

**THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD**

**BY-LAW 24-2019**

**BEING A BY-LAW TO ESTABLISH A PROPERTY STANDARDS COMMITTEE**

WHEREAS Section 5(3) of the *Municipal Act, 2001*, states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law, unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Section 15.1(3) of the *Building Code Act, S.O. 1992*, as amended, provides that the council of a municipality may pass a by-law to prescribe standards for the maintenance and occupancy of property within the municipality and require property that does not conform with the standards to be repaired and maintained to conform with the standards;

AND WHEREAS the Council of the Corporation did pass By-law 22-03, as amended, and known as the "Property Standards By-law" for the Village of Merrickville-Wolford;

AND WHEREAS Section 15.6 of the *Building Code Act, S.O. 1992*, as amended, requires that, where a by-law is passed under Section 15.1, a property standards committee shall be established;

NOW THEREFORE the Council of the Corporation of the Village of Merrickville-Wolford hereby enacts as follows:

1. A Property Standards Committee is hereby established as per the Terms of Reference as attached and which forms part of this by-law as Schedule "A".
2. Any by-laws that do not conform with this by-law are hereby repealed.
3. This by-law shall come into force and take effect immediately upon the final passing thereof.

Read a first, second and third time and passed on the 23<sup>rd</sup> day of April, 2019.

  
J. Douglas Struthers, Mayor

  
Doug Robertson, CAO/Clerk



MERRICKVILLE-WOLFORD  
*Jewel of the Rideau*

**Terms of Reference  
Property Standards Committee  
Schedule "A" to By-law 24-2019**

**Definition:**

"Property Standards Committee" as defined in the Property Standards By-law 22-03, as amended, shall have the same meaning as a Committee established under Section 15.6 of the Building Code Act S.O. 1992, as amended.

**Mission:**

The mission of the Village of Merrickville-Wolford Property Standards Committee is to hear a lawful appeal from an Order issued by the Village Property Standards Officer. The Committee may determine if the order shall be upheld, modified or rescinded, or extend the time for complying with the order.

**Objectives/Powers of Committee:**

- The objective of the Committee is to afford the owner or occupant of a property the opportunity to appeal from an order issued by the Officer and to facilitate, as needed, compliance with the order, in accordance to the Village's Property Standards By-law 22-03, as amended.
- When considering appeals from an order issued by the Officer, the Committee shall have all the same powers and functions as the Officer and, as such, shall confirm an order to demolish or repair, or may modify or quash or extend the time for compliance.

**Composition:**

Council shall appoint at large, by resolution or by by-law, not fewer than three (3) persons from the municipality to the Property Standards Committee for a term of office concurrent with the term of Council:

- a. The selection of the members shall be through a public application process;
- b. The members will be regarded as private citizens and do not represent their employers or any advocacy group in their capacity as a member;
- c. One (1) Council Liaison shall be appointed by Council;
- d. Head of Council (Mayor – ex officio);
- e. The Council shall forthwith fill any vacancy; and
- f. The Village's Chief Building Official shall be the Secretary to the Committee.

**Quorum:**

A majority of the members constitutes a quorum for transacting the Committee's business. No meeting shall proceed without a quorum.

**Motions:**

Decisions made during Property Standards Committee meetings will follow the process of making a motion, having it seconded and then having it voted on by the majority of the Committee.

**Meetings:**

Meetings of the Committee shall be governed by the Village's Procedural By-law 30-17, any applicable legislation, and Robert's Rules of Order.

The Committee shall meet at the call of the secretary or when an appeal has been received.

All meetings are open to the public and subject to the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990, c. M 56, as amended.

**Chair and Deputy Chair:**

The Committee shall, at the first meeting of a new term, elect a chair and a deputy chair from amongst themselves.

**Role of Members:**

The roles of the members of the Property Standards Committee include, but are not limited to:

- Attending appeals as scheduled and additional meetings as necessary;
- Participating actively in discussions and planning and sharing the workload of the Committee;
- Hearing an appeal and determining if an order should be confirmed, modified or rescinded, or if more time is necessary to comply with order;
- Providing expertise in their professional area of responsibility;
- Providing timely regrets to the chair if unable to attend a meeting;
- Declaring any conflict of interest in accordance with the Municipal Conflict of Interest Act R.S.O. 1990, c.M50, as amended, and excluding themselves from any discussion and/or voting where such a conflict exists or may exist.

**Technical Advice:**

The Committee may request advice from the Secretary and/or the Officer

**Conflicts of Interest:**

Members shall abide by the rules outlined within the Municipal Conflict of Interest Act R.S.O. c.M50 and shall disclose the pecuniary interest to the chair in the public agenda and excuse himself or herself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

**Budget:**

All monies required for any reason pertaining to the Committee carrying out its duties must be approved by Council. All requests must be submitted by September 15<sup>th</sup> of the preceding year.

All approved budget items shall be administered by the Village, through the direction of Council.

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