

The Corporation of the City of Burlington

City of Burlington By-law 50-2022

A by-law to amend By-law Number 28-2009, being a by-law to prescribe standards for the maintenance and occupancy of properties in the City of Burlington

File:110-01-1 BB-07-2022

Whereas under subsection 15.1(3) of the *Building Code Act*, S.O. 1992, c.23, authorizes The Corporation of the City of Burlington ("City of Burlington") to prescribe standards for the maintenance and occupancy of property; and

Whereas on April 14, 2009, Council of the City of Burlington passed By-Law Number 28- 2009, being a by-law to prescribe standards for the maintenance and occupancy of properties in the City of Burlington (the "Property Standards By-law"); and

Whereas on May 25, 2009, Council of the City of Burlington, passed amending By-law 40-2009, amending the definition of officer; and

Whereas on November 23, 2020, Council of the City of Burlington passed amending By-law 88-2020, amending the date on which heat is required in rental buildings, adding the requirement for building owners to provide alternative refuse disposal options in writing and clarifying that the obligation is imposed on the owners of the buildings, and removing applicable fees from the Property Standards By-law and adding the applicable fees to the City of Burlington Rates and Fees By-law; and

Whereas the Council of the City of Burlington deems it appropriate to further amend By-law 28-2009 to clarify the offence creating provision in the bylaw and to remove the Compost, Pet Food and Animal Feed Storage provisions of this by-law which are otherwise addressed in the Lot Maintenance By-law;

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. Section 1.2 of By-law 28-2009 is amended by removing the definition of "Compost".
2. By-law 28-2009 is amended by adding the following new section immediately after section 1.4:

## 1.5 GENERAL OBLIGATIONS AND PROHIBITION

1.51 No person, being the owner or occupant of a property, shall fail to maintain the property in conformity with the standards required in this By-law.

1.52 The owner of any property which does not conform to the standards in this By-law shall repair and maintain the property to conform to the standards or shall clear the property of all buildings, structures or debris and shall leave the property in a graded and levelled condition, provided that no building or structure on a Part IV heritage property or a Part V heritage property shall be altered or cleared, including but not limited to removed, demolished or relocated, except in accordance with the Ontario Heritage Act.

3. Section 4.8 of By-law 28-2009 "Compost, Pet Food and Animal Feed Storage" is deleted in its entirety.
4. That in all other aspects, By-law 28-2009, as amended, are hereby confirmed.
5. This by-law comes into force and effect on the day it is passed.

Enacted and passed this 21<sup>st</sup> day, of June, 2022.

Mayor Marianne Meed Ward \_\_\_\_\_

City Clerk Kevin Arjoon \_\_\_\_\_