

The Corporation of the City of Pembroke

By-law Number 2023-37

A By-law to amend By-law 2021-25, as amended, being a by-law for prescribing standards for the maintenance and occupancy of property within the City of Pembroke

Whereas the Building Code Act, S.O. 1992, c.23, as amended, authorizes municipalities to enact by-laws prescribing standards for the maintenance and occupancy of property within the municipality and prohibiting the occupancy or use of such property that does not conform with the standards; and for requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition;

Whereas there is in effect in the City of Pembroke an Official Plan which includes provisions relating to property conditions as required by the Building Code Act, S.O. 1992, c.23, as amended;

Whereas the Municipal Act, 2001, S.O. 2001, c. 25, as amended, states a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence; and

Whereas the Council of the Corporation of the City of Pembroke deems it expedient to amend By-law 2021-25, being a by-law to for prescribing standards for the maintenance and occupancy of property within the City of Pembroke.

Now Therefore, the Municipal Council of the Corporation of the City of Pembroke enacts as follows:

1. That Section 4 – Property Standards – Section 4.5 Plumbing, Sewage Discharge, Drainage of By-law 2021-25 be amended by deleting therefrom the following:
 - 4.5.6 No roof drainage, and drainage of water from swimming pools shall be discharged on sidewalks, steps, neighbouring property or into the sanitary sewer system and shall be contained within the limits of the premises from which it originated until absorbed by the soil or drained to an approved swale or ditch.
2. That Section 4 – Property Standards – Section 4.5 Plumbing, Sewage Discharge, Drainage of By-law 2021-25 be amended by adding thereto the following:
 - 4.5.6 No roof drainage, storm water, sump pump or drainage of water from swimming pools shall be discharged on sidewalks, steps, neighbouring property or into the sanitary sewer system and shall be contained within the limits of the premises from which it originated until absorbed by the soil or drained to an approved swale or ditch.
3. That Section 4 – Property Standards – Section 4.10 Walks and Driveways of By-law 2021-25 be amended by adding thereto the following:
 - 4.10.2 Every walk, driveway and parking space in a commercial, institutional and industrial zone, as per the City's Comprehensive Zoning By-law, shall be

surfaced with asphalt, concrete or other material capable of providing a hazard free, hard surface and shall be maintained so as to afford safe passage under normal use and weather conditions.

4. That Section 5 – Application and Administration – Section 5.4 Property Standards Officer of By-law 2021-25 be amended by adding thereto the following:
 - 5.4.3.6 Indicating the time (7 days) for complying with the terms and conditions of an order under Section 4.12.1 that deals with garbage, refuse and/or organics that may attract vermin. If the removal of the garbage, refuse and/or organics that may attract vermin is not carried out after the required 14-day appeal period, the municipality may carry out the repair or clearance at the owner's expense. This earlier compliance timeframe allows the City to obtain estimates between the compliance time period and the appeal period to ensure removal takes place as soon as possible after the appeal period.
5. This By-law shall come into force and take effect upon the final passing thereof.

Passed and enacted this 16th day of May, 2023.

Ron Gervais
Mayor

Heidi Martin
Clerk