generally agreed that the By-law be considered for adoption at the May 16th Regular Council Meeting.

6.5.2 Draft revised Clean Yard By-law

The by-law was revised to conform to legislation and to standardize regulations for the Shared Building and By-law Department.

Following discussion, Council generally agreed that the By-law be considered for adoption at the May 16th Regular Council Meeting.

6.6 Development & Planning (NIL)

6.7 Correspondence

6.7.1 École secondaire de la Rivière-des-Français Request for annual student bursary

The Clerk presented the request included in the agenda package.

Following discussion, Council generally agreed to increase the bursary from 200\$ to 500\$. A resolution will be presented at the May 16th Regular Council Meeting.

REGULAR MEETING

Mayor Claude Bouffard resumed the position of Chair for the remainder of the meeting.

7. Verbal Motion to return into the Regular Meeting

Moved by: Denny Sharp

Resol. 2018- 106

THAT the Committee rise and report.

8. Consideration of the adoption of recommendations from Committee of the Whole

Moved By Mike Bigras and Seconded By Dean Wenborne

Resol. 2018- 107

BE IT RESOLVED THAT the actions taken in Committee of the Whole in considering delegations, reports and correspondence be confirmed by this Council.

Carried

9. Consent Agenda

The following motion was presented to adopt the items contained in the Consent Agenda:

Moved By Gisele Pageau and Seconded By Malcolm Lamothe

Resol. 2018- 108

BE IT RESOLVED THAT Council approves the Items of the Consent Agenda under Sections 9.1, 9.3, 9.4 and receives the Items under Sections 9.2.

Carried

Items 9.1.1 and 9.3.1 were taken out of the Consent Agenda to allow debate.

9.1 Adoption of Minutes

*** Item was separated from the Consent Agenda to allow debate.**

9.2 Minutes Received

Moved By Gisele Pageau and Seconded By Malcolm Lamothe

Resol. 2018- 109

BE IT RESOLVED THAT Council receives the following minutes as presented:

Sudbury East Planning Board held March 8, 2018

Carried

9.3 Items for Consideration or Information (NIL)

9.3.1 Monthly Disbursements Report

*** Item was separated from the Consent Agenda to allow debate.**

9.4 By-laws (NIL)

Items separated from the Consent Agenda to allow debate

9.1 Adoption of Minutes

Moved By Mike Bigras and Seconded By Malcolm Lamothe

Resol. 2018- 110

BE IT RESOLVED THAT Council adopts the following minutes as presented:

Regular Council Meeting held April 18, 2018

Carried

9.3.1 Monthly Disbursements Report

The total disbursements reported for the months of March 2018 were in the amount of \$1,235,916.36.

10. Notices of Motion (NIL)

11. Announcement and Inquiries

12. Closed Session

***Item was moved up following Item 4.2, Delegation of the French River Rapids.**

13. Adjournment

Moved By Gisele Pageau and Seconded By Malcolm Lamothe Resol. 2018- 111

BE IT RESOLVED THAT By-law 2018-27, being a by-law to confirm the proceedings of the Council of the Corporation of the Municipality of French River at a meeting held on May 2, 2018 be read a first, second and third time and finally passed.

Carried

Moved By Ron Garbutt and Seconded By Dean Wenborne Resol. 2018- 112

BE IT RESOLVED THAT the meeting be adjourned at 8:55 p.m.

Carried

MAYOR

CLERK



VÉLOROUTE
VOYAGEUR
CYCLING ROUTE

A project of Discovery Routes Trails Organization

April 27, 2018

Mayor and Council
Municipality of French River
Via email: mbouffard@frenchriver.ca

Dear Mayor and Council,

RE: Ontario's Cycling Strategy Action Plan 2.0 and Province-wide Cycling Network Report

Discovery Routes attended the Ontario Bike Summit on April 18, 2018 during which the province released #CycleON Action Plan 2.0, a second set of actions proposed to achieve the vision of Ontario's Cycling Strategy. One of the primary strategic directions is to increase cycle tourism opportunities through the implementation of a province-wide cycling network. The long-awaited report identifying the cycling network was also released together with the province's plan to support a connected network that promotes cycling as a choice for commuting, active living, recreation and tourism.

The province-wide cycling network report identifies a 9800km primary cycling network with an additional 7225km of connecting routes. Discovery Routes has been working collaboratively with stakeholders across northeastern Ontario since 2013 as the lead agency for the development of the Voyageur Cycling Route. We are thrilled to see that the province recognizes and supports our work by identifying the proposed 630km Voyageur Cycling Route as a primary corridor in the province-wide cycling network. Members of your staff have been involved in the planning of the cycling route with the result that Noëlville is one of the communities that form part of this provincially significant endeavor.

It is anticipated that the province-wide cycling network will take decades to complete. However, the inter-jurisdictional cooperation that is being facilitated through the process to develop the Voyageur Cycling Route ensures that our regional vision for the cycling network is a priority. Action Plan 2.0 speaks to how priorities will be set for provincial investments. Some notable actions identified in the plan that speak directly to the goals and objectives of the province-wide cycling network and relevant to the Voyageur Cycling Route include:

- *Action 1.2 - Implement active transportation policies in northern Ontario including connecting the province-wide cycling network and partnering with First Nations and municipalities to improve cycling options*
- *Action 2.1 – Invest in new cycling infrastructure for commuting, active living and recreational purposes under the Climate Change Action Plan – At least ten rural municipalities along the Voyageur Cycling Route were recipients in the first round of funding through the Ontario Municipal Commuter Cycling Infrastructure Program. We would encourage the Municipality of French River to apply in the next round.*
- *Action 2.4 - Start to include cycling infrastructure in provincial highway construction projects using the province-wide cycling network as a foundation – As part of the implementation of the Voyageur Cycling Route, we have already requested improvements to provincial highways where no alternative cycling route exists. This includes sections of Highway 17 west of North Bay, as well as cycling infrastructure improvements along sections of Highway 64 and 535 where they are needed.*



VÉLOROUTE
VOYAGEUR
CYCLING ROUTE

A project of Discovery Routes Trails Organization

- *Action 2.5 - Develop a program to help municipalities build and maintain portions of the province-wide cycling network that fall under municipal jurisdiction* – French River may benefit through improvements to cycling route designated municipal roadways (Guerin Road). It is worth noting that the province also makes reference to maintenance which will be critical to the long-term sustainability of the cycling network.
- *Action 5.1 - Showcase Ontario as a premier cycling tourism destination* – Northeastern Ontario has a distinct landscape and culture unlike other more urbanized parts of the province. As we work on the development of a marketing strategy for the Voyageur Cycling Route with support from the province, a better understanding of how to attract this cycling niche market will be gained.
- *Action 5.7 - Establish a Cycling Recreation and Tourism Trails Infrastructure Fund* – The establishment of an infrastructure program that supports municipalities and other route authorities such as those responsible for the development of off-road trails is an important element in the implementation of the cycling network.

The government's actions to improve cycling in the Province are detailed on their website at www.ontario.ca/cycling.

Discovery Routes will continue to coordinate and collaborate with municipalities and other cycling route authorities and make sure that stakeholders are informed of opportunities as they arise. However, as a small grassroots organization our capacity is limited and, therefore we urge municipalities to stay on top of actions taken by the province and others in establishing a connected and consistent cycling network in Ontario.

Not only does the Voyageur Cycling Route and other connecting routes create a tourism product that is representative of the unique nature of our communities, it presents an opportunity to work together towards a transportation network that supports recreation, active travel and overall well-being. Discovery Routes is proud to be a part of this important work.

Please do not hesitate to contact me should you have any questions regarding any of the above. We look forward to continuing to work collaboratively with you.

Most sincerely,

Jennifer McCourt, Executive Director
Discovery Routes Trails Organization

CC: Mark Gagnon, CAO
Carlie Zwiers, Executive Assistant

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2018-28

BEING A BY-LAW TO PROVIDE STANDARDS FOR THE MAINTENANCE AND OCCUPANCY OF PROPERTY IN THE MUNICIPALITY OF FRENCH RIVER

WHEREAS under Section 15.1 (3) of the Building Code Act, S.O. 1992, c23 as amended, a by-law may be passed by the council of a municipality prescribing the standard for the maintenance and occupancy of property within the municipality provided the official plan for the municipality includes provisions relating to property conditions;

AND WHEREAS the Official Plan for the Municipality of French River includes provisions relating to property conditions;

AND WHEREAS the Council of The Municipality of French River is desirous of passing a by-law under Section 15.1 (3) of the Building Code Act, S.O. 1992, C23 as amended;

AND WHEREAS Section 15.6 (1) of the Building Code Act, S.O. 1992, c23 as amended requires that a by- law passed under Section 15.1 (3) of the Building Code Act, S.O. 1992, c23 as amended shall provide for the establishment of a Property Standard Committee;

NOW THEREFORE the Council of The Municipality of French River hereby enacts the following:

SECTION I - DEFINITIONS

In this by-law:

1.01 "Accessory Building" means a detached building or structure, not used for human habitation that is subordinate to the primary use of the same property.

1.02 "Agricultural Operation" means an agricultural operation as defined by the Farming and Food Protection Act, S.O. 1998, c.1;

1.03 "Apartment Building" means a building containing more than four dwelling units with individual access from an internal corridor system.

1.04 "Approved" means acceptance by the Property Standards Officer.

1.05 "Basement" means that space of a building that is partly below grade, which has half or more of its height, measured from floor to ceiling above the average exterior finished grade.

1.06 "Chief Building Official" means the Chief Building Official (CBO) appointed by Council under the Building Code Act, S.O. 1992, c 23, as amended, or the person who is appointed to act in that capacity during his or her absence;

1.07 "Cellar" means that space of a building that is partly or entirely below grade, which has more than half of its height, measured from floor to ceiling below the average exterior finished grade.

1.08 "Committee" means a Property Standards Committee as defined in the Ontario Building Code Act

1.09 "Debris" shall mean, but is not limited to, garbage, rubbish, refuse or wrecked, decayed, dilapidated, or inoperative motor vehicles, vehicles or machinery and parts thereof;

1.10 "Domestic Waste" means any debris, rubbish, refuse, sewage, effluent, discard or garbage arising from residential household use, belonging to or associated with a house or use of a house or residential land, which for greater certainty includes all garbage, discarded material or items, broken or dismantled items, and materials or items exposed to the elements, deteriorating or decaying on land due to exposure or the weather, and for even greater certainty "domestic waste" includes but is not limited to the following classes of material regardless of the nature or condition of the material, article or thing:

- a. Broken or torn bits of twigs, splinters or rags, tree cuttings or cut limbs and brush from any shrub or tree, and waste lumber, excepting only cut and stacked;
- b. Paper, paper cartons and other paper products;
- c. Rotting vegetable matter, or rotting animal matter;
- d. Disconnected appliances, including refrigerators, stoves, freezers, or any part or parts of such items;
- e. Furnaces or furnace parts, ducting, pipes, fittings to pipes and wire;
- f. Water or fuel tanks;
- g. Inoperative machinery, inoperative motor vehicles, and parts or accessories of such items including tires, building or construction materials, other than those on site for ongoing construction;
- h. Accumulations of broken concrete or asphalt pavement, brick pavers, sidewalk slabs and used building materials;
- i. Materials resulting from the alteration, repair or demolition of any building or structure;
- j. Sewage;
- k. Containers such as crockery, dishes, glassware, pots and pans and cans.

Domestic Waste as defined in this by-law does not cease to become domestic waste by reason only that it may be commercially saleable or recyclable

1.11 "Dwelling" means a building or structure or part of a building or structure, occupied or capable of being occupied, in whole or in part for the purpose of human habitation.

1.12 "Dwelling Unit" means a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking, eating, sleeping, and sanitary facilities.

1.13 "First Storey" means that part of a building having a floor area closest to grade with a ceiling height of more than 1.8 metres (6 ft.) above grade.

1.14 "Guard" means a protective barrier installed around openings in floor areas or on the open sides of a stairway, a landing, a balcony, a mezzanine, a gallery, a raised walkway, and other locations as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through them.

1.15 "Habitable Room" means any room in a dwelling unit used for or capable of being used for living, cooking, sleeping or eating purposes.

1.16 "Industrial Waste" means any debris, rubbish, refuse, sewage effluent, discard, or garbage of a type arising from industrial, manufacturing, commercial or construction operations or belonging to or associated with an industry or commerce or industrial or commercial land, which for greater certainty includes all garbage, discarded material or items, broken or dismantled items, and due to exposure to the weather, and for even greater certainty "industrial waste" includes but is not limited to the following classes of material regardless of the nature condition of the material, article or items:

- Debris, discarded items or matter, or effluent which in whole or in part are derived from or are constituted from or consist of,
 - Animal or vegetable matter, paper, lumber or wood; or
 - Mineral, metal or chemicals, or fill contaminated with petrochemical or petroleum products;
- Piles of miscellaneous plastic, wood or metal parts, or combinations of such materials;
- Automotive parts not packaged for immediate shipment, inoperative vehicles, vehicle parts, inoperative mechanical equipment, mechanical parts, accessories or adjuncts to the vehicle and mechanical equipment not contained in a legal salvage yard;
- Piping, ducting tubing conduits, cable, wire and fittings or related accessories with or without adjuncts, and not packaged for immediate shipment;
- Material resulting from or as part of construction, demolition, repair or renovation projects including debris and leftovers;
- Rubble or fill;
- Sewage;
- Ashes;
- Dust emanating from the operation of the enterprise;
- Broken bricks, concrete or asphalt; and

Industrial Waste as defined by this by-law does not cease to be industrial waste reason only that it may be commercially saleable or recyclable.

1.17 "Infestation" means the presence of an unusually large number of insects or animals in a place, typically so as to cause damage or disease.

1.18 "Means of Egress" means a continuous, unobstructed path of travel provided by a doorway, hallway, corridor, exterior passage way, balcony, lobby, stair, ramp, or other exit facility used for the escape of persons from any point within a building, a floor area, a room, or a contained open space to a public thoroughfare or an approved area of refuge usually located outside the building.

1.19 "Multiple Dwelling" means a building containing three or more dwelling units.

1.20 "Non-Habitable Room" means any room in a dwelling or dwelling unit other than a habitable room and includes a bathroom, a toilet room, laundry, pantry, lobby, corridor, stairway, closet, boiler room, or other space for service and maintenance of the dwelling for public use, and for access to and vertical travel between storeys, and basement or part thereof which does not comply with the standards of fitness for occupancy set out in this By-Law.

1.21 "Non-Residential Property" means a building or structure or part of a building or structure not occupied in whole or in part for the purpose of human habitation, and includes the lands and premises appurtenant and all of the outbuildings, fences or erections thereon or therein.

1.22 "Occupant" means any person or persons over the age of 18 years in possession of the land;

1.23 "Officer" means a municipal law enforcement officer (MLEO), a building inspector, a fire prevention officer, a fire fighter, a health inspector, a weed inspector appointed under the Weed Control Act or any other person appointed or employed by the municipality for the enforcement of by-laws and includes a peace officer;

1.24 "Owner" includes:

- Both the owner in trust and the beneficial owner of land;
- The person for the time being managing or receiving rent of the land or premises in connection with which the word is used, whether on the person's own account or as agent or trustee of any other person, who would receive the rent if the land and premises were let; and
- A lessee or occupant of the land who manages or controls the condition of the land;

1.25 "Person" means an individual, firm, corporation, association or partnership.

1.26 "Refuse" means any article, thing, matter, substance or effluent that:

- Has been cast aside, discharged or abandoned, or
- Is disused from its usual and intended use, or
- Is used up, in whole or in part, or expanded or worn out, in whole or in part; and
- Shall include domestic and industrial waste;

1.27 "Residential Property" means any property that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any lands or buildings that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces, and fences associated with the dwelling or its yard.

1.28 "Service room" means a room provided in a building to contain equipment associated with building services.

1.29 "Sewage" includes any liquid waste containing human, vegetable or mineral matter, waste that is in suspension whether domestic or industrial or any other waste whether in suspension or precipitated, but does not include roof water or storm run-off

1.30 "Standards" means the standards of the physical condition and of occupancy prescribed for property by this By-Law.

1.31 "Standing water" means any water on property other than:

- a. A natural, moving body of water that exists on a permanent basis;
- b. A body of water that is maintained in such a way so as to prevent the breeding of and/or larvae growth of mosquitoes, through the operation of a re-circulation and filtration system and/or the additive of an approved substance that will prevent the breeding of and/or larvae growth of mosquitoes;
- c. Any body of water containing live fish;
- d. Any body of water natural to its surrounding environment including natural ponds, bogs, marshes and wetlands;
- e. Any body of water within a municipally owned storm water management facility; and
- f. Any body of water contained for less than four (4) days.

1.32 "Toilet Room" means a room containing a water closet and a washbasin.

1.33 "Yard" means the developed area on land or portion thereof other than publicly owned land around or appurtenant to the whole or any part of a residential or non-residential property and used or capable of being used in connection with the property.

SECTION II - GENERAL STANDARDS FOR ALL PROPERTY

2.01 All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned. All new construction or repairs shall conform to the Ontario Building Code, Ontario Fire Code and the *Fire Prevention and Protection Act* where applicable.

YARDS

2.02 Every yard, including vacant lots shall be kept clean and free from:

- (1) rubbish or debris and objects or conditions that may create a health, fire, or accident hazard;
- (2) wrecked, dismantled, discarded or abandoned machinery, vehicles, trailers or boats unless it is necessary for the operation of a business enterprise lawfully situated on the property;
- (3) long grass, brush, undergrowth and noxious weeds as defined by the *Weed Control Act*;
- (4) dilapidated, collapsed or partially constructed structures which are not currently under construction;
- (5) injurious insects, termites, rodents, vermin or other pests;
- (6) wells must be capped with a secure and structurally adequate top to the satisfaction of the officers to prevent persons and animals from falling through and to prevent the infiltration of water and as per Ministry of Environment (MOE) requirements
- (7) abandoned dug and drilled wells shall be filled or sealed with approved material and by a qualified contractor as per MOE guidelines
- (8) dead, decayed or damaged trees or other natural growth within the boundaries of the Municipality of French River.

SURFACE CONDITIONS

2.03 Surface conditions of yards shall be maintained so as to:

- (1) prevent ponding of storm water;
- (2) prevent instability or erosion of soil;
- (3) prevent surface water run-off from entering basements;
- (4) not exhibit an unsightly appearance;
- (5) be kept free of garbage and refuse;
- (6) be kept free of deep ruts and holes;
- (7) provide for safe passage under normal use and weather conditions, day or night; and
- (8) not to create a nuisance to other property.

SEWAGE AND DRAINAGE

2.04 Sewage shall be discharged into an approved sewage system.

2.05 Sewage of any kind shall not be discharged onto the surface of the ground, whether into a natural or artificial surface drainage system or otherwise.

2.06 Roof drainage shall not be discharged onto sidewalks, stairs, or adjacent property.

2.07 Storm water and pumped discharge water shall be drained from the yard so as to prevent recurrent pounding or the entrance of water into a building and in a manner that will minimize erosion of the property and adjacent properties

2.08 Storm water and pumped discharge water shall not be discharged in to a municipal sanitary system

2.09 Eavestroughs and downspouts shall be maintained

PARKING AREAS, WALKS AND DRIVEWAYS

2.10 All areas used for vehicular traffic and parking shall have a surface covering of asphalt, concrete, interlocking bricks, compacted stone or gravel and shall be kept in good repair free of dirt and litter.

2.11 Steps, walks, driveways, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions day or night.

EXTERIOR WALLS, ACCESSORY BUILDINGS, FENCES AND OTHER STRUCTURES

2.12 Accessory buildings, fences and other structures appurtenant to the property shall be maintained in structurally sound condition and in good repair.

2.13 Exterior walls of a building or a structure and their components, including soffits, fascia, windows and doors, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco, and other defective cladding, or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.

2.14 Exterior walls of a building or a structure and their components, shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.

GARBAGE DISPOSAL

2.15 Every building, dwelling, and dwelling unit shall be provided with a sufficient number of suitable receptacles to contain all garbage. Such receptacles shall be constructed of watertight material, provided with a tight fitting cover, and shall be maintained in a clean and odour free condition at all times.

2.16 All garbage shall be promptly placed in a suitable container.

2.17 Garbage storage areas shall be screened from public view.

COMPOST HEAPS

2.18 The occupant of a residential property may provide for a compost heap in accordance with the health regulations, provided that the compost pile is no larger than one square metre and 1.8 metres in height and is enclosed on all sides by concrete block, or lumber, or in a forty-five gallon container, a metal frame building with a concrete floor, or a commercial plastic enclosed container designed for composting.

SECTION III - RESIDENTIAL PROPERTY STANDARDS GENERAL CONDITIONS

This section refers to **RESIDENTIAL RENTAL DWELLINGS** only. The purpose of this section is for the health and safety of the occupants of the dwelling and for the general public.

3.01 Every tenant, or occupant or lessee of a residential property shall maintain the property or part thereof and the land which they occupy or control, in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis, in accordance with municipal by-laws.

3.02 Every tenant, or occupant or lessee of a residential property shall maintain every floor, wall, ceiling and fixture, under their control, including hallways, entrances, laundry rooms, utility rooms, and other common areas, in a clean, sanitary and safe condition.

3.03 Accumulations or storage of garbage, refuse, appliances, or furniture in a means of egress shall not be permitted.

PEST PREVENTION

3.04 Dwellings shall be kept free of rodent, vermin and insect infestation at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the *Pesticides Act*.

3.05 Openings, including windows, that might permit the entry of rodents, insects, vermin or other pests shall be appropriately screened or sealed.

STRUCTURAL SOUNDNESS

3.06 Every part of a dwelling shall be maintained in a structurally sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use, having a level of safety as required by the Ontario Building Code and as determined by the CBO of the Municipality.

3.07 Walls, roofs, and other exterior parts of a building shall be free from loose or improperly secured objects or materials.

FOUNDATIONS

3.08 Foundation walls of a dwelling shall be maintained so as to prevent the entrance of insects, rodents and excessive moisture. Maintenance includes the shoring of the walls to prevent settling, installing sub soil drains, where necessary, at the footings, grouting masonry cracks, damp proofing and waterproofing walls, joints, and floors.

EXTERIOR WALLS

3.09 Exterior walls of a dwelling and their components, including soffits, fascia, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco, and other defective cladding, or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.

3.10 Exterior walls of a dwelling and their components shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.

WINDOWS AND DOORS

3.11 Windows, doors, skylights, and basement or cellar hatchways shall be maintained in good repair, weather tight and reasonably draught-free, to prevent heat loss and infiltration by the elements. Maintenance includes painting, replacing damaged doors, frames and other components, window frames, sashes and casings, replacement of non-serviceable hardware and re-glazing where necessary. Where screening is provided on windows and doors it shall also be maintained in good repair.

3.12 In a dwelling unit, all windows that are intended to be opened and all exterior doors shall have suitable hardware so as to allow locking or otherwise securing from inside the dwelling unit. At least one entrance door to a dwelling unit shall have suitable hardware so as to permit locking or securing from either inside or outside the dwelling unit.

3.13 An exterior type door shall be provided for all entrances to dwellings and dwelling units.

3.14 In residential buildings where there is a voice communication unit working in conjunction with a security locking and release system controlling a particular entrance door and installed between individual dwelling units and a secured entrance area, the said system shall be maintained in good working order at all times.

3.15 Every window in a leased dwelling unit that is located above the first storey of a multiple dwelling shall be equipped with an approved safety device that would prevent any part of the window from opening greater than would permit the passage of a 100 mm diameter (3.9 inches) sphere. Such safety device shall not prevent the window from being fully opened during an emergency situation by an adult without the use of tools.

ROOFS

3.16 Roofs of dwellings and their components shall be maintained in a weather tight condition, free from loose or unsecured objects or materials.

3.17 Where eaves troughing, roof gutters, are provided they shall be kept in good repair, free from obstructions, properly secured to the building and drain in a manner not to adversely affect the neighbours dwelling or buildings.

WALLS, CEILINGS AND FLOORS

3.18 Every wall, ceiling and floor in a dwelling shall be maintained so as to provide a continuous surface free of holes, cracks, loose coverings or other defects. Walls surrounding showers and bathtubs shall be impervious to water.

3.19 Every floor in a dwelling shall be reasonably smooth and level and maintained so as to be free of all loose, warped, protruding, broken, or rotted boards or other material that might cause an accident or allow the entrance of rodents and other vermin or insects.

3.20 Every floor in a bathroom, toilet room, kitchen, shower room, and laundry room shall be maintained so as to be impervious to water and readily cleaned.

STAIRS, PORCHES AND BALCONIES

3.21 Inside and outside stairs, porches, balconies and landings shall be maintained so as to be free of holes, cracks, and other defects which may constitute accident hazards. Existing stair treads or risers that show excessive wear or are broken, warped or loose and any supporting structural members that are rotted or deteriorated shall be repaired or replaced.

GUARDRAILS

3.22 A guard shall be installed and maintained in good repair on the open side of any stairway or ramp containing three (3) or more risers including the landing or a height of 600 mm (24") between adjacent levels. A handrail shall be installed and maintained in good repair in all stairwells. Guardrails shall be installed and maintained in good repair around all landings, porches, balconies. Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

KITCHENS

3.23 Every dwelling shall contain a kitchen area equipped with:

- (a) a sink that is served with hot and cold running water and is surrounded by surfaces impervious to grease and water;
- (b) suitable storage area of not less than 0.23 cubic metres (8 cubic feet);
- (c) a counter or work area at least 610 mm (2 ft) in width by 1,220 mm (4 ft) in length, exclusive of the sink, and covered with a material that is impervious to moisture and grease and is easily cleanable; and
- (d) a space provided for cooking and refrigeration appliances including the suitable electrical or gas connections.

TOILET AND BATHROOM FACILITIES

3.24 Every dwelling unit shall contain a bathroom consisting of at least one fully operational water closet, washbasin, and a bathtub or suitable shower unit. Every washbasin and bathtub or shower shall have an adequate supply of hot and cold running water. Every water closet shall have a suitable supply of running water.

3.25 Every required bathroom or toilet room shall be accessible from within the dwelling unit and shall be fully enclosed and provided with a door capable of being locked so as to allow privacy for the persons using said room.

3.26 Where toilet or bathroom facilities are shared by occupants of residential accommodation, other than self-contained dwelling units, an appropriate entrance shall be provided from a common passageway, hallway, corridor or other common space to the room or rooms containing the said facilities.

PLUMBING

3.27 Each washbasin, a bathtub or shower, and one kitchen sink shall be equipped with an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 43 degrees Celsius (110° F).

3.28 Every dwelling unit shall be provided with an adequate supply of potable running water from a source approved by the Medical Officer of Health.

3.29 All plumbing, including drains, water supply pipes, water closets and other plumbing fixtures shall be maintained in good working condition free of leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

3.30 All plumbing fixtures shall be connected to the sewerage system through water seal traps.

3.31 Every fixture shall be of such materials, construction and design as will ensure that the exposed surface of all parts are hard, smooth, impervious to hot and cold water, readily accessible for cleansing and free from blemishes, cracks, stains, or other defects that may harbour germs or impede thorough cleansing.

ELECTRICAL SERVICE

3.32 Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system.

3.33 The electrical wiring, fixtures, switches, receptacles, and appliances located or used in dwellings, dwelling units and accessory buildings shall be installed and maintained in good working order so as not to cause fire or electrical shock hazards. All electrical services shall conform to the regulations established by the *Power Corporations Act*, as amended.

3.34 Every habitable room in a dwelling shall have at least one electrical duplex outlet for each 11.1 square metres (120 sq. ft.) of floor space and for each additional 9.3 square metres (100 sq. ft.) of floor area, a second duplex outlet shall be provided. Extension cords shall not be used on a permanent basis.

3.35 Every bathroom, toilet room, kitchen, laundry room, furnace room, basement, cellar and non-habitable work or storage room shall be provided with a permanent light fixture.

3.36 Lighting fixtures and appliances installed throughout a dwelling unit, including hallways, stairways, corridors, passage ways, garages and basements, shall provide sufficient illumination so as to avoid health or accident hazards in normal use.

HEATING, HEATING SYSTEMS, CHIMNEYS AND VENTS

3.37 Every dwelling and building containing a residential dwelling unit or units shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 degrees Celsius (70° F.) in the occupied dwelling units. The heating system shall be maintained in good working condition so as to be capable of safely heating the individual dwelling unit to the required standard.

3.38 All fuel burning appliances, equipment, and accessories in a dwelling shall be installed and maintained to the standards provided by the *Energy Act*, as amended or other applicable legislation.

3.39 Where a heating system or part thereof that requires solid or liquid fuel to operate, a place or receptacle for such fuel shall be provided and maintained in a safe condition and in a convenient location so as to be free from fire or accident hazard.

3.40 Every dwelling shall be so constructed or otherwise separated to prevent the passage of smoke, fumes, and gases from that part of the dwelling which is not used, designed or intended to be used for human habitation into other parts of the dwelling used for habitation.

3.41 All fuel burning appliances, equipment, and accessories in a dwelling shall be properly vented to the outside air by means of a smoke-pipe, vent pipe, chimney flue or other approved method.

3.42 Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good repair so as to prevent the escape of smoke, fumes or gases from entering a dwelling unit. Maintenance includes the removal of all obstructions, sealing open joints, and the repair of loose or broken masonry units.

3.43 Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good condition so as to prevent the heating of adjacent combustible material or structural members to unsafe temperatures.

FIRE ESCAPES, ALARMS AND DETECTORS

3.44 A listed fire alarm and a fire detection system, approved by the Canadian Standards Association or Underwriters Laboratories of Canada, shall be provided by the owners of buildings of residential occupancies where sleeping accommodations are provided for more than ten (10) persons, except that such systems need not be provided where a public corridor or exit serves not more than four (4) dwelling units or individual leased sleeping rooms.

3.45 In addition to the provisions of Article 3.46 hereof, in every dwelling unit in a building, a listed smoke alarm, approved by the Canadian Standards Association or Underwriters Laboratories of Canada, or detectors of the single station alarm type, audible within bedrooms when intervening doors are closed, shall be installed by the occupant between bedrooms or the sleeping area and the remainder of the dwelling unit, such as in a hallway or corridor serving such bedrooms or sleeping area. The products of combustion detector referred shall be:

- (a) equipped with visual or audio indication that they are in operating condition;
- (b) mounted on the ceiling or on a wall between 152.4 and 304.8 mm (6 to 12 inches) below the ceiling.

3.46 Buildings using a fire escape as a secondary means of egress shall have the escape in good condition, free from obstructions and easily reached through an open able window or door.

EGRESS

3.47 Every dwelling and each dwelling unit contained therein shall have a safe, continuous and unobstructed passage from the interior of the dwelling and the dwelling unit to the outside at street or grade level.

3.48 Each dwelling containing more than one dwelling unit shall have at least two (2) exits, both of which may be common or the one of which may be common and the other may be an exterior stair or fire escape. Access to the stairs or fire escape shall be from corridors through doors at floor level, except access from a dwelling unit may be through a vertically mounted casement window having an unobstructed opening of not less than 1,067 by 559 mm, (42 x 22 inches) with a sill height of not more that 914mm, (36 inches), above the inside floor. A single exit is permitted from a dwelling unit where the path of egress is through an exterior door located at or near ground level and access to such exit is not through a room not under the immediate control of the occupants of the dwelling unit.

NATURAL LIGHT

3.49 Every habitable room except a kitchen, bathroom or toilet room shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space and admits as much natural light equal to not less than ten percent of the floor area for living and dining rooms and five percent of the floor area for bedrooms and other finished rooms.

VENTILATION

3.50 Every habitable room in a dwelling unit, including kitchens, bathroom or toilet rooms, shall have openings for ventilation providing an unobstructed free flow of air of at least 0.28 square metres (3 sq. ft), or an approved system of mechanical ventilation such that provide hourly air exchanges.

3.51 All system of mechanical ventilation shall be maintained in good working order.

3.52 All enclosed areas including basements, cellars, crawl spaces and attics or roof spaces shall be adequately ventilated and maintained to prevent entry of snow, rain, rodents and insects.

ELEVATING DEVICES

3.53 Elevators and other elevating devices including all mechanical and electrical equipment, lighting fixtures, lamps, control buttons, floor indicators, ventilation fans, and emergency communication systems shall be operational and maintained in good condition.

DISCONNECTED UTILITIES

3.54 Owners of residential buildings or any person or persons acting on behalf of such owner shall not disconnect or cause to be disconnected any service or utility supplying heat, electricity, gas, refrigeration or water to any residential unit or building occupied by a tenant or lessee, except for such reasonable period of time as may be necessary for the purpose of repairing, replacing, or otherwise altering said service or utility.

OCCUPANCY STANDARDS

3.55 The number of occupants, residing on a permanent basis in a individual dwelling unit, shall not exceed one person for every nine square metres (97 sq. ft), of habitable floor area. For the purpose of computing habitable floor area, any area with the minimum ceiling height less than 2.1 metres (7 ft.) shall not be considered.

3.56 No room shall be used for sleeping purposes unless it has a minimum width of two metres (6.6 ft.), and a floor area of at least seven square metres (75 sq. ft.). A room used for sleeping purposes by two or more persons shall have a floor area of at least four square metres (43 sq. ft.) per person.

3.57 Any basement or portion thereof, used as a dwelling unit shall conform to the following requirements:

- (a) each habitable room shall comply with all the requirements set out in this By-Law;
- (b) floors and walls shall be constructed so as to be damp proof and impervious to water leakage;
- (c) each habitable room shall be separated from service rooms by a suitable fire separation and approved under the Ontario Building Code;
- (d) access to each habitable room shall be gained without passage through a service room.

SECTION IV - VACANT LANDS AND BUILDINGS

4.01 All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned. All new construction or repairs shall conform to the Ontario Building Code where applicable.

VACANT LANDS

4.02 Vacant land shall be maintained to the standards as described in Part 2.02, of this By-Law.

4.03 Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent ponding of water within the boundaries of The Municipality of French River.

VACANT BUILDINGS

4.04 Vacant buildings shall be kept cleared of all garbage, rubbish and debris and shall have all water, electrical and gas services turned off except for those services that are required for the security and maintenance of the property.

4.05 The owner or agent of a vacant building shall board up the building to the satisfaction of the Property Standards Officer by covering all openings through which entry may be obtained with at least 12.7 mm (0.5 inch) weatherproof sheet plywood securely fastened to the building and painted a colour compatible with the surrounding walls.

PART V - NON-RESIDENTIAL PROPERTY STANDARDS

5.01 All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned. All new construction or repairs shall conform to the Ontario Building Code where applicable.

YARDS

5.02 The yards of non-residential property including agricultural operations shall be maintained to the standards as described in Part II, Article 2.02 of this By-Law.

5.03 The warehousing or storage of material or operative equipment that is required for the continuing operation of the industrial or commercial aspect of the property shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard or any unsightly condition and shall provide unobstructed access for emergency vehicles. Where conditions are such that a neat and orderly fashion is achieved but is still offensive to view, the offensive area shall be suitably enclosed by a solid wall or a painted board or metal fence not less than 1.8 metres (6 ft.) in height and maintained in good repair.

STRUCTURAL SOUNDNESS

5.04 Every part of a building structure shall be maintained in a sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use. Structural members or materials that have been damaged or indicate evidence of deterioration shall be repaired or replaced.

5.05 Walls, roofs, and other exterior parts of a building or structure shall be free from loose or improperly secured objects or materials.

GUARDRAILS

5.06 All guardrails shall be installed and maintained in good repair on the open side of any stairway or ramp containing three (3) or more risers including the landing or a height of 600 mm (24") between adjacent levels. A handrail shall be installed and maintained in good repair in all stairwells. Guardrails shall be installed and maintained in good repair around all landings, porches, balconies. Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

LIGHTING

5.07 All non-residential establishments shall install and maintain sufficient windows, skylights, and lighting fixtures necessary for the safety of all persons attending the premises or as may be required by the *Occupational Health and Safety Act* for industrial and commercial properties. However, lighting shall not be positioned so as to cause any impairment of use or enjoyment of neighbouring properties.

PART VI - ADMINISTRATION AND ENFORCEMENT

6.01 This By-Law shall apply to all property within the limits of the municipality

6.02 The imperial measurements contained in this By-Law are given for reference only.

OFFICERS

6.03 The Council of the municipality shall appoint the By-law Enforcement Officer as a Property Standards Officer(s) to be responsible for the administration and enforcement of this By-Law.

PROPERTY STANDARDS COMMITTEE

6.04 Council shall appoint at large, by a Resolution (or By-Law) of Council, no fewer than three (3) persons of the municipality to the Property Standards Committee for a term of office concurrent with Council. Property Standards committee will be responsible to receive, investigate and schedule the appeal committee meeting. (see policy procedures in schedule "A" for appeals to the property standards committee)

6.05 Each member of the Property Standards Committee, appointed by Council, shall be entitled to an honorarium of **\$50.00** per meeting for their attendance at Committee meetings.

6.06 Every person who initiates an appeal of an Order made 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 the manner as prescribed in section 15.3 (1) of the *Act*. All Notices of Appeal shall be accompanied by a non-refundable payment of **\$150.00** dollars.

COMPLIANCE

6.07 The owner of owners of a property which does not conform to the required standards as set out in this By-law shall, on receiving an order to do so, repair and/or maintain said property to comply with the standards as set out in the order. Failure to comply may result in the municipality clearing the said property of all buildings, structures, debris and refuse with the land left levelled, graded and recover the expenses incurred in like manner as municipal taxes to be levied against such person or by an action.

PENALTY

6.08 An owner who fails to comply with an order that is final and binding under this by-law is guilty of an offence under section 36(1) of the *Building Code Act, S.O. 1992, c.23* as amended, and is liable to a penalty or penalties as set out in the Provincial Offences Act.

VALIDITY

6.09 Should a court of competent jurisdiction declare a part or whole of any provision of this bylaw to be invalid or of no force and effect, the provision or part is deemed severable from this bylaw, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law so as to protect the public by ensuring a minimum standard for maintenance and occupancy is maintained.

6.10 Where a provision of this by-Law conflicts with the provision of another by-law in force within the municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

TRANSITIONAL RULES

6.11 After the date of the passing of this by-law, By-Law No. 2006-12, as amended, shall apply only to those properties in which an Order to Comply has been issued prior to the date of passing of this by-law, and then only to such properties until such time as the work required by such Order has been completed or any enforcement proceedings with respect to such Order, including any demolition, clearance, or repair carried out by the municipality shall have been concluded.

ENACTMENT

6.12 This By-Law may be referred to as the "**Property Standards By-Law**".

6.13 That By-law 2006-12 and any By-laws inconsistent with this By-law are hereby repealed.

6.14 The attached Schedule "A" form part of this By-law.

6.15 This By-law shall come into force and take effect upon third and final reading.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 16TH DAY OF MAY, 2018.**

MAYOR

CLERK

SCHEDULE “A” of By-law 2018-28

PROPERTY STANDARDS POLICY

All property owners are required to repair and maintain their property according to standards set in Property Standards By-law 2018-28, including owners of rental residential properties. (This is unless there is a specific agreement between the property owner and the lessee or occupants that assigns maintenance and repair responsibility, in accordance with the municipal property standards requirements, to the lessee or occupant.)

For examples of the standards contained in the Property Standards By-law 2018-28, please contact the municipal office for a copy of the by-law.

All complaints must be signed, written complaints.

When a complaint is received, a Property Standards Officer will investigate to determine if a violation exists. This by-law will not be used to resolve issues between neighbors. If a violation is found, the officer can issue a Property Standards Order advising the owner of the violation and requiring that it be remedied within a specified time period. During the inspection process, the officer will use a common sense approach to the application of the property standards by-law. In view of the fact that the Municipality of French River has many diverse properties such as village areas, waterfront residential, waterfront commercial, farmland, and rural residential, enforcement will have to be done with some discretion taking into consideration the complainant, the geographic location of the property in question, the size of the property in question (farmland versus urban lot), the condition of the adjacent properties, and the effect of the infraction on adjacent properties and the general well-being of the residents of the area, and the Municipality. As the complaints and the investigations become more numerous, past practice data as well as the consistent application of the policy will become more evident, and will act as a guide in the application of the by-law.

Any owner has the right to appeal to the municipality’s Property Standards Committee if they are not satisfied with the terms of the Order. The committee can uphold the Order, rescind it or modify the length of time the owner has to comply.

If you are a tenant that has concerns regarding ill-maintenance of your home or apartment building, first advise the landlord of your concerns in writing. This gives the landlord an opportunity to address the issue. If these concerns are not adequately addressed, register a complaint with the By-law Enforcement office.

If an owner fails to comply with a Property Standards Order, municipal staff may initiate action to complete necessary repairs. Any costs associated with the work on the property will be applied to the tax rolls of the subject property or the owner will be sent an invoice for the cost.

In addition, the municipality may initiate legal action against any person who fails to comply with a Property Standards Order under the Building Code Act. The maximum fine for non-compliance with a Property Standards Order is \$25,000 for an individual and \$50,000 for a corporation.

PROPERTY STANDARDS COMMITTEE

Established - composition

There shall be and is hereby established, a Property Standards Committee of at least three persons who either reside, work or own property in the Municipality of French River to be appointed by Council every four years.

Chairman - appointment

The Committee shall appoint one member as Chairman and, when the Chairman is absent through illness or otherwise, the committee may appoint another member to act as Chairman.

Secretary - appointment

The Committee shall appoint a Secretary for the Committee who shall keep on file minutes and records of all applications and decisions thereon.

Quorum

A majority of the Committee constitutes a quorum and the Committee may adopt its own rules of procedure but, before hearing an appeal under Section 6.06, shall give notice or direct that notice be given of such hearing to such persons as the Committee considers should receive such notice.

APPEAL TO PROPERTY STANDARDS COMMITTEE

Appeal notice - by registered mail

When an owner or occupant upon whom an order of the Officer has been served is not satisfied with the terms or conditions of the order, the owner or occupant may appeal to the committee by sending notice of appeal by registered mail to the Secretary of the Committee within fourteen days after service of the order and, if no appeal is taken, the order shall be deemed to have been confirmed.

Committee - powers on appeal

Where an appeal has been taken, the Committee shall hear the appeal and shall have all the powers and functions of the Officer and may confirm the order to demolish or repair or may modify or quash it or may extend the time for complying with the order provided that, in the opinion of the committee, the general intent and purpose of this Property Standard By-law and the Official Plan are maintained.

APPEAL TO THE ONTARIO COURT OF JUSTICE

Notice - to Municipal Clerk

The municipality or an owner or occupant or person affected by a decision of the Property Standards Committee may appeal to a judge of Ontario Court (General Division) by notifying the Municipal Clerk in writing and applying to the Ontario Court (General Division) for an appointment within fourteen days after the sending of a copy of the decision.

Appointment of hearing - by judge

The judge shall, in writing, appoint a day, time and place for the hearing of the appeal and in the appointment may direct that it shall be served upon such persons and in such manner as the judge prescribes.

Judge - powers on appeal

The judge, on such appeal, has the same power and functions as the Committee.

Final and binding

The order, as deemed to have been confirmed or modified by the judge, shall be final and binding upon the owner and occupant who shall make the repair or effect the demolition within the time and in the manner specified in the Order.

This information is for convenience and quick reference only. For specific information, contact the Municipality.

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2018-29

BEING A BY-LAW TO PROVIDE FOR THE MAINTENANCE OF LAND
(CLEAN YARD BY-LAW) WITHIN THE MUNICIPALITY OF FRENCH RIVER

WHEREAS Section 127 of the Municipal Act, S.O. 2001, c 25, as amended, provides that a municipality may require the owner or occupant of land to clean and clear the land, not including buildings, or to clear refuse or debris from the land, not including buildings;

AND WHEREAS Section 128 of the Municipal Act, S.O. 2001, c 25, as amended, provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS Section 131 of the Municipal Act, S.O. 2001, c 25, as amended, provides that a local municipality may prohibit and regulate the use of any land for the storage of used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts from them for sale or other disposition;

AND WHEREAS Section 133 of the Municipal Act, S.O. 2001, c 25, as amended, provides that a local municipality that is responsible for the enforcement of the Building Code Act, 1992 as amended may regulate in respect of the fortification of and protective elements applied to land in relation to the use of land; and prohibit the excessive fortification of land or excessive protective elements being applied to land in relation to the use of land. 2006, c.32, Sch.A, s. 70(1);

AND WHEREAS Section 8 through 11 of the Municipal Act, S.O. 2001, c 25, as amended, provide that a municipality may pass by-laws respecting, waste management;

AND WHEREAS Section 426 of the Municipal Act, S.O. 2001, c 25, as amended, provides that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Act or under a by-law passed under this Act;

AND WHEREAS this Municipality has regard for endangered species nesting on certain lands in the Municipality and will take measures to protect the species at risk on said land;

AND WHEREAS Section 446 of the Municipal Act, S.O. 2001, c 25, as amended, provides that where a municipality has authority by by-law or otherwise, to direct that a matter or thing be done, the municipality may direct that, in default of it being done by the person required to do it, such matter or thing be done by the municipality at the person's expense and the municipality may recover the expense incurred by action or by adding the cost to the tax roll and collecting the cost in the same manner as taxes;

AND WHEREAS Section 429 of the Municipal Act, S.O. 2001, c 25, as amended, may establish a system of fines for offences under a by-law of the municipality passed under this Act: designate an offence as a continuing offence and provide for a minimum and maximum fine for each day or part of a day that the offence continues; designate an offence as a multiple offence and provide for a minimum and maximum fine for each offence included in the multiple offence; establish escalating fines for a second and subsequent conviction for the same offence; and establish special fines in addition to the regular fine for an offence which are designed to eliminate or reduce any economic advantage or gain from contravening the by-law.

AND WHEREAS Council desires to pass a by-law:

- (a) for the maintenance of yards by owners and occupants;
- (b) prohibiting standing water on lands
- (c) prohibiting the keeping of domestic and industrial waste on lands;
- (d) prohibiting littering on public and private land;
- (e) regulating the salvage of motor vehicles and their components with the intent of promoting proper recycling and reuse of resources, the limiting of waste and wasteful practices, the limiting or eliminating of nuisances, particularly from waste and naturalized areas to other properties in the municipality, and the limiting and eliminating of other unhealthy practices and conditions arising from litter, refuse, neglect or standing water.

NOW THEREFORE the Council of The Municipality of French River hereby enacts the following:

SECTION I - DEFINITIONS

In this by-law:

1.01 “Agricultural Operation” means an agricultural operation as defined by the Farming and Food Protection Act, S.O. 1998, c.1 as amended;

1.02 “Municipal Law Enforcement Officer” means the officer in charge of the By- law Enforcement of the Corporation of the Municipality of French River or his or her authorized subordinates or assistants;

1.03 “Chief Building Official” means the Chief Building Official appointed by Council under the Building Code Act, S.O. 1992, c 23, as amended, or the person who is appointed to act in that capacity during his or her absence;

1.04 “Debris” shall mean, but is not limited to, garbage, rubbish, refuse or wrecked, decayed, dilapidated, or inoperative motor vehicles, vehicles or machinery and parts thereof;

1.05 “Multiple Offence” means an offence in respect of two or more acts or omissions each of which separately constitutes an offence and contravention of the same or separate provisions of a by-law;

1.06 “Continuing Offence” means an offence that continues to occur by the half/hour, hourly, daily, or for a partial day;

1.07 “Domestic Waste” means any debris, rubbish, refuse, sewage, effluent, discard or garbage arising from residential household use, belonging to or associated with a house or use of a house or residential land, which for greater certainty includes all garbage, discarded material or items, broken or dismantled items, and materials or items exposed to the elements, deteriorating or decaying on land due to exposure or the weather, and for even greater certainty “domestic waste” includes but is not limited to the following classes of material regardless of the nature or condition of the material, article or thing:

- a. Broken or torn bits of twigs, splinters or rags, tree cuttings or cut limbs and brush from any shrub or tree, and waste lumber, excepting only cut and stacked;
- b. Paper, paper cartons and other paper products;
- c. Rotting vegetable matter, or rotting animal matter;
- d. Disconnected appliances, including refrigerators, stoves, freezers, or any part or parts of such items;
- e. Furnaces or furnace parts, ducting, pipes, fittings to pipes and wire;
- f. Water or fuel tanks;
- g. Inoperative machinery, inoperative motor vehicles, and parts or accessories of such items including tires, building or construction materials, other than those on site for ongoing construction;
- h. Accumulations of broken concrete or asphalt pavement, brick pavers, sidewalk slabs and used building materials;
- i. Materials resulting from the alteration, repair or demolition of any building or structure;
- j. Sewage;
- k. Containers such as crockery, dishes, glassware, pots and pans and cans.

Domestic Waste as defined in this by-law does not cease to become domestic waste by reason only that it may be commercially saleable or recyclable.

1.08 “Industrial Waste” means any debris, rubbish, refuse, sewage effluent, discard, or garbage of a type arising from industrial, manufacturing, commercial or construction operations or belonging to or associated with an industry or commerce or industrial or commercial land, which for greater certainty includes all garbage, discarded material or items, broken or dismantled items, and due to exposure to the weather, and for even greater certainty “industrial waste” includes but is not limited to the following classes of material regardless of the nature or condition of the material, article or items:

- a. Debris, discarded items or matter, or effluent which in whole or in part are derived from or are constituted from or consist of,
 - i. Animal or vegetable matter, paper, lumber or wood; or
 - ii. Mineral, metal or chemicals, or fill contaminated with petrochemical or petroleum products;
- b. Piles of miscellaneous plastic, wood or metal parts, or combinations of such materials;

- c. Automotive parts not packaged for immediate shipment, inoperative vehicles, vehicle parts, inoperative mechanical equipment, mechanical parts, accessories or adjuncts to the vehicle and mechanical equipment not contained in a legal salvage yard;
- d. Piping, ducting tubing conduits, cable, wire and fittings or related accessories with or without adjuncts, and not packaged for immediate shipment;
- e. Material resulting from or as part of construction, demolition, repair or renovation projects including debris and leftovers;
- f. Rubble or fill;
- g. Sewage;
- h. Ashes;
- i. Dust emanating from the operation of the enterprise;
- j. Broken bricks, concrete or asphalt; and

Industrial Waste as defined by this by-law does not cease to be industrial waste reason only that it may be commercially saleable or recyclable.

1.09 “Naturalized Area” means land or a portion of lands covered by vegetation which is landscaped and maintained with a variety of flowers or plants, with or without grasses, or left to grow a variety of indigenous plants;

1.10 “Occupant” means any person or persons over the age of 18 years in possession of the land;

1.11 “Owner” includes:

- a. Both the owner in trust and the beneficial owner of land;
- b. The person for the time being managing or receiving rent of the land or premises in connection with which the word is used, whether on the person’s own account or as agent or trustee of any other person, who would receive the rent if the land and premises were let; and
- c. A lessee or occupant of the land who manages or controls the condition of the land;

1.12 “Officer” means a municipal law enforcement officer, a building inspector, a fire prevention officer, a fire fighter, a health inspector, a weed inspector appointed under the Weed Control Act or any other person appointed or employed by the municipality for the enforcement of by-laws and includes a peace officer;

1.13 “Person” means an individual, firm, corporation, association or partnership.

1.14 “Refuse” means any article, thing, matter, substance or effluent that:

- a. Has been cast aside, discharged or abandoned, or
- b. Is disused from its usual and intended use, or
- c. Is used up, in whole or in part, or expanded or worn out, in whole or in part; and
- d. Shall include domestic and industrial waste;

1.15 “Residential property” means any lands or portion thereof which are appurtenant to and used or associated with a dwelling;

1.16 “Sewage” includes any liquid waste containing human, vegetable or mineral matter, waste that is in suspension whether domestic or industrial or any other waste whether in suspension or precipitated, but does not include roof water or storm run-off;

1.17 “Standing Water” means any water on property other than:

- a. A natural, moving body of water that exists on a permanent basis;
- b. A body of water that is maintained in such a way so as to prevent the breeding of and/or larvae growth of mosquitoes, through the operation of a re-circulation and filtration system and/or the additive of an approved substance that will prevent the breeding of and/or larvae growth of mosquitoes;
- c. Any body of water containing live fish;
- d. Any body of water natural to its surrounding environment including natural ponds, bogs, marshes and wetlands;
- e. Any body of water within a municipally owned storm water management facility; and
- f. Any body of water contained for less than four (4) days.

1.18 “Turf Grass” means ground cover comprised of one or more species of growing grass with or without trees, shrubbery or maintained planting beds for other vegetation;

1.19 “Used Motor Vehicles” means a motor vehicle other than a motor vehicle which has a current validation and is operative and driven on a regular basis;

1.20 “Vehicle” includes a motor vehicle, trailer, boat, motorized snow vehicle and any mechanical equipment designed to be drawn, propelled or driven by any type of power, including muscular power;

1.21 “Weeds” means a noxious weed designated by or under the Weed Control Act, R.S.O. 1990, c.W5, as amended, including any weed designated as a local or noxious weed under a by-law of the municipality passed under that Act.

SECTION II - LAND MAINTENANCE

2. (a) All property owners shall maintain and keep trimmed their lawns, hedges and bushes.

(b) All properties shall be kept clear of waste and no person shall dump, throw, place, or deposit any waste material on any private property or cause such material to remain thereon.

(c) No person shall dump, throw, place, or deposit any waste material refuse or debris on any property belonging to the Corporation without prior written approval of the Council or the Municipality of French River.

(d) No person shall cause or permit or allow any snow to be dumped, thrown, placed pushed or deposited onto any property within the municipality without prior written authority from the Corporation/owner/occupant of such property.

(e) All residential property owners/occupants shall maintain lands free from dead, diseased, decayed, and damaged trees;

(f) All residential property owners/occupants shall maintain lands free from injurious insects/rodents/vermin/termites

SECTION III - MOTOR VEHICLE SALVAGE

3. (a) No person shall store or keep inoperative or unlicensable vehicles, boats or aircraft or any other mechanical equipment or waste material in such manner that might create a fire, accident, health hazard, or unsightly appearance.
- (b) No person shall use any land within the municipality for storing USED MOTOR VEHICLES for the purpose of wrecking or dismantling them or salvaging parts thereof for sale or other disposal including the purposes of repair of other vehicles.
- (c) Section 3 (a) and (b) does not apply if:
- (i) zoning by-law permits the land to be used as an automotive recycling facility; and
 - (ii) the Owner or Occupant holds current validation on the vehicle issued by the Ministry of Transportation.
- (d) No person shall store a vehicle, boat, trailer, recreational vehicle on an area not properly surfaced/covered to accommodate same

SECTION IV - DOMESTIC AND INDUSTRIAL WASTE

4. (a) Every owner or occupant of land shall keep the land free of all Domestic Waste.
- (b) Every owner or occupant of land shall keep the land free of all Industrial Waste.
- (c) No person shall use any land or structure within the municipality for dumping or disposing of Domestic Waste or Industrial Waste.
- (d) Section 4 (c) does not apply to:
- (i) land or structures used by the municipality for the purpose of dumping or disposing of Domestic or Industrial Waste.
 - (ii) land designated by by-law of the municipality or other municipal authority for the purpose of dumping or disposing of Domestic or Industrial Waste.
- (e) the owner of land on which Domestic or Industrial Waste has been thrown, placed, dumped or deposited shall immediately clean and clear the land of the waste material.

SECTION V - STANDING WATER

5. (a) Every owner or occupant of land shall keep the land free of Standing Water.
- (b) Every owner or occupant of land shall keep the land free of containers or debris capable of holding standing water in such a manner as to be exposed to the breeding of and/or larvae growth of insects.
- (c) Every owner or occupant of land shall ensure that a swimming pool, hot tub, wading pool, or artificial pond is maintained in proper operating condition, and in good repair.

SECTION VI - APPLIANCES

6. (a) All refrigerators, freezers or similar appliances which are stored or left on porches, decks, or in any rear yard, side yard or similar areas shall not have a self- locking or self-latching device and shall be:
- (i) in working order;
 - (ii) secured with an external locking device; and/or
 - (iii) locked at all times except when actually being used and supervised.
- (b) Refrigerators, freezers or similar appliances which are placed out for disposal thereof shall have removed all doors and not limiting the generality of the foregoing shall include all sliding, swinging, spring loaded and pull-to-open doors

SECTION VII - ORDERS

7. (a) The Municipal Law Enforcement Officer may make an order, sent by both registered and regular pre-paid mail to the last known address of the owner of the land, requiring the owner or occupant within the time specified in the order to:
- (i) clean and clear up the land and bring the land into compliance with any section of this by-law; and/or
 - (ii) remove or dispose of Standing Water on land including draining, filling of excavations and depressions in which standing water has or may collect, the screening or netting of containers or debris so as to prevent the breeding of mosquitoes; and/or
 - (iii) clean, clear or remove from the land or structure any or all garbage, refuse fill, inoperative motor vehicles, sewage, long grass, weed, appliances or domestic or industrial waste of any kind;
- (b) Where an owner or occupant fails to comply with an order issued under this by- law within the time specified for compliance, the officer, may with such assistance by others as may be required and upon reasonable notice, as may be required in one or more of the methods provided in section 7 (a):
- (i) clean or clear up a property and bring it into compliance with any section of this by-law;
 - (ii) remove or dispose of standing water on land including draining, filling of excavations and depressions in which standing water has or may collect, the screening or netting of containers or debris so as to prevent the breeding of mosquitoes;

- (iii) clean, clear or remove from the land or structure any or all garbage, refuse, fill, sewage, inoperative motor vehicles, long grass, weeds, appliances or domestic or industrial waste of any kind; or
- (iv) remove used motor vehicles and other machinery, and any parts, stored for the purpose of wrecking or dismantling the materials or the salvaging parts thereof for sale or other disposal.

(c) The municipality shall recover all costs and expenses associated with actions taken and work done to land under this by-law in a manner provided by statute, whether by action or by adding the cost to the tax roll and collecting the cost in the same manner as the taxes.

SECTIONS VIII - OFFENCES

8. (a) subject to section 8 (b) and (c) below, every person who contravenes any provision of this by-law, is guilty of an offence and upon conviction is liable to the penalties prescribed under the Provincial Offences Act, R.S.O. 1990, c.P 33, as amended.

(b) Every person who contravenes sections 4 (a), (b), (c) and (d) of this by-law is guilty of an offence, and upon conviction is subject to a fine of not more than \$10,000 for a first Offence and \$25,000 for any subsequent offence of such subsections.

(c) Where a corporation is convicted of an offence under sections 4 (a), (b), (c) and (d) of this by-law, the maximum penalty that may be imposed on the corporation is \$50,000 for a first offence and \$100,000 for any subsequent offences of such subsections.

(d) No person shall hinder or obstruct an Officer, appointed under this by-law or employed to enforce this by-law, from carrying out an inspection of lands, nor shall any person obstruct any employee or agent authorized to carry out the work for the municipality in an order issued hereunder.

(e) Every person who contravenes any provision of this By-law is guilty of an offence and is liable to a fine set by the Chief Justice of the Ontario Court of Justice for the purpose of proceedings commenced under Part I

SECTION IX - VALIDITY

(a) Should a court of competent jurisdiction declare a part or whole of any provision of this bylaw to be invalid or of no force and effect, the provision or part is deemed severable from this bylaw, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law so as to protect the public by ensuring a minimum standard for maintenance and occupancy is maintained.

(b) In the event of a conflict between a provision of this by-law and the Municipality of French River Zoning By-law as amended, the provision of the Zoning By-law shall apply.

SECTION X - ENACTMENT

9. (a) This by-law shall be known as the **“Clean Yard By-law”**.
- (b) That By-law 2009-19 and any other by-laws inconsistent with this by-law are hereby repealed.
- (c) This by-law comes into force and effect on the date of its passing and enactment.
- (d) The attached Schedule “A” and Schedule “B” form part of this By-law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 16TH DAY OF MAY, 2018.**

MAYOR

CLERK

SCHEDULE “A” of BY-LAW 2018-29

CLEAN YARD POLICY

All property owners are required to maintain their property according to standards set in the “Clean Yard By-law”, including owners of rental residential properties. (This is unless there is a specific agreement between the property owner and the lessee or occupants that assigns maintenance of the property.)

The By-law Enforcement Officer will act not only on written complaints but will use a common sense approach to the application of the clean yard by-law.

When a complaint is received, an Officer will investigate to determine if a violation exists. This by-law will not be used to resolve issues between neighbors. If a violation is found, the officer can issue an Order advising the owner of the violation and requiring that it be remedied within a specified time period.

In view of the fact that the Municipality of French River has many diverse properties such as village areas, waterfront residential, waterfront commercial, farmland, and rural residential, enforcement will have to be done with some discretion taking into consideration the complainant, the geographic location of the property in question, the size of the property in question (farmland versus urban lot), the condition of the adjacent properties, and the effect of the infraction on adjacent properties and the general well-being of the residents of the area, and the Municipality. As the complaints and the investigations become more numerous, past practice data as well as the consistent application of the policy will become more evident, and will act as a guide in the application of the by-law.

If you are a tenant that has concerns regarding ill-maintenance of your home or apartment building, first advise the landlord of your concerns in writing. This gives the landlord an opportunity to address the issue. If these concerns are not adequately addressed, register a complaint with the By-law Enforcement office.

This information is for convenience and quick reference only. For specific information, contact the By-law Enforcement Officer.

SCHEDULE “B” of BY-LAW 2018-29

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

**BEING A BY-LAW TO PROVIDE FOR THE MAINTENANCE OF LAND (CLEAN YARD BY-LAW)
WITHIN THE MUNICIPALITY OF FRENCH RIVER**

Items	Column 1 Short Form Wording	Column 2 Provision creating Or defining offence	Column 3 Set Fine Minimum
1.	Fail to maintain land free from grasses/weeds over 20cm in height	2 (a)	\$80
2.	Throw/place/deposit waste material/refuse on private property without the written consent of the property owner/occupant	2 (b)	\$350
3.	Throw/place/deposit waste material/refuse on Municipal property without the written consent from the Municipality	2 (c)	\$350
4.	Throw/place/deposit snow/ice on property without the written consent of the property owner/occupant	2 (d)	\$150
	Fail to maintain residential land free from dead/diseased/decayed/damaged trees	2 (e)	\$250
	Fail to maintain residential land free from injurious insects/rodents/vermin/termites	2 (f)	\$150
5.	Fail to maintain land free from inoperative/unlicensed vehicles, boats, trailers, aircraft, machinery, and or equipment	3 (a)	\$450
6.	Keeping/maintaining an illegal wrecking yard and or salvage operation	3 (b)	\$450
7.	Store a vehicle/boat/trailer/recreational vehicle on an area not properly surfaced/covered	3 (d)	\$350
8.	Fail to maintain land free from domestic waste	4 (a)	\$350
9.	Fail to maintain land free from industrial waste	4 (b)	\$450
10.	Fail to maintain land free from standing water	5 (a)	\$150

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2018-30

BEING A BY-LAW TO AUTHORIZE THE AN AGREEMENT WITH
ECONOMIC PARTNERS SUDBURY EAST/WEST NIPISSING INC. FOR A
SUDBURY EAST REGION ECONOMIC DEVELOPMENT OFFICER

WHEREAS the Council of the Municipality of French River deems it desirable to execute an Agreement with Economic Partners Sudbury East/West Nipissing Inc. for a Sudbury East Region Economic Development Officer;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:

- 1) That the Mayor and Clerk are authorized to execute the Agreement with Economic Partners Sudbury East/West Nipissing Inc. for a Sudbury East Region Economic Development Officer.
- 2) The attached Agreement shall form part of this By-law.
- 3) That any By-law inconsistent with this By-law is hereby repealed.
- 4) This By-law shall come into force and take effect upon third and final reading.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 16th DAY OF MAY, 2018.**

MAYOR

CLERK

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2018-31

BEING A BY-LAW TO AUTHORIZE A LAND LEASE AGREEMENT WITH THE
MINISTER OF TRANSPORTATION
(Communication Antenna Site)

WHEREAS Section 10 (2) 7. of the Municipal Act, 2001 S.O. 2001, c. 45, as amended provides that a single-tier municipality may pass by-laws respecting any services or things that the municipality considers necessary or desirable for the public;

AND WHEREAS Council deems it desirable to enter into an agreement with the Minister of Transportation to lease land for the use of the Communication Antenna Site.

NOW THEREFORE, THE COUNCIL FOR THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:

- 1) THAT the Mayor and Clerk are hereby authorized to enter into a Land Lease Agreement with HER MAJESTY THE QUEEN in right of the Province of Ontario represented by the Minister of Transportation for the Province of Ontario for a Communication Antenna Site.
- 2) THAT the terms and conditions of the Land Lease Agreement shall be as set out in Schedule 'A', attached hereto and forming part of this By-law.
- 3) THAT this By-law shall come into force and take effect on the day it is passed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 16th DAY OF MAY, 2018.**

MAYOR

CLERK

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2018-08

A BY-LAW TO PROVIDE FOR DRAINAGE WORKS AND UPDATES
TO THE SCHEDULE OF ASSESSMENTS FOR THE DUPUIS DRAIN, HIGHWAY 607 DRAIN
AND TIMONY DRAIN IN THE MUNICIPALITY OF FRENCH RIVER

WHEREAS an engineering report was initiated pursuant to Section 76 of the *Drainage Act* and in accordance with Municipality of French River Council Resolutions #2015-226, #2016-70 and #2017-317 to prepare new Schedules of Assessments for Future Maintenance for the Dupuis, the Highway 607 and the Timony Municipal Drains;

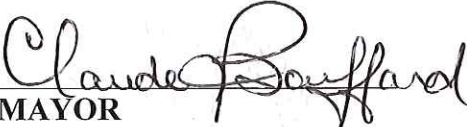
AND WHEREAS the Council of the Corporation of the Municipality of French River has received the Engineer's Report prepared by K. Smart Associates Ltd, dated December 8, 2017;

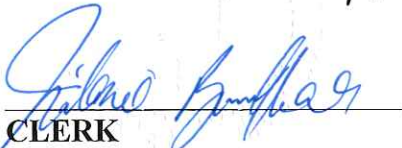
AND WHEREAS the Council of the Corporation of the Municipality of French River is of the opinion that the updated Schedules of Assessments are desirable;

NOW THEREFORE the Council of the Corporation of the Municipality of French River pursuant to the *Drainage Act* enacts as follows:

1. The Engineer's Report dated December 8, 2017 attached hereto and forming part of this By-law, is hereby adopted and authorized.
2. This By-law comes into force on the day it is passed.

READ A FIRST AND SECOND TIME this 30th day of January, 2018.


MAYOR


CLERK

READ A THIRD TIME AND FINALLY PASSED this _____ day of _____ 2018.

MAYOR

CLERK