

**THE CORPORATION OF THE TOWNSHIP OF IGNACE
BY-LAW NO. 31-2021**

Being A By-Law To Adopt The Tax Ratios For The Purpose Of Setting General And Education Tax Rates And To Set Tax Rate Reductions For Prescribed Property Subclasses For Property Within The Corporation Of The Township Of Ignace.

WHEREAS It is necessary for the Council of the Corporation of the Township of Ignace, pursuant to Section 308 (2) of the Municipal Act S.O. 2001 c.25 as amended, to establish the relative amount of taxation to be borne by each property class; and

WHEREAS The property classes have been prescribed by the Minister of Finance pursuant to Section 7 of the Assessment Act, R.S.O. 1990, c.A.31, as amended, and the regulations thereto; and

WHEREAS It is necessary for the Council of the Township of Ignace pursuant to Section 313(1) of the Municipal Act, S.O. 2001 as amended, to establish tax reduction for prescribed property subclasses for 2021 for the Township of Ignace:

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Ignace **ENACTS AS FOLLOWS:**

1. **THAT** for the taxation year 2021, the transition tax ratio for property in:
 - (a) The residential class is 1.000000
 - (b) The multi-residential class is 1.683700
 - (c) The commercial occupied class is 1.474600
 - (d) The commercial vacant unit and vacant land class is 1.032220
 - (e) The industrial occupied class is 1.069500
 - (f) The industrial vacant unit and vacant land class is 0.695175
 - (g) The pipelines class is 1.100900
 - (h) The managed forests class is 0.250000
 - (j) The parking lot class is 1.032220

2. **THAT** the tax reductions for:
 - (a) The excess land and vacant land subclasses in the commercial property class is 30%

(b) The excess land and vacant land subclasses in the industrial property class is 35%.

3.. **THAT** this By-Law shall come into force and take effect upon the third and final reading thereof.

4. **THAT** By-Law No.48/2020 is hereby rescinded.

READ A FIRST AND SECOND TIME THIS 21ST DAY OF JUNE A.D. 2021.

READ A THIRD TIME AND PASSED THIS 21ST DAY OF JUNE A.D. 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

**THE CORPORATION OF THE TOWNSHIP OF IGNACE
BY-LAW NO. 32/2021**

BEING A BY-LAW TO ADOPT THE TAX RATES TO BE LEVIED ON THE TAXABLE PROPERTY WITHIN THE CORPORATION OF THE TOWNSHIP OF IGNACE

WHEREAS it is necessary for the Council of The Corporation of The Township of Ignace, pursuant to Section 312(2) of the Municipal Act, S.O. 2001, c. 25, as amended, to adopt tax rates; and,

WHEREAS all property assessment rolls on which the 2021 taxes are to be levied have been returned and revised pursuant to the provisions of the Assessment Act, R.S.O. 1990, c. A.31, as amended, subject to appeals at present before the Assessment Review Board, the Ontario Municipal Board and the District Court; and,

WHEREAS the "residential/farm assessment", "multi-residential assessment", "commercial assessment", "industrial assessment", "pipeline assessment", "farmlands assessment", and "managed forests assessment" and the applicable subclasses pursuant to Section 7 of the Assessment Act, R.S.O. 1990, c.A.31, as amended, have been determined on the basis of the aforementioned property assessment rolls; and,

WHEREAS the tax ratios and the tax rate reductions for prescribed property subclasses on the aforementioned property assessments for the 2021 taxation year have been set out in By-Law 31/2021; and,

WHEREAS the tax rates on the aforementioned "residential/farm assessment", "multi-residential assessment", "commercial assessment", "industrial assessment", "pipeline assessment", "farmlands assessment", and "managed forests assessment" and the applicable subclasses have been calculated pursuant to the provisions of Sections 312 (6) 2. of the Municipal Act, S.O. 2001, c. 25, as amended, require tax rates to be established in the same proportion to the tax ratios adopted by By-Law 31/2021; and

WHEREAS the Council of The Corporation of The Township of Ignace has, in accordance with Section 290 (1) of the Municipal Act, S.O. 2001, c. 25, as amended, considered the estimates of the Municipality and of the Boards and Commissions of the Municipality for which the Municipality is required to meet by way of taxes on all rateable property assessment in the Municipality; and

WHEREAS the assessments of the Municipality on which the taxes shall be levied are provided by the Municipal Property Assessment Corporation, and appear in the 2021 Assessment Register for the Township of Ignace;

NOW THEREFORE the Council of The Corporation of The Township of Ignace **ENACTS AS FOLLOWS:**

1. **THAT** the tax rates for municipal purposes within The Corporation of The Township of Ignace be adopted as follows:
 - (a) **THAT** a tax rate of **2.478020** percent is hereby adopted to be applied against the whole of the assessment for real property in the **residential/farm** class;
 - (b) **THAT** a tax rate of **4.172242** percent is hereby adopted to be applied against the whole of the assessment for real property in the **multi-residential** class;
 - (c) **THAT** a tax rate of **3.654088** percent is hereby adopted to be applied against the whole of the assessment for real property in the **commercial** class;
 - (d) **THAT** a tax rate of **2.557862** percent is hereby adopted to be applied against the whole of the assessment for real property in the **commercial vacant unit/excess land and commercial vacant land** class;
 - (e) **THAT** a tax rate of **2.650242** percent is hereby adopted to be applied against the whole of the assessment for real property in the **industrial** class;
 - (f) **THAT** a tax rate of **1.722658** percent is hereby adopted to be applied against the whole of the assessment for real property in the **industrial vacant unit/excess land and industrial vacant land** class;
 - (g) **THAT** a tax rate of **2.728052** percent is hereby adopted to be applied against the whole of the assessment for real property in the **pipelines'** class;
 - (i) **THAT** a tax rate of **0.619505** percent is hereby adopted to be applied against the whole of the assessment for real property in the **managed forests'** class.
 - (h) **THAT** a tax rate of **2.557862** percent is hereby adopted to be applied against the whole of the assessment for real property in the **parking lot** class.

2. **THAT** every owner shall be taxed according to the aforementioned tax rates and that the payment of all taxes, local improvement charges and other charges and levies authorized by this by-law shall be due and made payable into the office of the Tax Collector, Township of Ignace, 34 Highway 17 West, P.O. Box 248, Ignace, ON, P0T 1T0 on or before the following dates:

Final Tax Bill Due Dates:

1st Installment: September 30th, 2021

2nd Installment: October 29th, 2021

3. **THAT** the Tax Collector is hereby authorized to mail, or cause to be mailed, the notice of taxes due to the address of the property owner indicated on the final assessment roll.
4. **THAT** the overdue taxes are those taxes that have been levied in 2021 and have not been paid on or before the date payment is due.
5. **THAT** the penalty charge to be imposed on overdue taxes shall be at the rate of one and one quarter percent (1.25%) per month.
6. **THAT** the percentage charge as a penalty for non-payment of taxes shall be imposed on the first day of default and on the first day of each calendar month thereafter in which default continues on all unpaid installments of taxes until December 31, 2021 after which the interest rates of 1.25% per month for each month or fraction thereof will be added.
7. **THAT** By-Law 49/2020 is hereby rescinded.

READ A FIRST AND SECOND TIME THIS 21ST DAY OF JUNE A.D. 2021.

READ A THIRD TIME AND PASSED THIS 21ST DAY OF JUNE A.D. 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

**THE CORPORATION OF THE TOWNSHIP OF IGNACE
BY-LAW 33-2021**

**Being A By-Law to Designate Property Standards Officer for the Corporation of
The Township of Ignace for the Purpose of Enforcing Municipal Property
Standards by-laws.**

WHEREAS pursuant to Section 2 – 7(45) of the Municipal Act, R.S.O. 1990, c. M. 45, By-laws may be passed appointing such officers and employees as may be necessary for the purposes of the Corporation of the Township of Ignace, or for carrying into effect any Act of the Legislature or By-law of the Council;

WHEREAS pursuant to Section 15, (1) of the Police Services Act, R.S.O. 1990, c. P, 15, Council may appoint persons to enforce the By-laws of the Municipality;

WHEREAS it is advisable and expedient to rescind and revoke all previous appointments related to positions within the Corporate Services Department of the Corporation and re-appoint the necessary officer as set out in this By-law;

NOW THEREFORE the Council of The Corporation of the Township of Ignace enacts as follows:

1. **THAT**, all previous by-laws to appoint a Property Standards Officer be rescinded.
2. **THAT**, Dan Arbour is appointed as the Property Standards Officer for the purpose of administering and enforcing by-laws passed under Section 15.1 of the Building Code Act for the Corporation of the Township of Ignace, effective June 21, 2021.
3. **THAT**, this By-law shall come into force and take effect on May 17, 2021.

Read a First and Second Time This 21st Day of June, 2021.

Read a Third Time and Finally Passed This 21st Day of June, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

The Corporation of the Township of Ignace

By-law 34-2021

A By-law to Establish Standards for the Maintenance and Occupancy of Property in the Township of Ignace

WHEREAS Section 10(2)6 of Subsection 11(2) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws in the interest of the health, safety and well-being of its residents; and

WHEREAS Subsection 15.1 (3) of the Building Code Act, S.O. 1992 provides that the Council of a municipality may pass a by-law to do the following things if an Official Plan that includes provisions relating to property conditions is in effect in the municipality:

1. Prescribing standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards;
2. 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 leveled condition;

WHEREAS Section 123 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a local municipality may, for the purpose of public safety, regulate with respect to cliffs, pits, deep waters and other dangerous places, and

WHEREAS Section 127 of the Municipal Act, 2001, 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; regulate when and how land shall be cleared and cleaned; prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land; and define "refuse" for the purpose of this By-Law; and

WHEREAS Section 128 of the Municipal Act, 2001, 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, 2001, S.O. 2001, c.25, as amended, provides that a 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 425(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws providing that a person who contravenes a By-Law of the municipality passed under the Municipal Act,

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2001, S.O. 2001, c.25, as amended, is guilty of an offence; and

WHEREAS Section 429(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may establish a system of fines for offences under a By-Law passed under the Municipal Act, 2001, S.O. 2001, c.25; and

WHEREAS Section 446 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that where a municipality has the authority to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person, the municipality may have the default remedied at the owner's expense and add the cost to the tax roll in the same manner as municipal taxes; and

WHEREAS standing water provides a breeding environment for mosquitoes that carry the West Nile Virus and thereby endangers the health of the inhabitants of the Township of Ignace; and

WHEREAS the Council of the Corporation of the Township of Ignace deems it necessary and desirable to prevent public nuisances and the accumulation of Refuse within Ignace;

WHEREAS Section 427 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that where council has authority by by-law or otherwise to direct or require that a matter or thing be done, the municipality may, in the same or another by-law, direct that, in default of it being done by the person directed or required to do it, such matter or thing shall be done at the person's expense; and

WHEREAS Part XIV Maintenance Standards of the Residential Tenancies Act, 2006 provides that local Municipalities may investigate and set out an order of compliance in regards to property standards within the Municipalities existing By-law(s) or as per Schedule 5 s. 5 of the Act.

AND WHEREAS the Council of the Corporation of the Township of Ignace deems it necessary and desirable to prevent public nuisances and the accumulation of Refuse within Ignace;

NOW THEREFORE the Council for the Corporation of the Township of Ignace hereby enacts as follows:

THAT the Corporation of the Township of Ignace develops this By-Law to provide and regulate standards for the maintenance of all Land within Ignace and to read as follows:

Part I – Application and Interpretation

1.1 Application

This By-Law prescribes requirements for the maintenance of all Land within Ignace, excluding Land that is owned or occupied by the Corporation, the Province or the Federal Government. It applies to all Land, whether that Land is occupied or not.

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1.2 Higher Standards Deemed to be Prescribed

Where another by-law in force in the Township of Ignace establishes higher standards than those expressly set out herein, such higher standards shall be deemed to be prescribed in this By-Law.

1.3 Definitions

Accessory Building means a detached Building or Structure, that is not used for human habitation, the use of which is customarily incidental and subordinate to that of the main Building situated on the same property.

Adequate Heat means the ability to provide minimum air temperatures inside Buildings of 22 degrees Celsius.

Adequate Supply of Hot Water means a supply of hot water in a quantity sufficient for normal household / Building use at a flow and pressure sufficient for the intended use of the fixtures and at minimum and /or maximum temperatures as provided for in Part 7 and Article 9.31.6.1 of the Ontario Building Code.

Adequate Supply of Potable Water means a continuous supply of Potable Water of sufficient quantity for normal Building use.

Adequate Supply of Water means a continuous supply of water of sufficient quantity for normal Building use.

Agricultural Source Material means any of the following treated or untreated materials, other than compost that meets the requirements for Category AA, A or B compost in Part II, Compost Standards, as identified in the Ontario Compost Quality Standards, or a commercial fertilizer, if they are capable of being applied to land as nutrients:

- a) Manure.
- b) Runoff from farm-animal yards and Manure storages.
- c) Wash waters from agricultural operations that have not been mixed with human body waste.
- d) Organic materials produced by intermediate operations that process materials described in Section(s) I, 2 or 3.
- e) Anaerobic digestion output, if,
 - I. the anaerobic digestion materials were treated in a mixed anaerobic digestion facility,
 - II. at least fifty (50) per cent, by volume, of the total amount of anaerobic digestion materials were on-farm anaerobic digestion materials, and
 - III. the anaerobic digestion materials did not contain sewage bio-solids or human body waste.
- f) Regulated compost as defined in subsection I (l) of Ontario Regulation I 06 / 0 9 (Disposal of Dead Farm Animals) made under the Nutrient Management Act, 2002, S.O. 2002, c.4, as amended from time to time.

Areaway means a Structure used for the convenience of the adjacent Building it serves. It is built separately, or attached to the building that it serves, and is built below ground. All or some of the Areaway may be exposed at ground level. Examples of Areaways include, but are not limited to: light openings, light wells, vaults, storage spaces, conduits, tunnels, pipelines, coal chutes, service chutes and other underground

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conveying devices;

Basement means one or more Storeys of a Building located below the First Storey.

Building means a Structure occupying an area greater than ten (10) square metres consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto, and including any structure which includes plumbing, plumbing not located in a structure, a sewage system, and structures designated in the building code.

By-Law means this By-Law, including its recitals, which form integral parts of it, as amended from time to time.

Corporation means the Corporation of the Township of Ignace, a municipal corporation duly incorporated pursuant to the laws of the Province of Ontario.

Council means the elected council for the Corporation.

Debris means the remains of anything broken or discarded.

Dwelling means a Building or Structure occupied or capable of being occupied for the purpose of human habitation.

Dwelling Unit means a suite operated as a housekeeping unit, or intended to be used as a domicile by one or more persons and usually contains cooking, eating, living, sleeping and sanitary facilities.

Fence means any structure, except a structural part of a building, used wholly or partially to screen from view, to enclose or divide a yard or other land, to mark or substantially mark the boundary between adjoining land, and includes swimming pool enclosures, privacy screens, running walls, noise attenuation walls, any hedge or grouping of shrubs, or other combination of fencing components which form a continuous barrier for the same purpose.

First Storey means the storey that has its floor closest to grade, with a ceiling more than 1.8 metres above grade.

Front Yard is defined below within the definition of "Yard".

Graffiti means one or more letters, symbols or marks, howsoever made, that disfigure or deface a property or object, but does not include a sign or a mural which has been authorized by the Township.

Ground Cover means material applied to prevent the erosion of the soil. The term includes materials such as concrete, flagstone, gravel, asphalt, grass or other forms of landscaping.

Guard means a protective barrier, with or without openings through it, that is around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways or other locations to prevent accidental falls from one level to another.

Habitable Room means any room in a Dwelling Unit designed to be used for living, sleeping, cooking or eating purposes. The term does not include: bathrooms, laundry rooms, pantries, lobbies, corridors, halls, attics, stairways, closets, boiler rooms, other spaces for service or maintenance of the Dwelling or access to or vertical travel between floors of the dwelling.

Hazard means Lands, buildings, structures or materials that are in an Unsafe Condition, or that constitute a fire risk.

Hygienic Supplies means toilet paper, soap and individual towels or other means of drying hands.

Inoperative Motor Vehicle means a Motor Vehicle which may not be lawfully operated upon a highway pursuant to the Highway Traffic Act for any of the following reasons:

- a) There is not in existence a currently validated permit for the vehicle;
- b) There are not displayed on the vehicle, in the prescribed manner, number plates issued in accordance with the Highway Traffic Act showing the permit number issued for the vehicle;
- c) There is not affixed to a number plate displayed on the vehicle evidence of the current validation of the permit; or
- d) The vehicle is damaged to the extent that it cannot be driven, is in a wrecked or dismantled condition or has had its source of motor power removed.

Land means property, whether or not it contains buildings or structures, and whether it is vacant or occupied. Reference to "Land" includes all buildings, structures and vegetation on the Land.

Last Known Address means the address which appears on the last revised assessment roll of the Corporation or on the Registry.

Manure means a substance principally composed of livestock feces and urine, and may include some bedding material and water.

Motor Vehicle means an automobile, motorcycle, motor-assisted bicycle, trailer, boat, motorized snow vehicle, mechanical equipment and any vehicle drawn, propelled or driven by any kind of power, excluding muscular power.

Municipal Law Enforcement Officer means any person duly appointed by Council to enforce the provisions of this By-Law.

Non-Residential Property means any Property that does not meet the definition of Residential Property. Where a particular Property has both residential and non-residential uses at the same site, those portions of the Property which meet the definition of "Residential Property" shall abide by the Residential Property standards in section 3 of this By-law, and those portions of the Property which meet the definition of "Non-Residential Property" must abide by the Non-Residential Property standards in section 5 of this By-law, in all cases together with the applicable general provisions of this By-law.

Nuisance means condition or use of Land which unreasonably interferes with the lawful use or enjoyment of another person's Land. Examples include but are not limited to:

- a) emissions of smoke, gas, fumes, dust, or sawdust;
- b) objectionable noise or odours; or

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- c) the unsightly storage of goods, wares, merchandise, waste or other material.

For clarity, a condition or use of Land in some situations can be considered a Nuisance where in other situations the same condition or use of Land is not considered a Nuisance. Proximity to neighbouring Land and/or particular uses of neighbouring Land will have an impact on whether or not a certain condition or use of Land constitutes a Nuisance. Further, relevant circumstances of the Land in question can impact whether or not its condition or use is a Nuisance. Persons living in urban areas must accept a certain level of disturbance as incident to life in such areas without that disturbance being considered to be a Nuisance.

Occupant means any person or persons over the age of 18 years in possession of the Property.

Order to Remedy means a property standards Order issued by an Officer under Section 7.2 of this By-Law.

Owner means the registered owner of the land and for the purposes of this By-Law includes:

- a) The person for the time being paying the municipal taxes;
- b) The person for the time being managing or receiving the rent of the Lands 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, or who would receive the rent if the Lands and premises were let; and
- c) A lessee or occupant of the Property who, under the terms of a lease, is required to repair and maintain the Property in accordance with the standards for the maintenance and occupancy of Property;

Passage means a route for the movement of persons from the interior of a Dwelling Unit to the ground level of the exterior of the building within which the Dwelling Unit exists.

Potable Water means water meeting all provincial standards for drinking water.

Professional means an engineer, architect, or other person with credentials required by the circumstance, who is accredited as such in a manner satisfactory to the Officer.

Property means a Building or Structure or part of a Building or Structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, outbuildings, fences, vegetation and erections thereon whether heretofore or hereafter erected, and includes Vacant Property.

Rented Dwelling Unit means a Dwelling Unit, whether self-contained or not, that is occupied as a residence by someone other than the Owner of the Land on which it exists, whether or not the Occupant pays anything for the right of occupancy. The term does not include seasonal vacation property including camps, cottages, trailers, and cabins unless same are occupied on a year-round basis.

Rear Yard is defined below within the definition of "Yard".

Refuse includes debris, waste, discarded materials or garbage of any kind whatsoever and includes, whether of value or not:

- a) Accumulations of litter, remains, rubbish, trash;
- b) Weighty or bulky items such as appliances, furnaces, furnace parts, pipes, pipe fittings, water or fuel tanks placed in a condition or location where they cannot be

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- used for their intended purposes;
- c) Paper, cartons;
- d) Dilapidated furniture;
- e) Crockery, glass, cans, containers;
- f) Garden refuse and trimmings;
- g) Material from or for construction and demolition projects;
- h) domestic and industrial waste;
- i) Dead or dying trees, branches, leaves or shrubs;
- j) Inoperative Motor Vehicles;
- k) Motor Vehicle parts;
- l) Mechanical equipment or equipment parts placed in a condition or location where they cannot be used for their intended purposes;
- m) Earth or rock fill;
- n) Clothing or other household linens lying in an unprotected condition;
- o) Objects or conditions that may create a health, fire or accident hazard; and
- p) Any waste associated with animals including fish that includes but is not limited to feces, guts, carcasses, body parts, bones, fur, hides, etc.

Repair includes the provision of facilities, the making of additions or alterations or the taking of any other action that may be required to ensure that a property conforms with the standards established in this By-law.

Residential Property means 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 all land, Buildings or Structures that are appurtenant thereto.

Retaining Wall means a structure designed and constructed to resist the lateral pressure of soil, when there is a desired change in ground elevation that exceeds the angle of repose of the soil.

Structure means anything that is erected, built or constructed of parts joined together and attached or fixed permanently to the ground, and includes but is not limited to: television earth stations, television antennae, signs, Swimming Pools, above ground fuel storage tanks, fences, retaining walls. The term does not include: vegetation, driveways, patios, or sidewalks.

Swimming Pool means and includes any body of water used for swimming or wading contained in part or in whole by artificial means, constructed above or below the grade level of the surrounding Land and having a depth of more than 610 mm at any given point.

Undergrowth means the dense growth of shrubs and other plants.

Unsafe Condition means a condition or state of Repair that could be hazardous to the health of any person authorized or reasonably expected to be on or near the Property in question.

Unsafe Container means any container having a volume of greater than 0.5 cubic metres which has a closing or locking mechanism such that something or someone inside could be trapped and unable to be released without external assistance.

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Vacated Property means Property containing Buildings or Structures which are not regularly occupied or regularly used by the Owner or by any authorized Occupant and/or

containing Buildings or Structures which have been damaged by accident, storm, fire, neglect or otherwise.

Vacant Property means Property which has no Buildings or Structures on it and which is not devoted to the practice of farming.

Vermin means mammals, birds or insects injurious to humans, physical Property, game, livestock, or crops. Vermin includes, but is not limited to: skunks, rats, termites, poisonous insects or reptiles, moths and mice.

Waste means garbage, refuse, Debris, litter, Yard Waste or any materials or substances that appear to be discarded or abandoned and for greater certainty, includes, whether of value or not:

- a) accumulations of litter, remains, rubbish, trash;
- b) weighty or bulky items such as: appliances, furnaces, furnace parts, pipes, pipe-fittings, water or fuel tanks, placed in a condition or placed in location where they cannot be used for their intended purposes;
- c) paper;
- d) cartons;
- e) dilapidated furniture;
- f) crockery, dishes, pots, pans, glass, cans, containers in a condition or placed in a location where they cannot be used for their intended purposes;
- g) garden refuse and trimmings;
- h) material from or for construction and demolition projects;
- i) domestic waste;
- j) commercial waste;
- k) dead or dying trees, branches or shrubs
- l) tree cuttings or twigs, branches and brush cut or otherwise severed from any shrub or tree;
- m) waste lumber, excepting only cut and stacked firewood for use in a fireplace on the Property;
- n) Inoperative Motor Vehicles or machinery;
- o) Motor Vehicle parts or machinery parts;
- p) mechanical equipment or equipment parts placed in a condition or location where they cannot be used for their intended purposes;
- q) Earth or rock fill;
- r) clothing or other household linens on a condition or placed in a location where they cannot be used for their intended purposes;
- s) objects or conditions that may create a health, fire or accident hazard; and
- t) animal Waste products, animal feces, hides, parts or carcasses other than those arising from industrial or agricultural businesses legally operated on the Property.

Yard means an area of Land on a Property over which no Building is erected.

Yard Front is the Yard that is between the front wall of the main Building on the Property and the front Property line; the Front Yard extends across the entire width of the Property, extending to the boundary out from the building wall.

Yard, Rear is the Yard that is between the rear wall of the main Building on the Property and the rear property line; the Rear Yard extends across the entire width of the Property, extending to the boundary out from the building wall.

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Yard, Side is the Yard that is between any side wall of the main Building on the Property and the side Property line that wall faces; the Side Yard is contained between the Rear Yard and the Front Yard.

1.4 Specific Interpretation Rules

1. The captions, article and section names and numbers appearing in this By-law are for convenience of reference only and have no effect on its interpretation;
2. This By-law is to be read with all changes of gender or number required by the context;
3. The words "include", "includes" and "including" are not to be read as limiting words or phrases which precede or follow them;
4. The term "used" when referring to Land, building or structures is interpreted as including "intended to be used";
5. Reference to a building or structure or Yard or Land includes that building, structure, Yard or Land in whole or in part;
6. Dimensions specified in metric units are the official dimensions. Imperial dimensions are provided solely for convenience;
7. In this By-law, the word "metre" may be represented by the abbreviation "m", the word "centimetre" may be represented by the abbreviation "cm", the word "feet" may be represented by the abbreviation "ft.", and the word "inches" may be represented by the abbreviation "in";
8. Where this By-law prohibits a person from doing something, the prohibition also includes causing, allowing or requiring that thing to be done; and
9. Where this By-law requires a person to do something, the requirement can be fulfilled by causing another person to do that thing.

1.4 Legislation

Where the year of the statute appears as part of its name, the reference is to the Statutes of Ontario for that year, and the chapter bearing the same name. Where the year of the statute does not appear as part of its name, the reference is to the Revised Statutes of Ontario, 1990 version. In both cases, however, this By-law is considered to speak to the law as amended from time to time, including successor legislation, and including all regulations passed in accordance with the statute. For example, a reference to the Building Code Act, 1992 incorporates reference to the Ontario Building Code, which is Regulation 332/12 passed under that statute.

1.5 Severability

If any section, paragraph, clause, sentence or word in this By-law is declared by any court or tribunal of competent jurisdiction to be void or illegal, that particular portion of the By-law shall be deemed to be severable from the balance of the By-law, and the remainder of the By-law shall continue to be considered valid and

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binding.

Part II – General Standards for all Property

2.1 Application of Standards

Subject to section 1.1, the standards set out in Part II apply to all Property within the Township of Ignace, regardless of its use, unless another specific provision of this By-law provides a different standard for a particular Property use.

2.2 Yards are to be Kept Free from Debris:

- a) No owner shall fail to keep a yard clean and free from refuse.
- b) No occupant shall fail to keep a yard clean and free from refuse.

2.3 Inoperative Motor Vehicles and Parts:

- a) No owner shall use land for the parking and/or storage of inoperative motor vehicles or parts of motor vehicles, except in compliance with Section 2.3 of this By-law.
- b) No occupant shall use land for the parking and/or storage of inoperative motor vehicles or parts of motor vehicles, except in compliance with Section 2.3 of this By-law.

2.4 Storage of Inoperative Motor Vehicles and Parts:

Section 2.2 does not prohibit the storage of Inoperative Motor Vehicles and/or Motor Vehicle parts where:

- a) The storage is reasonably necessary for the conduct of a business or trade lawfully conducted on the property;
- b) The Motor Vehicle and/or parts are stored in an enclosed building; or
- c) The storage is of a single Motor Vehicle and/or single set of parts which is or are fully and completely covered with a canvas or similar opaque, weather-resistant tarpaulin in good repair.

2.5 Dumping and Littering

No person shall, without authorization from the Owner, throw, place or deposit Refuse on privately owned Land or Land owned by the Corporation, the Province or the Federal government.

2.6 Filling of Land with Earth – Exemption

Section 2.5 does not prohibit the filling or raising of Land with earth or rock or the disposal of Refuse on any Land which has been lawfully designated and/or licensed for that purpose by the Corporation or another authority with jurisdiction.

2.7 Debris in Parking/Loading Yards

No Owner or Occupant shall allow the accumulation of Refuse in any area of a Yard which is used for vehicular traffic or parking, including any loading area.

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2.8 Maintenance of Parking/Loading Yards

No Owner or Occupant shall fail to keep in good repair the surface area and any lighting facilities for those areas of a Yard which are used for vehicular traffic or parking, including any loading areas.

2.9 Vacant Property – Dumping Prohibition

No Owner shall allow Vacant Property to be used for the dumping or disposal of Refuse.

2.10 Requirement to Clear

No Owner shall fail to remove any Refuse dumped or disposed of on his or her Land contrary to Sections 2.9 or 2.5.

2.11 Non-Residential Properties – Litter

No owner shall fail to keep non-residential property free of refuse as may be left by customers, employees, occupants, or other members of the public.

2.12 Exemption for Normal Farm Practices

This By-law does not apply so as to prevent a farm, meeting the definition of “agricultural operation” under the Farming and Food Production Protection Act, 1998 from carrying out a normal farm practice.

2.13 General Duty to Repair and Maintain Land

- a) No person shall occupy or use Property that does not conform with the standards prescribed in this By-Law.
- b) Property that does not conform with the prescribed standards shall be Repaired and maintained to conform therewith by the Owner or the site shall be cleared of all Buildings, Structures, Waste and left in graded and leveled condition by the Owner.
- c) All Repairs, new construction and maintenance of Property shall be carried out with suitable and sufficient materials and in a manner accepted as work of good quality within the trades concerned and as required by law.

2.14 Prohibition Against Renting Land(s) that do not Meet Standards

No Owner of Property shall permit the use or occupancy of, and/or rent or lease to, and/or offer to rent or lease to, another person, any Property that does not conform to the provisions of this By-law.

2.15 Structural Adequacy

- a) Every Owner of a Building or Structure shall maintain it in a structurally sound condition, so as to be capable of sustaining safely its own weight and any load to which it might normally be subjected.

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- b) If, in the opinion of an Officer, there is doubt as to the structural condition and adequacy of a Building or Structure, the officer may order that the Building or Structure be examined by a Professional, at the Owner's expense, and that the Professional submit a written report to the Officer, signed and sealed by the Professional including drawings, giving details of the findings of the examination.
- c) Examination and testing of any Building or Structure shall be conducted in a manner acceptable to the Officer and at the Owner's expense.
- d) Details and drawings of all temporary shoring or other work deemed necessary by the Professional shall be included with the report required by subsection b) above.
- e) On completion of all the work recommended by the Professional, the Owner shall cause a report signed and sealed by the Professional, which certifies that all of the work has been completed satisfactorily, to be submitted to the Officer.
- f) On completion of all of the work, the Owner shall cause a report signed and sealed by the Professional, which certifies that all of the work has been completed satisfactorily, to be submitted to the Officer.

2.16 Moisture and Frost Prevention Requirement(s)

- a) Every Owner of a Building or Structure shall maintain the interior floors, ceilings and walls in a manner free from dampness arising from the entrance of moisture through an exterior wall or roof, or through a Basement or crawl space floor.
- b) Every owner of a Building or Structure shall maintain the foundation walls of that Building or Structure so as to prevent the entrance of excessive moisture.
- c) Every Owner of a Building or Structure, excepting those constructed with slab-on-grade construction, shall maintain foundation walls or piers which extend below the frost line, or to solid rock.

2.17 Details for Section 2.16

The maintenance required by section 2.6 includes but is not limited to: the shoring of the walls to prevent settling, installing sub-soil drains at the footings, where necessary, grouting masonry cracks, and damp-proofing and waterproofing walls, joints and floors.

2.18 Exterior Buildings and Structures Requirement(s)

Every Owner of a Building or Structure shall:

- a) keep walls, roofs and other exterior parts of a Building or structure free from loose or improperly-secured objects or materials;
- b) keep walls, roofs and other exterior parts of a Building or structure free from cracked, broken or loose masonry units, stucco, or other defective cladding or trim;
- c) treat exterior surfaces with paint or another suitable preservative or coating

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so as to prevent deterioration due to weather conditions or vermin;

- d) keep the exterior walls of a Building or structure, and their components, free of unauthorized signs, painted slogans, graffiti and similar defacements;
- e) maintain the roof of a Building or structure, including fascia boards, soffits and cornices, in a water-tight condition so as to prevent leakage into the Building or Structure;
- f) maintain the roofs of a Building or structure so that they are kept clear of dangerous accumulations of ice and/or snow;
- g) keep every chimney of a Building or structure, together with the components of that chimney, free from loose bricks and mortar, or any other defects;
- h) maintain the flue and flue pipes of every chimney of a Building or structure in accordance with the Fire Protection and Prevention Act, 1997;
- i) maintain every stairway, fire escape, balcony, porch, landing or canopy of a Building or structure so as not to be in an Unsafe Condition, and so as to be reasonably free from holes, cracks, excessive wear and warping, and other defects;
- j) maintain all windows, doors, skylights and Basement hatchways of a Building or structure in good Repair, weather-tight and reasonably draught - free, to prevent infiltration by the elements and Vermin;
- k) provide adequate lighting for all parking spaces for a Building or structure; and
- l) maintain finished exterior surfaces of a Building or structure so that no more than 25% of the finish on any area of any exterior wall is blistered, cracked, flaked, scaled, or chalked away.

2.19 Exemption from Subsection 2.18(d)

Subsection 2.18(d) does not apply to prevent graffiti, signs and painted slogans which have otherwise been permitted under a by-law or other authority of the Corporation.

2.20 Details for Subsection 2.18(e)

Maintenance in subsection 2.18(e) includes but is not limited to: Repairing the roof, fascia board, soffit, cornice, and flashing; applying waterproof coatings; and installing or repairing eavestroughs and rain water piping.

2.21 Details for Subsection 2.18(i)

Maintenance in subsection 2.8.1(i) includes but is not limited to: Repairing or replacing treads, risers or floors that show excessive wear or are broken, warped or loose; Repairing, renewing or supporting structural members that are rotted, deteriorating or loose; and painting.

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2.22 Details for Subsection 2.18(j)

Maintenance in subsection 2.18(j) includes but is not limited to: painting; the application of preservative; renewing or replacing rotten or damaged doors, door frames, window frames, sashes and casings; refitting doors and windows; weather stripping; and replacing broken window and door glass and defective door and window hardware.

2.23 Building Requirements for Elements that may be Exterior or Interior

Every Owner of a Building containing at least one Dwelling Unit shall:

- a) install and maintain a handrail on any stairway or ramp containing three (3) or more risers (including the landing); and
- b) install and maintain Guards around openings in floor areas, landings, balconies, mezzanines, porches, galleries, raised walkways, on the open sides of stairways or ramps with three (3) or more risers (including the landing), and other locations, as required.

2.24 Property Damage

- a) A Building or Structure which is damaged from any cause whatsoever, including, without limitation, accident, natural causes or vandalism, shall be demolished or Repaired by the Owner as soon as is practicable, subject to subsection 2.24 b).
- b) Where the damage referenced in subsection 2.24 a) resulted in the Property being in an Unsafe Condition, immediate steps shall be taken by the Owner to prevent or remove that Unsafe Condition. The Building or Structure shall be properly supported and barricaded until the necessary demolition or Repair can be carried out, in accordance with subsection 2.24 a).
- c) Where the damage referenced in subsection 2.24 a) involves exterior surface defacing by smoke, water or other causes, the Owner shall remove the defaced material, and shall refinish the area in a manner acceptable to the Officer.

2.25 Retaining Walls/Fences

Every Owner of Property which contains Retaining Walls/Fences shall maintain those retaining walls/fences in a manner which does not:

- a) adversely affect the safety of the public;
- b) adversely affect the safety of vehicular or pedestrian traffic;
- c) constitute an obstruction of view for vehicular or pedestrian traffic;
- d) wholly or partially conceal or interfere with the use of any fire hydrant or municipal facilities, including water valves; or
- e) interfere with the use of a highway, public sidewalk or lane.

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2.26 Hazard Prevention

Every Owner and Occupant of a Property shall keep that Property in good repair so as to prevent an Unsafe Condition

2.27 Buildings, Structures and Retaining Walls/Fences – Surface Treatment

Every Owner of a Property shall treat the surfaces of Buildings, Structures and Retaining Walls/Fences on that Property with appropriate weather-resistant materials, including paint or other suitable preservatives.

2.28 Parking and Driveways

Every Owner of a Property which is used for vehicular traffic and parking shall maintain and keep in good Repair those parts of the property used for same with a surface covering of asphalt, concrete, or compacted stone or gravel.

2.29 Steps and Walkways

Every Owner and Occupant of a Property shall maintain steps, walkways, sidewalks and other areas intended for use by pedestrians in a manner which affords safe passage under normal use and **all-weather** conditions, day or night.

2.30 Swimming Pools

Every Owner of Property upon which a Swimming Pool exists shall maintain that Swimming Pool:

- a) in a clean and safe condition;
- b) free from leaks and faulty components and equipment; and
- c) in conformity with all other by-laws of the Corporation relating to Swimming Pools.

2.31 Pest Prevention

Every Owner and Occupant of a Property shall:

- a) keep all the Buildings and Structures on that Property free of Vermin at all times; and
- b) keep all openings of Buildings on that Property containing Dwelling Units that might permit the entry of Vermin appropriately screened or sealed.

2.32 Discharge of Sewage

Where Properties are serviced by the Corporation's sanitary sewer system, the Owner or Occupant of those Properties shall not discharge sewage of any kind onto the surface of the ground, whether into a natural or artificial surface drainage system or otherwise.

2.33 Where a property is not Serviced by the Township Waste Water System

Where a Property is not serviced by the Corporation's sanitary sewer system, the Owner of the Property shall have a pit privy or a composting toilet or, where a pressurized water system and a septic disposal system are available, an indoor flushing toilet.

2.34 Drainage and Prevention of Ponding

- a) Every Owner of a Building or Structure shall provide a roof drainage system and, where necessary, a sump pit system and other measures, so configured, installed and maintained so as to prevent recurrent ponding of water on the Property or on neighbouring Property whether directly abutting or not, including, without limitation, highways, boulevards and sidewalks.
- b) Every Owner and Occupant of a Property shall keep the Property graded, filled up or otherwise drained so as to prevent excessive or recurrent ponding of water on the Property and/or entrance of water into a Building or Structure.
- c) Every Owner and Occupant of a Property shall not allow a system of drainage from any source which allows water to pond on the Property or on a neighbouring Property whether directly abutting or not, and including, without limitation, highways, boulevards and sidewalks.
- d) Every Owner and Occupant of a Property shall obstruct, or cause or permit the obstruction of a watercourse on the Property.

2.35 Rainwater Leader – Disconnection from the Waste Water Sewer

Every Owner of a Building or Structure that is equipped with rain water leaders shall prevent the rain water leaders from discharging or draining into the Corporation's sanitary sewer system.

2.36 Prevention of Drainage into a Building

Every Owner of a Building or Structure that is equipped with rain water leaders shall prevent the rain water leaders from creating a concentrated flow of water which may penetrate the Building or Structure.

2.37 Garbage Disposal

- a) Where the Corporation provides Property with Waste collection services, the Owner or Occupant shall place all Waste in a suitable container which is made available for removal in accordance with the Corporation's applicable by-law(s) and policies.
- b) Any refuse as described in Section 2 that is NOT made of wood or a wood by-product may NOT be incinerated in any fashion with or without a burning permit in accordance with any other By-law(s) or regulations of the Municipality. 144
- c) Where the Owner or Occupant of Property stores Waste out-of-doors, he or she shall provide an effective container or barrier that prevents such Waste from

encroaching onto, or escaping onto, abutting or neighbouring property.

2.38 Unsafe Containers

- a) No owner or occupant of a property shall place, keep or store Unsafe Containers thereon.
- b) These include but are not limited to:
 - I. Old freezers or refrigerators
 - II. Sea-cans

2.39 Excavation Holes and Trenches

- a) Every Owner and Occupant of a Property shall prevent the existence or continuance on the Property of any holes, pits, excavations or trenches which create an Unsafe Condition.
- b) The existence or continuance on a property of any holes, pits, excavations or trenches is permitted, provided the property, or the hole, pit, excavation or trench on the Property, is secured so as to prevent accidents or injury.

2.40 Grass, Weeds and Other Vegetation to be Kept Trimmed

- a) Every Owner and Occupant of a Property shall keep the grass and weeds and other vegetation upon the Property trimmed so as not to exceed twenty (20) centimetres in height.
- b) Every Owner and Occupant of a Property shall not allow undergrowth to develop on the Property which is inconsistent with the surrounding environment.
- c) Every Owner and Occupant of a Property shall eliminate vegetation or unnatural landscaping features on that Property which:
 - I. adversely affects the safety of the public;
 - II. adversely affects the safety of vehicular or pedestrian traffic;
 - III. constitutes an obstruction of view for vehicular or pedestrian traffic;
 - IV. wholly or partially conceals or interferes with the use of any fire hydrant or municipal facilities, including water valves; or
 - V. interferes with the use of a highway, public sidewalk or lane.
- d) Every Owner and Occupant of a Property shall cultivate it, or, alternatively, protect the soil thereof from erosion using Ground Cover.
- e) Every Owner and Occupant of a Property is advised to review all applicable legislation and the Corporation's other by-laws and policies with respect to Ground Cover before determining which type of Ground Cover to employ in order to comply with section 2.40 d). There may be requirements for a certain amount of permeable ground cover (as opposed to concrete or

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other impermeable ground cover). Compliance with section 2.40 d) of this By-law does not excuse non-compliance with the requirements of other by-laws or policies.

- f) Every Owner and Occupant of a Property shall not allow mounds of earth, sand, gravel or like materials to be exposed to erosion on that Property.

Part III – Additional Standards for Residential Property

3.1 Application of Standards

Standards within Part III apply to all Residential Property, in addition to the standards in Part II of this By-law. Where there is a conflict between standards in Part II of this By-law and the standards in Part III, then, with respect to Residential Property, the standards in Part III prevail.

3.2 Interior Building Requirements

Every owner/occupant of a residential dwelling unit shall keep the interior in a safe and healthy condition in accordance with the Building Code Act, 1992 and the Health Protection and Promotion Act, 1990, the Fire Protection and Prevention Act, 1997 or as prescribed by any other Municipal By-law and/or Regulation.

3.3 Exterior Building Requirements

Every owner/occupant of a residential dwelling unit shall keep the exterior in a safe and healthy condition as well as in good repair as prescribed in Section 2.18 of this By-law and in accordance with the Building Code Act, 1992 and the Health Protection and Promotion Act, 1990, the Fire Protection and Prevention Act, 1997 or as prescribed by any other Municipal By-law and/or Regulation.

3.4 Domestic Storage of Materials in Front, Rear and Side Yards

- a) Domestic materials other than Waste may be stored in a Rear Yard or a Side Yard of a Residential Property subject to the following rules:
 - I. the area used for storage of these materials shall not exceed 25% of the area of the Side or Rear Yard in which it is being stored;
 - II. the storage shall be undertaken through the use of neat piles; and the storage shall be undertaken in a manner which does not create an Unsafe Condition.
- b) No Owner and Occupant of a Residential Property shall cause or permit storage of domestic materials except in a manner consistent with that described in section 3.4 a).
- c) No Owner and Occupant of a Residential Property shall cause or permit storage of domestic materials in a Front Yard of such property.

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3.5 Exemptions from Section 3.4

- a) Sections 3.4 a), 3.4 b), and 3.4 c) do not apply to prevent the temporary storage of material or Debris resulting solely from the construction, demolition or alteration of a Building, provided that:
 - I. it is removed frequently and in its entirety from the Property; and
 - II. it does not cause an Unsafe Condition.

Part IV – Additional Standards for Rented Dwelling Units

4.1 Application of Standards

Part XIV Maintenance Standards of the Residential Tenancies Act, 2006 provides that local Municipalities may investigate and set out an order of compliance in regards to property standards within the Municipalities existing By-law(s) or as per Schedule 5 s. 5 of the Act.

4.2 Every owner of a rented dwelling must provide a clean and sanitary environment.

4.3 Every owner of a rental dwelling must provide potable adequate water.

4.4 Every owner of a rental dwelling must provide adequate toilet facilities.

4.5 Every owner of a rental dwelling must provide a kitchen sink.

4.6 Every owner of a rental dwelling must provide a wash basin.

4.7 Every owner of a rental dwelling must provide a bathtub/shower facility.

4.8 Every owner of a rental dwelling must provide a primary heat source.

- a) Every owner of a rental dwelling must maintain the primary heat source in good working condition/repair.
- b) Every owner of a rental dwelling must not use auxiliary heaters as the primary heat source.

Part V – Additional Standards for Non-Residential Property

5.1 Application of Standards

Standards within Part V apply to all Non-Residential Property, in addition to the standards in Part II of this By-law. Where there is a conflict between standards in Part II of this By-law and the standards in Part V then, with respect to Non- Residential Property, the standards in Part V prevail.

5.2 Exterior Walls

- a) Every Owner of Non-Residential Property shall maintain all marquees, awnings, standpipes, exhaust ducts and similar equipment, attachments, extensions to Buildings or Structures, together with their supporting

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members, in good Repair, properly and safely anchored and protected from the elements and against decay and rust by the periodic application of a weather-coating material.

- b) The requirements of section 5.2 a) do not apply if the item is constructed of materials inherently resistant to deterioration.

5.3 Waste

Every Owner and Occupant of a Non-Residential Property shall maintain the Buildings and Structures on the Property so that the interiors of those Buildings and Structures are kept free from Waste that would cause an Unsafe Conditions.

5.4 Signs

Every Owner of a Non-Residential Property, which contains one or more signs, shall maintain those signs in good Repair and in accordance with other by-laws or policies of the Corporation. Any signs which are weathered and faded, or those upon which the paint has excessively peeled or cracked, shall, with their supporting members, either be removed or Repaired by the Owner.

Part VI – Additional Standards for Vacated Property

6.1 Application of Standards

Standards within Part VI apply to all Vacated Properties, in addition to the applicable standards prescribed elsewhere in this By-law. Where there is a conflict between standards elsewhere in this By-law and the standards in Part VI, then, with respect to Vacated Properties, the standards in Part VI prevail.

6.2 Maintenance of Vacated Property

- a) Every Owner of a Vacated Property shall:
 - I. keep all Buildings and Structures on the Vacated Property clear of Waste;
 - II. disconnect or have disconnected or discontinued all water, electrical and gas services to the Buildings and Structures, excepting any that are required for the security and maintenance of the Property;
 - III. maintain the Buildings and Structures on the Property to guard against Unsafe Conditions, risk of fire, accident or other danger;
 - IV. keep the windows and doors of the Buildings and Structures on the Property sealed to prevent unauthorized access, including, where applicable, boarding any damaged windows or doors in accordance with section 6.3 of this By-law;
 - V. maintain the entrances to the Buildings or Structures, including: porches, stairways, required Guards, and the like, in good Repair so as to afford safe passage to authorized persons attending the site;

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- VI. barricade all openings on any floor or between floors, including service spaces, chutes, air vents and elevator shafts, in order to prevent an Unsafe Condition; and
- VII. maintain the Property in accordance with the standards in section 6.3 and, where applicable, section 6.3.

6.3 Securing Vacated Property

a) Every Owner of a Building or Structure situated on Vacated Property shall:

- I. keep all exterior doors to the Building or Structure operational, so as to fit tightly within their frames when closed;
- II. keep all exterior doors to the Building or Structure locked so as to prevent unauthorized entry;
- III. keep all windows on the Building or Structure properly glazed and in good repair;
- IV. keep all windows on the Building or Structure either permanently sealed or locked so as to prevent unauthorized entry;
- V. keep all windows, doors, Basement and attic hatchways and their frames maintained to completely exclude rain or snow, and to substantially exclude wind, from entering the building;
- VI. render all floors above the first floor inaccessible to unauthorized entry by raising fire escapes to a height of at least four (4) metres or by guarding them in some other manner acceptable to an Officer; and
- VII. secure all Areaways by:
 - i. filling them with concrete or unshrinkable fill; or
 - ii. covering the openings to them with metal plates of at least eight (8) millimetres thick, and securing the metal plates so as to prevent them from shifting.

b) cover, with a solid piece of plywood, at least 12.7 millimetres thick, all applicable doors, windows or other openings;

c) secure the plywood with screws or coated nails which are at least 10 centimetres long that are installed at intervals of not more than 30 centimetres;

d) fit the plywood within the frames in a watertight manner; and

e) protect the plywood from the elements with paint or preservatives.

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Part VII – Administration

7.1 Enforcement

- a) The Enforcement Officer is hereby assigned the responsibility of administering and enforcing this By-Law.
- b) No person shall hinder or obstruct, or attempt to hinder or obstruct, an Officer in the exercise of a power under this By-Law.
- c) An Officer or any person acting under his or her direction may, upon producing proper identification, enter upon any Property (but not within any Building used as a residence) at any reasonable time for the purpose of inspecting the Property to determine:
 - I. whether the Property conforms with the standards prescribed in the By-Law; or
 - II. whether an Order to Remedy made under this By-Law has been complied with.

7.2 Order to Remedy

- I. An Enforcement Officer who finds that Property does not conform to any standards prescribed in this By-Law may make an Order to Remedy:
 - I. stating the municipal address or the legal description of the Property,
 - II. giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition;
 - III. indicating the time for complying with the terms and conditions of the Order to Remedy and giving notice that, if the repair or clearance is not carried out within that time, the municipality may carry out the repair or clearance at the Owner's expense; and
 - IV. indicating the final date for giving notice of appeal from the Order to Remedy.

7.3 Service of the Order

- a) The Order to Remedy shall be served on the Owner and such other persons affected by it as the Officer determines and a copy of the Order to Remedy may be posted on the Property in a location visible to the public.
- b) The Order to Remedy may be served personally or by registered mail sent to the last known address of the person to whom the Order to Remedy is to be given or that person's agent for service.
- c) If the Order to Remedy is served by registered mail, the service shall be deemed to have been made on the fifth day after the day of mailing.

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- d) No person shall obstruct the visibility of an Order to Remedy and no person shall remove a copy of any Order to Remedy posted under this By-Law unless authorized to do so by an Officer.

7.4 Penalties

- a) Any Person who contravenes any provision of this By-Law is guilty of an offence and, upon conviction, shall be subject to the penalties as provided in the Building Code Act, 1992 or any other Provincial Act or Regulation as well as any other Municipal By-laws as related to.
- b) Any person who fails to comply with an Order issued under this By-Law is guilty of an offence and on conviction is subject to the penalties as provided in the Building Code Act, 1992, or any other Provincial Act or Regulation as well as any other Municipal By-laws as related to.
- c) Every person who contravenes any of the provision of this chapter is guilty of an offence and shall, upon conviction thereof, forfeit and pay a penalty of not more than \$5,000, exclusive of costs, and every such fine is recoverable under the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.

7.5 Municipal Action – Right of Entry

- a) If any Owner or Occupant fails to carry out the requirements of an Order to Remedy under this By-Law, as deemed confirmed or as confirmed or modified by a judge, or the Corporation may do, or cause to be done, the work required in the Order to Remedy and add all costs to the tax roll to be collected in the same manner as property taxes.
- b) For the purpose of section 7.5 a), employees or agents of the Corporation may enter the Land at any reasonable time without a warrant in order to carry out the remedial work.
- c) The Corporation or any person acting on its behalf is not liable to compensate the Owner, Occupant or any other person by reason of anything done by or on behalf of the Corporation in reasonable exercise of its powers under section 7.5 a).

7.6 Authorization by Council

Prior to taking action in accordance with Section 7.5 of this By-Law, the Chief Administrative Officer of the Corporation shall report to Council and obtain authorization for the work to be undertaken.

7.7 Authority to Vary Orders

At any time, the Enforcement Officer who issued an Order to Remedy, or another Officer in circumstances where the issuing Officer is not available, may modify the terms or requirements of the Order to Remedy, including the time within which compliance with the Order to Remedy must be achieved and where an Order to Remedy is so modified, it shall be served as required by the Building Code Act, 1992 and the modified Order to Remedy may be appealed within the time prescribed by the said Act, the final date for giving notice of appeal of the modified Order to Remedy to

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be indicated therein.

7.8 Certificate

A fee shall be payable for a certificate issued pursuant to Section 15.5(3) of the Building Code Act where it is issued that at the request of the owner in the amounts to be prescribed by Schedule "A" of this By-law.

Part VIII – General Provisions and Repeals

8.1 Effective Date

This By-law shall take effect on the date of its passage.

8.2 Title

This By-law may be referred to as the "Property Standards By-law".

8.3 Repeals

Upon passage of this By-law, the following by-law is repealed: The Corporation of the Township of Ignace By-law 21.2018 and By-law 66.2017.

8.4 Transitional Rules

Despite Sections 8.1 and 8.3, after the passage of this By-law, By-law 21.2018 and By-law 66.2017, as amended, shall continue to apply to any property for which an Order had been previously issued, but only until such time as the work required by that Order has been completed, or any work carried out by the Corporation under that by-law has been concluded.

8.5 Date By-law Comes into Force

This By-Law will come into effect on the third and final reading thereof. Owners will receive a grace period up to and including July 31, 2021, to conform to standards of this By-Law, without penalty. Effective August 1, 2021, all Properties not conforming to the provisions or this By-Law will be subject to all enforcement and penalty provisions as set out herein.

Read a First and Second Time this ___ Day of _____, 2021.

Read a Third and Finally Passed this ___ Day of _____, 2021.

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Penny Lucas, Mayor

Lynda Colby, Clerk

Schedule "A"

By-law _____

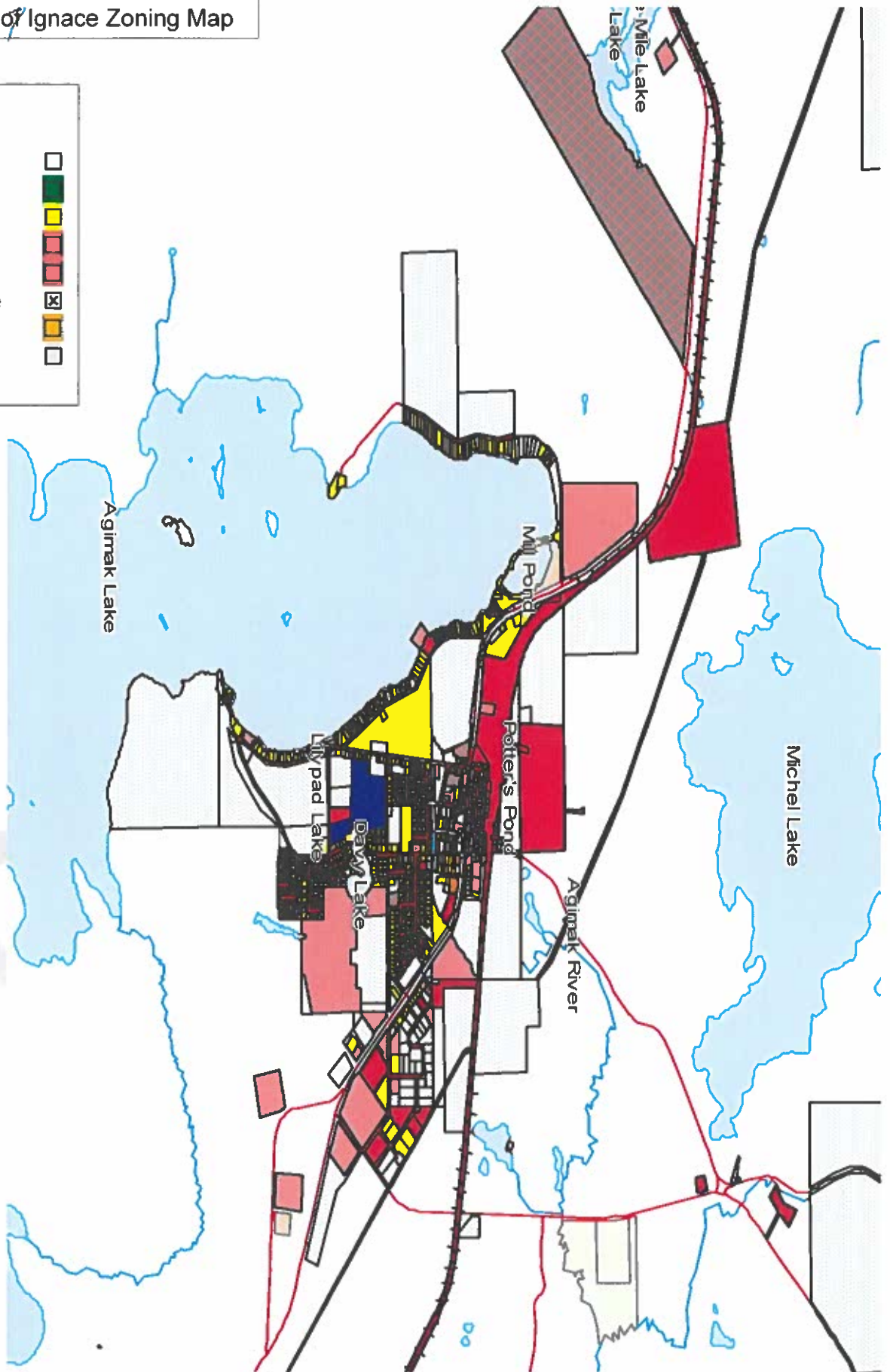
Fee Schedule for Issuance of Certificate of Compliance

<u>Item Number</u>	<u>Category</u>	<u>Class</u>	<u>Cost</u>
1	Request for Proceedings to Date of Enquiry. Information Supplied entirely from Files.		\$5.00 per request
2	Request Whether Dwelling Conforms to By-law. Inspection Required.	<u>Residential Property</u>	
		1 – 2 Units	\$38.00 per Unit
		More than 2 – 5 Units	\$20.00 per Unit
		More than 5 – not more than 15 Units	\$75.00 plus \$5.00 per Unit above 5 th Unit
		More than 15 Units	\$125.00 plus \$1.00 per Unit above 15 th Unit
		<u>Non-Residential Property</u>	
		1 st Floor Maximum Area 185.82m squared (2,000 sq. ft.)	\$38.00 per Building Unit
		1 st Floor Area More than 185.8m squared (2,000 sq. ft.)	The Property Standards Officer is Authorized to set a fee Depending Upon Extent of Inspection Required. Minimum Fee of \$38.00

The Township of Ignace Zoning Map

Legend

- Vacant
- Farm
- Residential
- Commercial
- Industrial
- Special Purpose
- Government
- Access Ways



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Set Fine Schedule
Part I of the Provincial Offences Act
Pursuant to the By-Law _____
Establish Standards for the Maintenance and Occupancy of Property in the Township
of Ignace

<u>Item Number</u>	<u>Short Form</u>	<u>Provision Creating or Defining Offence</u>	<u>Set Fine</u>
1	Failure to Maintain Land – Free of Rubbish/Debris	Section(s) 2.2 & 2.7	\$100.00
2	Failure to Maintain Roof/Surface Drainage	Section(s) 2.32, 2.34 & 2.36	\$100.00
3	Failure to Maintain Fence/Retaining Wall	Section(s) 2.25 & 2.27	\$100.00
4	Failure to Maintain Accessory Buildings in Good Repair	Section(s) 2.18, 2.27 & 6.2(v)	\$100.00
5	Failure to Maintain Accessory Buildings Free from Hazards	Section(s) 2.26	\$100.00
6	Failure to Maintain Accessory Buildings with Paint/Preservative/Weather Resistant Material(s)	Section(s) 2.18(c), 2.27 & 6.3(e)	\$100.00
7	Foundation not Maintained	Section(s) 2.16	\$100.00
8	Structural Components not Maintained	Section(s) 2.15(a) & 2.18(i)	\$100.00
9	Structural Components not Maintained - Repaired	Section(s) 2.15(b) & 2.18	\$100.00
10	Exterior Walls and their Components not Maintained	Section(s) 2.18, 3.3, 5.2 & 6.3(I)(II)	\$100.00
11	Failure to Maintain Roofing Material	Section(s) 2.16(a), 2.18(a)(b)(e)(f) & 2.20	\$150.00
12	Doors/Windows not Maintained from Elements	Section(s) 2.18(j), 6.2(IV) & 6.3 (V)	\$100.00
13	Door/Windows not Maintained - Repaired	Section(s) 2.18(j), 6.2(IV) & 6.3 (V)	\$100.00
14	Door/Windows not Maintained – Broken Glass/Hardware	Section(s) 2.18(j), 6.2(IV) & 6.3 (V)	\$100.00
15	Outside Stairways not Maintained	Section(s) 2.23 & 6.2(V)	\$100.00
17	Inside Stairways not Maintained	Section(s) 2.23 & 6.2(V)	\$100.00
18	Porches & Decks not Maintained	Section(s) 6.2(V)	\$100.00
19	Handrails not Maintained	Section(s) 2.23(b) & 6.2(v)	\$100.00
20	Walls/Ceilings not Maintained – Defects	Section(s) 2.18	\$100.00
21	Floors not Maintained – Defects/Repairs	Section(s) 2.18(i) & 6.2(VI)	\$100.00
22	Failure to Maintain a Clean & Sanitary	Section(s) 4.2	\$100.00

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Environment			
23	Failure to Provide Adequate Potable Water	Section(s) 4.3	\$200.00
24	Failure to Provide Toilet Facilities	Section(s) 4.4	\$100.00
25	Failure to Provide Kitchen Sink	Section(s) 4.5	\$100.00
26	Failure to Provide a Wash Basin	Section(s) 4.6	\$100.00
27	Failure to Provide a Bathtub/Shower Facility	Section(s) 4.7	\$100.00
28	Failure to Provide Adequate Primary Heat Source	Section(s) 4.8	\$150.00
29	Failure to Maintain Primary Heat Source	Section(s) 4.8(a)	\$150.00
30	Using Auxiliary Heaters as a Primary Heat Source	Section(s) 4.8(b)	\$200.00

Note: the penalty provision for the offences indicated above of By-law ____, a certified copy of which has been filed.

DRAFT

The Corporation of the Township of Ignace

By-law 35-2021

Being a By-law to Provide for the Regulation of Open Air Burning of Materials and to Govern the Issuance of Fire Permits within the Township of Ignace

- Whereas** section 7.1(1)(b) of the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, as amended, provides that a Council of a Municipality may pass By-laws regulating the setting of open-air fires, including establishing the times during which open-air fires may be set;
- Whereas** section 7.1(4) of the Fire Prevention and Protection Act, 1997, S.O. 1997, c. 4, as Amended, provides that a Municipality may appoint an Officer to enter upon land and into structures at any reasonable time to inspect the land and structures to determine whether By-laws enacted in accordance with this section are being complied with;
- Whereas** section 2.4.4.4(1)(b) of the Fire Code, O. Reg. 213/07, as amended, prohibits open air burning unless approved, or unless such burning consists of a small, confined fire, supervised at all times, and used to cook food on a grill, barbeque or spit, and is commensurate with the type and quantity of food being cooked;
- Whereas** section 128(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that, without limiting sections 9, 10 and 11, a local Municipality may prohibit and regulate with respect to the public nuisances, including matters that, in the opinion of Council, are or could become public nuisances;
- Whereas** section 129(a) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a local Municipality may prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination;
- Whereas** section 425(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, permits Council to pass By-laws providing that any person who contravenes any By-law of the Municipality is guilty of an offence;
- Whereas** section 429(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a Municipality may establish a system of fines for offences under a By-law of the Municipality;
- Whereas** section 444 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that if a Municipality is satisfied that a contravention of a By-law has occurred, the Municipality may make an order requiring the person(s) who contravened the By-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;
- Whereas** in section 446 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, that if a Municipality has authority under the Act or under a By-law under this or any other

Act to direct or require a person(s) to do a matter or thing, the Municipality may also provide that, default of it being done by the person(s) directed or required to do it, the matter shall be done at the person(s) expense;

Whereas section 6 of the Farming and Food Production Protection Act, 1998, S.O. 1998, c. 1 provides that no Municipal By-law applies to restrict a normal farm practice carried on as part of an agricultural operation;

Whereas the Council of the Corporation of the Township of Ignace deems it appropriate that open-air fires could cause a public nuisance by creating excessive smoke or odour, infringing on the enjoyment of neighbouring property use, generating false alarms, and creating negative health effects on neighbouring residents;

Therefore, the Council of the Corporation of the Township of Ignace enacts as follows:

1.0 Definitions

Approved means approved by the Chief Fire Official.

Barbeque means a manufactured device or structure with a grill which is designed, intended and used solely for the purpose of cooking food outdoors, and includes a hibachi, but does not include devices or structures designed for personal warmth, fire pits, or outdoor fire containers.

Brush means branches, limbs, stumps, or parts thereof.

Burn Ban means a period of time which the Chief Fire Official or designate determines that open-air burning is prohibited.

Camp Fire means a fire that is set, maintained and supervised at all times for the purpose of recreational enjoyment, cooking or providing warmth.

Camp Site means a site designated for camping purposes at:

1. A designated spot or a place suitable for or used as the site of a camp,
2. A place that has been zoned as such and is a registered business.

Chief Fire Official means the appointed Fire Chief of the Ignace Volunteer Fire Department or his/her delegate.

Combustible means able to catch fire and burn easily.

Conditions means any factor which could increase the fire hazard such as wind velocity, degree of humidity, or proximity of the site to very flammable material(s).

Cooking Fire means an open-air fire used for the purpose of cooking food in accordance with O. Reg. 213/07 (Fire Code), as amended from time to time.

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Council means the Council of the Corporation of the Township of Ignace.

Debris means surface litter (leaves, needles) and combustible wood products.

Field/Crop Burning means the burning in whole or part, of areas of agricultural land and products.

Fire Season means the period from the **1st day of April to the 31st day of October** in each year. The Chief Fire Official may declare any period between the **1st day of January and the 31st day of March**, both inclusive or between the **1st day of November and the 31st day of December**, both inclusive in any year, to be fire season.

Noxious Material includes tires, plastics, rubber products, drywall, demolition waste, construction waste, paint, animal organic waste, vegetable waste, food waste, biomedical waste, tar, asphalt products, battery boxes, pressure treated wood, creosote treated wood, and painted wood.

Nuisance means excessive smoke, smell, airborne sparks or embers that is likely to disturb others, or that is likely to reduce visibility on roads in the vicinity of the open-air burning.

Officer means the Fire chief, any member of the Ignace Volunteer Fire Department, By-law Enforcement Officer, and Police Officers.

Open-air Burning means a fire set outside of a building.

Outdoor Fire Container means a non-combustible container used to hold a small fire, and includes, but is not limited to, chimineas, metal tubes, fire pits, and outdoor brick fireplaces.

Owner means a person(s), firm or corporation having control over any portion of the building or property under consideration and includes the person(s) in the building or property.

Peat means soils with a minimum of 30% organic matter.

Permit means a permit issued by the Fire Chief to set a fire in the open-air for a specified time period. Application shall be Schedule "A" attached.

Permit Holder means a person to whom a permit has been issued by the Fire Chief, "person" meaning an individual or a corporation.

Prohibited means that, for the purposes of this By-law, the Chief Fire Official does not approve of any open-air burning as contemplated by clause 2.4.4.4(1)(a) of O. Reg. 213/07 (Fire Code), as amended from time to time, including that for which permission has otherwise been granted under this By-law.

Smog Alert means an alert issued by the Ministry of the Environment with respect to air quality.

Strike means a strike as defined in the Labour Relations Act, 1995, S.O. 1995, c. 1, Sched. A.

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Windrows means refuse from land clearing, bulldozed into piles or rows, consisting of soil/gravel, trees, roots, stumps and brush.

Wind Speed means the wind speed for Ignace as reported on the Environment Canada website.

2.0 General

2.1 No person(s) shall set, maintain, or permit to be set or maintained, an open-air burning except as authorized under this By-law.

2.2 This By-law shall not apply to:

- a) A person using a barbeque to cook.
- b) A person using a fire in a device installed outside of a building that is used as a source of heat or power for the building or that is ancillary to a manufacturing process, and provided that such device is certified for the purpose by a recognized agency.
- c) A person using a device designated to heat pitch or asphalt.
- d) A person using welding equipment.
- e) A person setting or maintaining a fire strike site in a metal forty-five (45) gallon drum.
- f) The Municipality or Municipal Officers for the purpose of education and training individuals.
- g) A person conducting fire extinguisher training who has obtained prior written approval of the Fire Chief or designate.

2.3 Notwithstanding the conditions of this By-law in which open-air burning is approved, the Fire Chief, Fire Chief Official or designate shall have the authority to issue a burn ban under the conditions of a drought, pandemic, state of emergency, which would supersede all approvals to conduct open-air burning in accordance with this By-law.

2.4 All persons setting an open-air fire in the Township of Ignace shall first obtain a fire permit from the Fire Department pursuant to the requirements and fees as set out by this by-law.

3.0 When Open-air Burning is Allowed

3.1 When a permit has been issued:

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- a) all permits are subject to inspection and approval of the Chief Fire Official or such persons duly authorized on behalf of the Chief Fire Official.
- b) the permittee shall be present at the site of the burning operations conducted under the permit and shall not be under the influence of alcohol or narcotics.
- c) the permittee shall have the permit at the site of the burning operation conducted under the permit and shall produce and show the permit to any officer, whenever requested by the officer.
- d) the permittee assumes full responsibility for the burning operation conducted under the permit.
- e) the fire must be ignited 2 hours before sunset, or later, and extinguished 2 hours after sunrise, or earlier.
- f) ensure material to be burned be located at least fifteen (15) metres (50 feet) from a building, structure or lot line.
- g) the material to be burned at one time in residential areas is not to be more than two (2) cubic metres (6.7 cubic feet) in size.
 - i. consideration may be given by the Chief Fire Official or person duly authorized by the Chief Fire Official to permit up to six (6) cubic metres (20 cubic feet) of material to be burned at any one time.
 - ii. a permit issued under section 3.1 g) i, shall require that the material to be burned shall be located at least sixty (60) metres (200 feet) from any building or structure, strictly in an open field and have sufficient water supply to suppress the fire.

3.2 Open-air Burning Allowed – Cooking Fires:

- a) A person may conduct an open-air burning for a cooking fire, subject to the conditions set out in this part.
- b) A person conducting an open-air burning shall comply with the following conditions for a cooking fire:
 - i. Shall only conduct the open-air burning between 11:00am and midnight.
 - ii. The burning shall consist of a small, contained fire that is used to cook food on a grill, barbeque or spit, commensurate with the type and quantity of food being cooked, and is supervised at all times.

- iii. Open-air burning for a cooking fire is not prohibited during a burn ban, if conducted in accordance with O. Reg. 213/07 (Fire Code), as amended, and this part.

3.3 Conditions of all open-air burning under this part:

- a) Every person setting, permitting to be set, maintaining, or permitting to be maintained, an open-air burning authorized under this part shall comply with the following conditions:
 - i. Shall allow, at any reasonable time, an Officer to inspect the location or proposed location of the open-air burning.
 - ii. Shall have legal title to the property at which the open-air burning is to occur, or the person, or legal permit holder, as the case may be, shall obtain the prior written consent of the person having legal title to the property.
 - iii. Shall only burn commercially produced charcoal, briquettes, or clean, dry, seasoned wood.
 - iv. Shall not burn noxious material(s).
 - v. Shall have an effective agent of sufficient size and with the capability of extinguishing the open-air burning immediately available for use.
 - vi. Shall attend, control and supervise the open-air burning at all times.
 - vii. Shall completely extinguish the open-air burning before the site is vacated.
 - viii. Shall not burn if the wind speed exceeds fifteen (15) kilometers per hour during the open-air burning.
 - ix. Shall not burn if it is rainy or foggy.
 - x. Shall not burn if a smog alert has been declared.
 - xi. Shall comply with the provisions of the Environmental Protection Act, R.S.O. 1990, c.E. 19, as amended.
 - xii. Shall protect adjacent properties from the potential spread of fire.
 - xiii. Shall ensure the open-air burning does not create a nuisance.

3.4 Open-air Burning Allowed – Normal Farm Practice

- a) A person may conduct an open-air burning if it is part of a normal farm practice carried on as part of an agricultural operation, as those terms are defined in the Farming and Food Production Protection Act, 1998, S.O. 1998, c.1, on lands zoned for agricultural use, and subject to the conditions set out in this part.
 - i. A person conducting an open-air burning under subsection 3.4 a) shall comply with the following conditions:
 - 1. Notify the Ignace Volunteer Fire Department in person or by telephone 807-934-2211 prior to the open-air burning and at the conclusion of the open-air burning, and shall provide the Ignace Volunteer Fire Department with the Municipal address where the open-air burning will take place.
 - 2. Not have a fire larger than two (2) meters in width, by two (2) meters in height.
 - 3. Locate open-air burning at least fifty (50) meters away from any building, structure, property line, tree, hedge, fence, roadway, overhead wire or other combustible article.
 - ii. The conditions in subsection 3.4 a) i. 1 shall not apply to fires under subsection 3.4 a) i. that are used to burn off dried vegetation along fence lines and culverts.

4.0 Incinerators

No person shall operate or install an incinerator unless the incinerator is in compliance with By-law 45-2021.

5.0 Campfires

5.1 A person who starts an open-air campfire outdoors or, is in charge or apparently in charge of a campfire outdoors shall:

- a) ensure that all conditions will allow the fire to burn safely from the start to extinguishment.
- b) take all necessary steps to tend the fire and keep the fire under control.
- c) ensure that the camp fire does not exceed one (1) metre (3.3 feet) in height and one (1) metre (3.3 feet) in diameter.
- d) ensure the camp fire is at least three (3) metres (9.9 feet) from any forest or woodland and the area within the three (3) metre (9.9 feet) radius is completely free of any combustible/flammable materials

and the space immediately above the fire installation (one (1) metre (3.3 feet) radius) is at least three (3) metres (9.9 feet) from any overhanging vegetation.

- e) ensure the campfire is located at least fifteen (15) metres (50 feet) from any building, structure or lot line.
- f) ensure that the means of extinguishing the fire designated on the permit form is available at the site at all times during the fire.
- g) extinguish the fire before leaving the site.

5.2 No open air camp fire shall be permitted when the wind is in such direction or intensity to cause any or all of the following:

- a) smoke which causes annoyance or irritation to adjacent properties or premises.
- b) when wind velocity exceeds 25 km. (15 miles) per hour.

6.0 Order to Discontinue Activity

6.1 If the Fire Chief or his/her designate, or the Enforcement Officer is satisfied that this By-law has been contravened, the Fire Chief or his/her designate, or the Enforcement Officer may make an order requiring the person(s) who contravened the By-law, or who caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravention. An order under this part shall be known as a n Order to Discontinue Activity, and such an order can require a person(s) not to conduct an open-air burning for a certain period of time.

6.2 An order to discontinue activity shall set out:

- a) The Municipal address of the property on which the contravention occurred
- b) The date that the contravention occurred
- c) The contravention of the By-law
- d) The date by which there must be compliance with the order
- e) The date on which the order expires.

6.3 The order to discontinue activity may be served personally on the person to whom it is directed or by regular mail to the last known address of that person, in which case it shall be deemed to have been given on the third day after it is mailed.

7.0 Order to Extinguish

If an Officer is satisfied that this By-law has been contravened, the Officer may issue an order to Extinguish requiring the person(s) contravening the By-law to extinguish the fire.

7.1 An order to extinguish shall set out:

- a) The Municipal address of the property on which the contravention occurred
- b) The date that the contravention occurred
- c) The contravention of the By-law
- d) A notice that if the fire is not extinguished immediately, the Municipality may extinguish the fire at the expense of the owner and the cost of the work may be recovered by adding the amount to the owner's tax roll.

7.2 The order to extinguish may be served personally on the person to whom it is directed or by regular mail to the last known address of that person, in which case it shall be deemed to have been given on the third day after it is mailed.

8.0 Prohibitions

8.1 No open-air fire shall be permitted when the wind is in such direction or intensity to cause any or all of the following:

- a) smoke which causes annoyance or irritation to adjacent properties or premises.
- b) decreases visibility on any highway or roadway.
- c) is likely to spread rapidly through grass or a brushed area.
- d) when wind velocity exceeds 25 km. (15 miles) per hour.

8.2 The burning of debris will not be permitted in the Township of Ignace.

8.3 The burning of buildings will not be permitted in the Township of Ignace.

8.4 Any burning or other act which contravenes the Environmental Protection Act, R.S.O. 1990, c. E.19, the Ontario Fire Code, or Forest Fires Prevention Act, R.S.O. 1990, c. F.24 or any amendments or regulations made thereunder.

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9.0 Remedial Action – Costs

- 9.1** The Municipal Chief Fire official, Municipal By-law Officer, The Municipal Police Chief are authorized to enforce this by-law.
- 9.2** Where in the opinion of the Chief Fire Official, a potential fire danger exists, the Chief Fire Official may suspend, refuse or rescind any permit or order any person to put out a fire.
- 9.3** It is declared that if any section, subsection or part or parts thereof of this by-law be declared by any court of law to be bad, illegal or ultra vires, such section, subsection or part or parts thereof shall be deemed to be severable and all parts hereto are declared to be separate and independent and enacted as such.
- 9.4** The provisions of this by-law shall apply to the whole of the Corporation of the Township of Ignace.
- 9.5** Any fine imposed or offence created by this By-law related to any matter is subject to the provisions of the Provincial Offences Act, 1990.
- 9.6** Any person who contravenes any provision of this By-law or any order made thereunder or any condition of a permit issued thereunder may be liable for all damages to public and/or private property caused by the fire and may also be liable for the full cost of extinguishing the fire.
- 9.7** Any person who contravenes any provision of this by-law or any order made thereunder or any condition of a permit issued thereunder is guilty of an offence and may, upon conviction thereof, pay a penalty of not more than \$2,000.00 exclusive of costs.
- 9.8** All accounts rendered by the Corporation of the Township of Ignace for services (including expenses by the Corporation) as referred to in Section 9.7, shall be paid thirty (30) days of the billing.
- 9.9** If payment is not made by the owner in accordance with the provisions of Section 9.8, the Corporation may recover the expense incurred by action, or the same may be recovered in like manner as Municipal taxes.

10.0 Penalty

- 10.1** Any person who contravenes any provision of this By-law is guilty of an offence and:
- a) Upon first conviction is subject to a minimum fine of \$100.00 and a maximum fine of \$5,000.00.
 - b) Upon a subsequent conviction is subject to a minimum fine of \$500.00 and a maximum fine of \$10,000.00.

10.2 Despite Section 10.1, where the person(s) convicted is a corporation, the corporation is liable:

- a) Upon first conviction is subject to a minimum fine of \$500.00 and a maximum fine of \$10,000.00.
- b) Upon a subsequent conviction is subject to a minimum fine of \$1,000.00 and a maximum fine of \$25,000.00.

10.3 If this By-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the By-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order.

- a) Prohibiting the continuation or repetition of the offence by the person(s) convicted; and
- b) Requiring the person(s) convicted to correct the contravention in the manner and within the period that the court considers appropriate.

11.0 Let it now be resolved that By-law 24.00 is hereby rescinded.

12.0 This By-law shall come into force and effect on the Third and Final Reading thereof.

Read a First and Second Time this ___ Day of _____, 2021.

Read a Third and Finally Passed this ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

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The Corporation of the Township of Ignace

Schedule "A"
(As per By-law _____)

Application for an Open-air Burning/Incinerator Permit

Please print clearly and return the completed form to the Ignace Volunteer Fire Department for review at 315 Front Street, Ignace, Ontario, P0T 1T0, 807-934-2211. Please call ahead as there may not always be someone onsite.

Name of Applicant: _____

Address: _____

Phone Number: _____

Reason for application: _____

Material to be Burned: _____

Means of Extinguishment Available: _____

For Office Use Only

Fee Paid: \$_____.00 Received by: _____

Date of Receipt of Application: _____

Permit Number Issued: _____

Issued by: _____

Date From: _____ to _____



This Open-air Burning/Incinerator Permit has been issued to:



Name: _____ Open-air Burning Incinerator

Municipal Address: _____

Date From: _____ to _____ Permit Number: _____

Authorized by: _____

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The Corporation of the Township of Ignace

Schedule "A" Part 2
(As per By-law _____)

Application for an Open-air Burning Permit

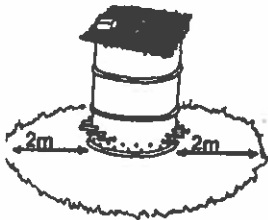
Inspection and Proposed Site Plan Form

Please sketch the proposed site plan showing location(s) of all buildings and the location of the proposed open-air burn site. Submit this page along with the corresponding fee to the Ignace Volunteer Fire Department at 315 Front Street, Ignace, Ontario, P0T 1T0, 807-934-2211. Please call ahead as there may not always be someone onsite.

Incinerator Permit \$10.00 plus GST anually

Open-air Burning Permit \$10.00 plus GST anually

Sketch here:



- Metal barrel in good condition.
- Heavy screen mesh, heavy duty screen with mesh size not greater than 5mm (2 inches).
- Help combustion and clean burning, punch holes and shove steel rods or pipes through barrel, this will hold burning material up and give a clean fast burn.
- Ground cleared and maintained at least 2 meters (6.7 feet) around the incinerator of all material that could cause your fire to escape. More clearance required.
- Draft holes near the bottom not larger than 1 inch in diameter
- Screen hinged and weighted to prevent from falling or blowing off of your incinerator.

For Office Use

Date of Inspection: _____ Inspected by: _____

Permit Number: _____ Approved Denied

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The Corporation of the Township of Ignace

By-law 36-2021

Being a By-law to Adopt a Comprehensive Zoning By-law, Regarding the Use and Storage of Recreational Vehicles

Whereas it has been deemed to be expedient and desirable by Council of the Corporation of the Township of Ignace to pass a By-law Regarding the Use and Storage of Recreational Vehicles.

Now Therefore Council of the Corporation of the Township of Ignace enacts as follows:

1.0 Definitions

Motor Homes/Campers/Recreation Vehicles means any dwelling that is designed to be transient or mobile and is constructed or manufactured to provide a temporary residence for one (1) or more persons, in accordance with CSA standards, including a motor home, travel trailer, tent trailer or other such trailer.

Park Model Trailer means a manufactured Building used or intended to be used as a recreational building of residential occupancy designed and constructed in conformance with CAN/CSA-Z241 Series-M, "Park Model Trailers".

Residential means a lot with a single detached dwelling, semi-detached dwelling, or duplex dwelling; vacant or occupied.

2.0 General Provisions

2.1 Occupancy Restrictions

A recreational vehicle; motor home, camper, or RV located outside of a campground or tent and trailer park, may be used for human habitation in a residential zone for a period not exceeding one hundred and eighty days (180) days in any calendar year, provided that a dwelling is in existence on the same lot, and provided that said recreational vehicle is not in violation of parking restrictions laid out in By-law 40-2021.

2.2 Motor Homes, Campers & RVC Vehicles

A maximum of one (1) motor home, camper or RV may be stored in any residential zone, where a dwelling is already in existence on the same lot, provided that such vehicle shall not be stored in a required front yard.

2.3 Residential Zone

Residential zone includes:

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2.3.1 Seasonal Dwelling (see 2.4)

2.3.2 Converted Dwelling

2.3.3 Single detached dwelling for which a building permit was issued

2.3.4 Park Model

2.3.5 Accessory home occupation

2.3.6 Accessory bed and breakfast

2.4 Seasonal Residential Land Use

2.4.1 Seasonal residential use (besides permanent) is permitted along West Beach Drive or Fox Pointe Road. Seasonal residential use is permitted along other shoreline of Agimak Lake provided that it was in existence prior to November 9, 2005. Private services are expected for seasonal residential use.

2.4.2 Any dwelling that is designed to be transient or mobile and is constructed or manufactured to provide a permanent residence for one (1) or more person(s), in accordance with CSA standards, but not including a motor home, travel trailer, tent trailer, park model trailer or other such trailer.

2.4.3 Any dwelling that is designed in one (1) or more units and is designed to be made mobile on a temporary basis for initial transit to a location where it is to be installed on a basement and/or foundation, and that is intended to provide a permanent residence for one (1) or more person(s), but shall not include a mobile home, park model trailer, recreational trailer or recreational vehicle.

3.0 That this By-law conforms to the Official Plan for the Corporation of the Township of Ignace.

4.0 This By-law hereby rescinds By-law 48.2014.

Read a First and Second Time this ___ Day of _____, 2021.

Read a Third and Finally Passed this ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

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The Corporation of the Township of Ignace

By-law 37-2021

Being a By-law to Regulate and Govern the Use of Off-Road Vehicles within the Township of Ignace

Whereas Part X.3 of the Highway and Traffic Act, 1990, Chapter 8, Section 191.8(1) provides that no person shall drive an off-road vehicle on a highway except in accordance with the regulations and any applicable Municipal By-laws, 1999, c. 12, Sched. R, s.17.

Whereas Section 191.8(3) of the Highway Traffic Act, R.S.O. 1990, Chapter H8, as amended (the "HTA"), provides that the Council of a Municipality may pass By-laws permitting the operation of off-road vehicles with three (3) or more wheels and low-pressure bearing tires on any highway within the Municipality that is under the jurisdiction of the Municipality, or any part or parts of such highway.

Whereas Ontario Regulation 316/03 passed under the authority of the HTA, defines an "All-terrain Vehicle" (ATV) and provides the regulations governing the operation of ATVs upon highways.

Whereas in the Council of the Corporation of the Township of Ignace has deemed it necessary to adopt a By-law that permits ATVs to regulate and govern the operation of off-road vehicles within the Township of Ignace.

Now Therefore the Council of the Corporation of the Township of Ignace enacts as follows:

1.0 Definition

OR shall mean "off-road" vehicle for the purposes of this By-law.

1.1 No person shall operate an off-road vehicle on a Municipal highway unless that off-road vehicle is prescribed in Ontario Regulation 316/03, which are as follows:

<u>OR Vehicle</u>	<u>Requirements</u>
All-terrain Vehicle	<ol style="list-style-type: none">1. Has four (4) wheels, the tires of which are all in contact with the ground.2. Has steering handlebars.3. Has a seat that is designed to be straddled by the driver.4. Is designed to carry:<ol style="list-style-type: none">a) A driver only and no passengersb) A driver and only one (1) passenger if the vehicle:<ol style="list-style-type: none">I. Has one (1) passenger seat that is designed to be straddled by the passenger while sitting facing forward behind the driver.II. Is equipped with foot rests for the passenger that are separate from the foot rests for the driver.
Multi-purpose Off-road Utility Vehicle	<ol style="list-style-type: none">1. Has four (4) or more wheels, the tires of which are all in contact with the ground.

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Recreational Off-highway Vehicle

2. Has a steering wheel for steering control.
3. Has seats that are not designed to be straddled.
4. Has a minimum cargo capacity of 159 kilograms.
 1. Has four (4) or more wheels, the tires of which are all in contact with the ground.
 2. Has a steering wheel for control.
 3. Has seats that are not designed to be straddled.
 4. Has an engine displacement equal to or less than 1,000 cubic centimeters.

1.2 The Township will not make decisions about whether or not a particular type of off-road vehicle fits the definition under Ontario Regulation 316/03. Drivers are required to contact the Ministry of Transportation or some other authority to determine if a certain vehicle fits within the above-noted definitions.

- 2.0 No person shall operate an off-road vehicle that is not in accordance with the requirements of Ontario Regulation 316/03.
- 3.0 No person shall operate an off-road vehicle along or upon any sidewalk, pathway, or footpath used or set apart for the use of pedestrians and forming part of any highway, bridge, boulevard or other means of public transportation.
- 4.0 No person shall operate an off-road vehicle on the property of any school, church, health centre, or municipal property.
- 5.0 No person shall operate an off-road vehicle on a Township highway at a speed greater than 20 kilometres per hour.
- 6.0 No person shall operate any type of off-road vehicle, including an ATV, on any private property without the prior consent by the person(s) who own the property or the person(s) that resides there.
- 7.0 No person shall engage in, or organize an off-road vehicle race without the prior written consent of the Municipality.
- 8.0 No person shall engage in, organize a parade, display show, or similar event, solely involving off-road vehicles without the prior written consent of the Municipality.
- 9.0 No person(S) shall disobey the direction or signal of a Municipal By-law Enforcement Officer to stop the off-road vehicle that he/she is operating under the authority of this By-law.
- 10.0 No person shall interfere with, obstruct or impede a Municipal By-law Enforcement Officer who is in the process of enforcing the provisions of this By-law.

11.0 Exception

The prohibitions set out Section(s) 1 thru 7 of this By-law do not apply to restrict the operation of an ATV by that person(s), or under those circumstances that are listed in Schedule "A" attached.

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12.0 Enforcement

12.1 Any Municipal By-law Enforcement Officer, or Provincial Police Officer may enforce the provisions of this By-law. He or she must identify him/herself as such, and provide any relevant information relating to his/her authority to the person(s) making enquiries at the time of inspection or enforcement.

12.2 A Municipal By-law Enforcement Officer, or Provincial Police Officer, in the course of his/her duties in enforcing this By-law, may direct or signal any person operating any type of ORV, including an ATV, to stop the vehicle so that he or she may approach it safely.

13.0 Penalty

Every person(s) who contravenes any provision in this By-law is guilty of an offence and, if convicted is liable to a fine as provided for in the Provincial Offences Act. See attached Schedule "B" for the set fine schedule.

14.0 Severability

If any part or part of a provision of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law or its application in any other circumstances, shall not be affected and shall continue to be in full force and effect.

15.0 Repeals

This By-law hereby rescinds By-law 53.2015.

16.0 Effective Date

This By-law shall come into force and take effect upon approval by the Attorney General or his designate of the Set Fines established under this By-law.

Read a First and Second Time this ____ Day of _____ 2021.

Read a Third and Finally Passed this ____ Day of _____ 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

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Schedule "A"
(As per By-law _____)

Person(s) Exempt from By-law _____

1. Any Municipal By-law Enforcement Officer, or Provincial Police Officer while acting in course of his/her duties as an Officer.
2. The Fire Chief, Emergency Services, member of the Ignace Volunteer Fire Department, while acting in course of his/her duties.
3. Any Hydro One employee, and their contractors while acting in course of his/her duties.
4. Any Ministry of Natural Resources and Forestry employee while acting in the course of his/her duties.
5. Any Township of Ignace Municipal employee that is acting in course of his/her duties.
6. Any person or group that has authorization, in writing, in advance from the Municipality to operate off-road vehicles in prohibited or restricted areas, provided he/she operates the off-road vehicle in accordance with any conditions imposed by the Municipality. Failing to operate in accordance with the conditions is operation without permission or authorization.

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Schedule "B"
(As per By-law _____)

Set Fine Schedule as Provided by Part I of the Provincial Offences Act

<u>Item Number</u>	<u>Short Form Wording</u>	<u>Provision Creating or Defining Offence</u>	<u>Set Fine</u>
1	Operating an ORV, including an ATV, in a prohibited area.	Section 3.0, 4.0 and Schedule "A"	\$150.00
2	Operating an ORV, including an ATV, on private property without prior consent by the owner/occupier.	Section 6.0	\$150.00
3	Engaging in or organizing a race that includes an ORV without permission/approval of the Municipality.	Section 7.0	\$150.00
4	Engaging in or organizing a parade, contest or event solely involving OVRs without permission/approval of the Municipality.	Section 8.0	\$150.00
5	Failure to stop when signaled by a Municipal By-law Officer.	Section 9.0	\$200.00
6	Interference or obstruction of a Municipal By-law Enforcement Officer when performing his/her duties.	Section 10.0	\$200.00

Note: the penalty provision for the offences indicated above is Section 13.0 of By-law _____, a certified copy of which has been filed.

**The Corporation of the Township of Ignace
By-law 38-2021**

Being a By-law to Regulate the Keeping of Animals and to Confirm Fees and Charges as Imposed for Animal Control Protection and Enforcement in the Township of Ignace

- WHEREAS** Section 10 of the Municipal Act, R.S.O. 2001, as amended provides that may provide any service or thing that the municipality considers necessary or desirable for the public, and
- WHEREAS** Section 10 of the Municipal Act, R.S.O. 2001, as amended, enables a single-tier municipality to pass by-laws respecting animals, and
- WHEREAS** Section 8 of the Municipal Act, R.S.O. 2001, as amended, provides that a by-law under Section 10 respecting a matter may: **(a)** regulate or prohibit respecting the matter; **(b)** require persons to do things respecting the matter; **(c)** provide for a system of licenses respecting the matter, and
- WHEREAS** Section 8 of the Municipal Act, R.S.O. 2001, as amended, provides that a by-law under Section 10 may be general or specific in its application and may differentiate in any way and on any basis a municipality considers appropriate, and that A municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the By-law, order, condition or licence are being followed or in compliance with, and
- WHEREAS** Section 435(1) of the Municipal Act, 2001, and Section 436 provides that the power of entry shall be exercised by an employee, officer or agent of the municipality or a member of the police service of the municipality, and
- WHEREAS** Section 103 of the Municipal Act, R.S.O. 2001, as amended, provides that a by-law regulating or prohibiting with respect to the being at large or trespassing of animals, may provide for the seizure, impounding, and sale, under certain conditions, of such animals, at such time and in such manner as is provided in the by-law; for the establishment of procedures for the voluntary payment of penalties in such matters; and for recovery of fines under the Provincial Offences Act, if necessary, and
- WHEREAS** Section 105 of the Municipal Act, R.S.O. 2001, as amended, relates to muzzling of dogs, and council's powers to hold a hearing regarding exemptions to muzzling, and
- WHEREAS** related provisions exist under the Dog Owners Liability Act, 1990 the Pound Act, 1990 and the Animals for Research Act, and
- WHEREAS** Section 128 of the Municipal Act, R.S.O. 2001, as amended, allows a local municipality to 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 129 of the Municipal Act, R.S.O. 2001, as amended, allows a local municipality to prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination;

Therefore, let it Now be Resolved that the Council of the Corporation of the Township of Ignace shall enact as follows:

1.0 Purpose

That the Corporation of the Township of Ignace develops this By-Law to provide and regulate standards for the keeping of animals and to provide for fees and charges for animal control protection and enforcement in the Township of Ignace and to read as follows:

1.1 Application

This By-law applies to all property within the Township of Ignace.

1.2 Higher Standards Deemed to be Prescribed

Where another by-law in force in the Township establishes higher standards than those expressly set out herein, such higher standards shall be deemed to be prescribed in this By-law.

2.0 Definitions

Aggressive Dog shall mean any Dog that has attacked or bitten or attempted to attack or bite a person or Domestic Animal without provocation, or has a known propensity, history, tendency or disposition to bite or attack persons or other Domesticated Animals without provocation.

Animal shall mean any member of the Animal kingdom including cows, goats, swine, horses, mules, venomous Reptiles, pythons and boas longer than 6 feet, crocodilian and all other Animals normally considered as Livestock.

Animal Containment Area shall mean such premises and facilities designated by the Corporation.

Animal Containment Area Keeper shall mean the person appointed by the Corporation as the Animal Control Officer.

Animal Control Officer shall mean a person or persons appointed by the Council of the Corporation to enforce the provisions of this by-law.

Blind Person shall mean a Blind Person within the meaning of the Blind Persons Rights Act, 1990.

Cage shall mean a structure used for the housing of Animals.

Cat shall mean any member of the species "Feliscatus", spayed/neutered or intact, that has been domesticated and is over the age of 12 weeks.

Council shall mean the Council of the Corporation of the Township of Ignace.

Corporation shall mean the Corporation of the Township of Ignace.

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Dangerous Dog shall mean a dog, which has been declared a dangerous Dog as set out in the provisions of the Dog Owners liability Act, 1990.

Dog shall mean any member of the species "Canis familiaris", spayed/neutered or intact, that has been domesticated and is over the age of 12 weeks.

Domesticated Animal shall mean Animals kept by or living with human beings for work or companionship or kept as a pet. Domestic and domesticate shall have corresponding meanings.

Domestic Fowl shall mean live Domestic Fowl including chickens, ducks, geese, turkeys and pigeons. Domesticate and Domesticated shall have corresponding meanings.

Dwelling shall mean Building or ~~Structure~~ occupied or capable of being occupied for the purpose of human habitation.

Dwelling Unit shall mean a suite operated as a housekeeping unit, or intended to be used as a domicile by one or more persons and usually contains cooking, eating, living, sleeping and sanitary facilities.

Enforcement Officer shall mean a person or persons appointed by the Council of the Corporation to enforce the provisions of this by-law.

Exotic Animals shall mean any Animal or Animals of any class and classes listed on Schedule "B", attached to and forming part of this By-Law.

Farm shall mean any farming or agricultural use and includes apiaries; aviaries; berry or bush crops; breeding, raising, training or boarding of horses or cattle; commercial greenhouses; farms devoted to the hatching, raising and marketing of chicken, turkeys, or other fowl or game birds, animals, fish or frogs; farms for grazing; flower gardening; field crops; goat or cattle dairies; growing, raising, picking, treating and storing of vegetables or fruit produce produced on the premises; nurseries; orchards; raising of sheep or goats; raising of swine; tree crops; market gardening; bee keeping; wood lots; such uses or enterprises as are customarily carried on in the field of general agriculture not including a specialized farm as defined. Farm includes a single-family dwelling unit, and such principle or main buildings and structures as a barn or silo, as well as accessory buildings and structures, which are incidental to the operation of the farm.

Guide Dog shall mean a Guide Dog within the meaning of the Blind Persons' Rights Act, 1990.

Harbour shall mean to give Shelter or protection to, feed, care for, or have control over an Animal, indoors or outdoors.

Horse shall mean a large, solid-hoofed, herbivorous quadruped (*Equus caballus*), bred in a number of varieties, and used for carrying or pulling loads, and for racing.

Household Pet means a Domestic Animal that is taken into the care of one or more persons for the purpose of personal enjoyment or protection which normally spends time in the Dwelling Unit of the owner and shall include but not be limited to caged

birds, caged rodents or Rabbits, Cats, Dogs, tropical fish and non-poisonous indigenous Reptiles but shall not include Livestock or any Prohibited Animal as listed in Schedule "B".

Kennel means a house or shelter for a dog or a cat; or, an establishment where dogs or cats are bred, raised, trained, or boarded; and shall include the following:

- a) **Kennel, Breeding** shall mean a place where Animals are kept for the purposes of reproduction, and the use of or sale of the offspring.
- b) **Kennel License** shall mean a License issued for a Breeding Kennel, a Shelter Kennel or a Working Kennel.
- c) **Kennel, Shelter** shall mean a place where Animals are kept, for a fee, and operated as a commercial business or by the Humane Society as a service to the community.
- d) **Kennel, Working** shall mean a place where a group of Animals are kept for a specific purpose, such as hunting, security, tracking, obedience, rescue or mushing.

Leash shall mean a strap or cord for restraining and guiding a Dog or other Animal, adequate to control the Animal to which it is attached, and securely attached to the Animal by a collar, choke collar or harness.

Licence shall mean an Animal Licence issued by the Licence Officer; i.e., when used in reference to a Dog or Cat and shall mean Dog Licence or Cat Licence.

Licence Officer shall mean the person employed by the Corporation as the Animal Control Officer or the Animal Control Officers representative.

Livestock shall mean any Animal listed in Table I of the Minimum Distance Separation (MOS) Formula Implementation Guidelines (Publication 707), Ministry of Agriculture, Food and Rural Affairs, as amended, and includes swine, cattle, goats, sheep, horses, chickens, turkeys, quail, partridges, pheasants, squab, rheas, emus, ostriches, cassowaries, kiwis, pecking ducks, Muscovy ducks, geese, rabbits, chinchillas, fox, mink, bison, llama, alpaca, wild boar, white tailed deer, red deer, fallow deer, and elk; and any Animal listed on Schedule "B" or Schedule "C" or the Ministry of Agriculture Food and Rural Affairs, Ontario Wildlife Damage Compensation Program Guidelines, as amended; and any Animal listed in Ontario Regulation 329/11 under the Protection of Livestock from Dogs Act R.S.O. 1990, c. L.24, as amended; and any Animal listed as a Farm Animal in Regulation SOR /2000- 233 Compensation for Destroyed Animal Regulation passed pursuant to the Health of Animals Act, S. C. 1990, c. 21, as amended; and any species of Animal or bird prescribed by the Ontario Ministry of Agriculture Livestock and Rural Affairs as livestock.

Microchip shall mean an approved Canadian standard encoded identification device implanted into an Animal which is programmed to store a unique and permanent identification number that permits access to owner(s) information which is stored in a database.

Municipal Animal Facility shall mean the facility owned and maintained by the Township for the use of housing Animals that have been surrendered or have been picked up as a result of any contravention of this By-Law.

Muzzle shall mean a humane fastening or covering device of adequate strength over the mouth of an Animal and Muzzled has a corresponding meaning.

Neutered shall mean castrated in the case of male Animals.

Nuisance Animal shall mean any Animal in respect of which there have been two or more convictions for offences under this By-Law.

Owner shall mean a Person who possesses or harbours an Animal, and where the Owner is a minor, includes the Person responsible for the custody of the minor.

Pen shall mean the same as Cage.

Pets shall mean Dogs, Cats, guinea pigs, birds, Rabbits, and other Animals and birds which are normally considered to be Domestic Pets, and which are kept for pleasure and not for use or profit.

Person shall mean any human being, corporate entity, partnership, or any association and the heirs, executors, administrators, successors and assigns or other legal representative thereof to whom the contest may apply.

Police Work Dog shall mean a Dog trained for and engaged in police business.

Poultry shall mean Domestic Fowl, such as chickens, turkeys, ducks, and geese and the young of any of them; and includes game birds, where the game birds are kept pursuant to a License pursuant to the Fish and Wildlife Act, 1997, Part VI, Licences and Other Authorities or the Migratory Birds Convention Act, 1994.

Pound shall mean such premises and facilities designated by the Township, under the authority of the Pounds Act, 1990 for the purposes of impounding and caring for Animals.

Property shall mean a Building or Structure or part of a Building or Structures, and includes the Lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile Structures, outbuildings, Fences and erections thereon whether heretofore or hereafter erected, and includes Vacant Property.

Rabbit shall mean a male or female Domestic Rabbit.

Reptile shall mean and member of the class Reptilian.

Running at Large shall mean, in relation to Animals, any Animal being on any Property other than the Owner's Property or Property the animal is allowed to and

not be Restrained by a Leash or other secure means by which a person is capable of properly Restraining the Animal.

Registration shall mean the tag issued by the Township upon payment of the

appropriate Registration fee as per Schedule "A" of this By-law.

Restrained shall mean being kept inside a building or house or in an enclosure of sufficient dimension, and to prevent the Animal from coming in contact with Persons other than the Owner of the Animal.

Shelter shall mean any Pen, loft, coop, hutch, tank, run, Cage, enclosure, building, barn, Stable or Structure used or designed to provide Shelter for an Animal from the elements and to prevent the Animal from Running at Large.

Stable shall mean a building or part of a building adapted for keeping of more than four Horses, or other Animals whether or not for profit or gain, and includes the appurtenant paddock, exercise, and feeding areas, and shall include the following:

- a) **Boarding Stable** shall mean a place, including buildings and Property, where Horses are kept, for a fee, and operated as a commercial business;
- b) **Breeding Stable** shall mean a place, including buildings and property, where Horses are kept for the purposes of reproduction and the use of or sale of the offspring, as a hobby or a professional enterprise, and there are no more than two breeding Horses of no more than two breeds;
- c) **Working Stable** shall mean a place, including buildings and property, where a group of Animals are kept for a specific purpose such as hunting, security, tracking, obedience, rescue or exhibitions.

Spayed shall mean the sterilization of a female animal.

Structure shall mean anything other than a building that is erected, built or constructed or requires a foundation to hold it erect. The term includes: television earth stations, television antennae, signs, swimming pools and above ground fuel storage tanks. The term does not include: vegetation, fences, driveways, patios, sidewalks or retaining walls.

Township shall mean The Corporation of the Township of Ignace.

Trespass shall mean, the act of an Animal entering or remaining on privately-owned Property, other than a Property owned or occupied by the Animal's Owner, without the express permission of the Owner or occupant of that Property.

Undomesticated Animal shall mean any Animal or Reptile which is Wild by nature, whether born in captivity or free and which is kept for any purpose other than commercial fur production, but does not include Exotic Animals or any rodent or bird.

Wild Animal shall mean any Animal or Reptile which is Wild by nature, whether born in captivity or free and which is kept for any purpose other than commercial fur production, but does not include Exotic Animals or any rodent or bird.

Working Animal shall mean while such Animals are actively in use for such purposes, includes, but is not limited to, an Animal that is trained to assist a Person

with a disability and includes those trained for vision impaired, hearing impaired or other special needs; an Animal that is used for herding Animals; an Animal trained to aid law enforcement officers; an Animal properly licensed through the Ministry of Natural Resources for the purpose of hunting; and shall include Animals or a group of Animals that are kept for a specific purpose such as hunting, security, tracking, obedience, rescue, or mushing.

3.0 Applicability

3.1 This By-law shall not apply to the Following:

- 3.1.1** Domestic Animals including but not limited to hamsters, gerbils, guinea pigs, mice, fish, non-venomous reptiles, amphibians, spiders and snakes if totally confined within a dwelling or premises and used for hobby purposes only and not for sale.
- 3.1.2** Undomesticated exotic animals or wild animals.
- 3.1.3** A recognized business for the grooming and/or aesthetic treatment of animals.
- 3.1.4** A pet store.
- 3.1.5** The pound operated by the Township.
- 3.1.6** Animals maintained in a zoo, fair, exhibition or circus, licenced if required by the Township.

3.2 Operations listed in Sections 3.1.1 to 3.1.6 must be properly zoned to allow for the uses set out therein.

4.0 Legislation

Where the year of the statute appears as part of its name, the reference is to the Statutes of Ontario for that year, and the chapter bearing the same name. Where the year of the statute does not appear as part of its name, the reference is to the Revised Statutes of Ontario, 1990 version. In both cases, however, this By-law is considered to speak to the law as amended from time to time, including successor legislation, and including all regulations passed in accordance with the statute. For example, a reference to the Building Code Act, 1992 incorporates reference to the Ontario Building Code, which is Regulation 332/12 passed under that statute.

5.0 Severability

If any section, paragraph, clause, sentence or word in this By-law is declared by any court or tribunal of competent jurisdiction to be void or illegal, that particular portion of the By-law shall be deemed to be severable from the balance of the By-law, and the remainder of the By-law shall continue to be considered valid and binding.

6.0 Administration

The Corporation is responsible for the administration of this By-Law and for keeping a record of each Animal registered, showing the License tag number, the Owner's

name and address and description of the Animal Licensed and any additional information collected for that purpose.

7.0 Enforcement

The Animal Control Officer, the Ontario Provincial Police, the Municipal Law Enforcement Officer, or any such Person duly appointed to enforce this By-Law is responsible for the enforcement of this By-Law.

8.0 Standard for Keepers of Animals

8.1 Application of Standards shall be as follows:

- 8.1.1** Subject to the provisions of this By-Law, no Person shall Harbour more than **four (4)** Animals inside the unit on the premises of a single-detached Dwelling.
- 8.1.2** Subject to the provisions of this By-Law, no Person shall Harbour more than **two (2)** Animals inside each unit on the premises of a multi-unit Dwelling.
- 8.1.3** For the purposes of this Section, Animals **twelve (12)** weeks and younger shall not be counted in determining the number of Animals on the premises.
- 8.1.4** For the purposes of this Section, it shall be construed that the number of Animals permitted is per Dwelling or per premises or per unit and not per Person occupying said Dwelling, premises, or unit.
- 8.1.5** This Section does not apply to:
 - 8.1.5.1** A non profit or commercially operated riding school;
 - 8.1.5.2** A farm;
 - 8.1.5.3** Operations listed above shall be properly zoned.

9.0 Public Nuisance

9.1 No owner shall allow any animal to become a public nuisance.

9.2 The following shall be considered a public nuisance:

- 9.2.1** The animal is persistently or excessively barking, howling or making other noise;
- 9.2.2** An animal is dumping or scattering garbage or trash;
- 9.2.3** An animal persistently chasing vehicles or pedestrians who are using public or private property within the limits of the Township;
- 9.2.4** An offensive odour emanating from the premises which unreasonably disturbs the comfort of neighbours or residents.

9.3 No owner shall allow a kennel, stable, or riding centre to become a public nuisance.

9.4 A kennel, stable, or riding centre shall be considered a public nuisance if:

9.4.1 Persistent or excessive barking, howling or other noise emanates from the premises; or

9.4.2 An offensive odour emanates from the premises which unreasonably disturbs the comfort of neighbours or residents.

9.5 Every Person who owns, Harbours, possesses or is in control of any Animal within the settlement areas of the Township shall remove forthwith and dispose of any excrement left by said Animal on any public or private Property in the Township other than the premises of the Owner of the Animal.

9.6 An Owner of a non-spayed female Animal shall, for the duration it is in heat, keep it confined so it will not attract other Animals.

10.0 Animals Running at Large or Trespassing

10.1.1 No Person shall suffer, allow or permit any Animal of which he or she is the Owner to Run at Large or Trespass within the limits of the Township.

10.1.2 An Officer may seize any Animal Running at Large.

11.0 Exemptions to Running at Large

11.1 A working animal, as defined in this By-law, shall not be considered running at large if it is actively in use for the purposes as defined in Section 2.

11.2 An animal shall not be considered to be running at large if it is on the owner's property, or on a leash, or "at heel" beside a person and is obedient to that person's command.

12.0 Dog Registration and Identification

12.1 Every person(s) residing temporarily or permanently within the limits of the Municipality, being the owner of a dog shall, on or before the first (1st) day of January in each and every year cause such dog to be registered with the Municipality and shall procure a new or renew identification therefore which shall be renewed annually as directed by the Municipality.

12.2 Every owner of a dog shall keep Municipal identification securely fixed on the dog when it is not in the owners' premises.

12.3 Notwithstanding Section 12.2, if Municipal identification is required on a working animal as defined in Section 2, Municipal identification may be removed while the animal is actively in use for the purposes set out therein.

12.4 Every person(s) residing temporarily or permanently within the limits of the Municipality, being the owner of a dog within the limits of the Municipality, shall, within 15 days after becoming the owner of such dog, cause the dog or cat to be registered with the Municipality and procure Municipal identification therefore,

which shall be renewed annually as directed by the Municipality.

12.5 Municipal identification shall bear a serial number and a record shall be kept by the Clerk or other Officer designated for that purpose showing the serial number of the Municipal identification and the name, address and other applicable information of the owner.

13.0 Muzzling and Leashing of Dogs

13.1 Immediately after the first incident where a Dog has bitten or attempted to bite a Person or a Domestic Animal without provocation, every Owner shall ensure that the Dog is Muzzled and Leashed while said Dog is on any Property in the Township, including the premises of the Owner of the Dog.

13.2 Every Owner of a Dog that has bitten a Person or Domestic Animal shall ensure that, when the Dog is on the premises of the Owner:

13.2.1 The Dog is confined within the Dwelling unit located on the premises; or

13.2.2 The Dog is in an enclosed Pen of construction and sufficient dimension to provide for the humane Shelter but which prevents the Dog's escape, or entry therein by of unsupervised children.

13.3 Where the Owner of the Dog objects to the Muzzling or Leashing requirement set forth in Section 12.1 above, the Owner of the Dog may request and is entitled to a Hearing by the Council of the Township. The Council, may by resolution, delegate the holding of the aforesaid hearing to a Committee of Council or to an Officer. Council or the Committee of Council or the Officer, if so delegated, may in its/his/her sole discretion exempt the Owner from the Muzzling or Leashing requirement contained in Section 12.1.

14.0 Aggressive or Dangerous Dogs

14.1 The Municipal Law Enforcement Officer may declare a Dog to be Aggressive or Dangerous, subject to the definitions provided in this By-Law, and subject to the findings of an investigation as set out in Section 14.2.

14.2 To determine if a Dog should be impounded and/or be declared Aggressive or Dangerous, an investigation may take into consideration the following circumstances:

14.2.1 The past and present temperament and behaviour of a Dog and the propensity, tendency or disposition to bite or attack Persons or other Domesticated Animals without provocation;

14.2.2 The seriousness of any injuries caused by the Dog biting a person or Domestic Animal;

14.2.3 Unusual contributing circumstances tending to justify the action of a Dog;

14.2.4 The probability that a similar attack will be repeated;

14.2.5 The Dog's physical potential for inflicting harm;

14.2.6 Precautions taken by the Owner to preclude similar attacks or threatened actions to attack in the future; and

14.2.7 Any other circumstances that an Officer considers to be relevant.

14.3 Within seven (7) days of a Dog being impounded under the circumstances set out in Section 14.2, an Officer shall investigate the circumstances of the biting or attacking by the Dog, or of the complaint.

14.4 The Dog shall remain impounded until the Officer has completed his/her investigation and the Municipal Law Enforcement Officer has made his declaration.

14.5 A declaration by the Municipal Law Enforcement Officer that a Dog is aggressive or a dangerous Dog as provided in this Section, the Municipal Law Enforcement Officer may Order;

14.5.1 That the Dog be thereafter muzzled and or leashed as set out in Section 13, or

14.5.2 That the Dog be destroyed in such manner as provided in the Order.

14.6 An Order under Section 14.5 shall be in writing by the Municipal Enforcement Officer.

14.7 Where the Owner of the Dog objects to the Order issued under Section 14.6, the Owner of the Dog may request and is entitled to a hearing by the Council of the Township. The Council, may, by resolution, delegate the holding of the aforesaid hearing to a Committee of Council or to an Officer. Council, the Committee of Council, or the Officer, if so delegated, may in its/his/her sole discretion exempt the Owner from the Order issued under Section 14.6.

14.8 Impound fees shall be payable by the Owner as set out in Section 15.

15.0 Impoundment of Animals

15.1 An Officer who has seized any Animal found running at large or trespassing may return the Animal to the owner's habitual residence if known with appropriate fines being levied, or deliver it to the Pound, when practical, where it can be confined, subject to the right of the owner to redeem the Animal within the redemption period as set out in Section 14.8.

15.2 In the event an Animal is not redeemed by the Owner within the redemption period, the Animal shall become the Property of the Township, which may sell it or dispose of it as deemed fit. When not practical to impound, an Animal Running at Large or Trespassing may be destroyed whether before or after impoundment and, in either event aforesaid, no damages or compensation shall be recovered on account of an Animal being destroyed or other method of disposition.

- 15.3** The Owner of every Animal impounded, whether or not the Animal is claimed by the Owner from the Pound, is liable for the payment of the impound fee, the boarding fee, any fines levied, and any applicable euthanasia and disposal fees.
- 15.4** No Animal shall be released from the pound to an Owner until all fees have been paid in full.
- 15.5** In the event that an Animal has not been redeemed within the redemption period and the Animal has become the property of the Township, the Municipal Law Enforcement Officer may order the Animal destroyed or place an Animal that is suitable as a pet with a new Owner or organization such as the OSPCA or a humane society and attach such conditions as the Township may prescribe.
- 15.6** Where an Animal that has been impounded is injured or, in the opinion of the Officer, or veterinarian should be destroyed without delay for humane reasons or safety to persons or other Animals, the Officer or veterinarian may destroy, on written approval by the Municipal Law Enforcement Officer, the Animal in a humane manner as soon after seizure as deemed fit, without permitting any person to reclaim the Animal or without offering it for sale and, in that event, no damages or compensation shall be recoverable on account of its being destroyed.
- 15.7** When, in the judgement of the Township or its agents, an impounded Animal should be destroyed for humane reasons, such Animal may not be redeemed.
- 15.8** The minimum redemption period shall be ten (10) days, excluding the day on which the Animal was seized.

16.0 Kennels

- 16.1** No Person shall operate or continue to operate a Kennel without a valid Licence.
- 16.2** No Person shall operate a Kennel except in accordance with the terms and conditions of the Kennel Licence issued by the Township.
- 16.3** Every Owner of a Kennel shall apply for and pay an annual Licence fee as set by the Township.
- 16.4** An application for a Kennel Licence or renewal shall be submitted in the proper form, including a detailed site plan and the appropriate fee, to the Township.
- 16.5** Any applications for a new Kennel shall be subject to circulation to Properties within 120 metres of the Kennel premises to obtain comments from Property Owners. Any objections shall be submitted in writing and shall be compiled into a report to Council for a decision as to whether or not a Licence shall be granted. Council may, by resolution, delegate its decision-making authority in this instance to a Committee of Council, or the Officer, if no objections are received, a Licence shall be issued.

16.6 All Kennel Licences shall be valid for the calendar year in which they are issued, unless otherwise suspended or cancelled.

17.0 Conditions and Exemptions for Kennels

17.1 An Owner of a Kennel shall ensure that the Kennel conforms to the provisions of the Township's Official Plan and Comprehensive Zoning By-Law and no Kennel, run, or exercise yard shall be erected contrary to the provisions of those documents.

17.2 On direction by the Township, an Owner of a Kennel shall erect and install a proper fence, around every Pen, run or exercise yard to standards set by the Township.

17.3 Notwithstanding the provisions of this By-Law, the Township may, in its absolute discretion, limit the number of Animals which may be kept in the Kennel as a condition of Licence.

17.4 Owners of Shelter Kennels or Breeding Kennels shall ensure that all Animals are affixed with Township identification, per Section 17, prior to the release of an Animal to the new Owner.

17.5 Municipal identification purchased by an Owner of a Working Kennel will be at a discounted rate, as established by Council from time to time, and may be removed while the Animal is being lawfully used as defined in the Section 2.

18.0 Cancellation of Licence

18.1 No less than thirty (30) days after having given notice in writing, the Township may cancel a Kennel Licence when it is of the Township's opinion that the continued operation of the Kennel is not in the best interest of the Township. Such grounds for cancellation shall include unresolved problems of noise, sanitation, care of Animals as established by the Pound Act, 1990 or other legislation, or uses other than permitted by the Kennel Licence.

18.2 The written notice described in Section 18 shall be delivered in person or mailed by registered mail to the registered Owner of the Kennel. In the case where the Kennel Owner does not own the Property on which the Kennel is

located, the notice shall be given to both Kennel Owner and the Property Owner.

18.3 In the event a Kennel Owner has been given notice of intent to cancel a Kennel License, the Owner of such a Kennel may, within ten (10) days of the date of the notice, request and is entitled to a hearing by the Council of the Township. The Council, may, by resolution, delegate the holding of the aforesaid hearing to a committee of Council or to an Officer. Council, the committee of Council, the Officer, if so delegated, may in its/his/her sole discretion exempt the Owner from the Order issued under Section 18.

19.0 Stables

- 19.1** An Owner of a Stable shall ensure that the Stable conforms to the provisions of the Township's Official Plan and the Comprehensive Zoning By-Law and no building, paddock, exercise area or feeding area shall be erected contrary to the provisions or those documents.
- 19.2** On direction by the Township, an Owner of a Stable shall erect and install a proper fence around the premises to standards set by the Township.
- 19.3** Notwithstanding the provisions of this By-Law, the Township may, in its absolute discretion, limit the number of Horses which may be kept in a stable.

20.0 Keeping of Domestic Fowl

- 20.1** Domestic Fowl shall include only birds as defined in Section 2.
- 20.2** No Owner shall allow or permit his or her fowl to Run at Large.
- 20.3** No Person shall keep a rooster within the urban boundary of the Township.
- 20.4** No Owner shall keep more than one type of fowl within the urban boundary of the Township.
- 20.5** The maximum number of fowl permitted on a residential property within the urban boundary of the Township shall be as follows:
- | | |
|------------------------|---------------------------------------------------|
| 20.5.1 Chickens | six (6) Birds excluding fowl 12 weeks old or less |
| 20.5.2 Ducks | six (6) Birds excluding fowl 12 weeks old or less |
| 20.5.3 Geese | six (6) Birds excluding fowl 12 weeks old or less |
| 20.5.4 Turkeys | six (6) Birds excluding fowl 12 weeks old or less |
- 20.6** All fowl coops shall be located in the rear yard and must be fully enclosed and constructed so as to prevent the fowl from escaping.
- 20.7** All fowl coops shall be designed and constructed to ensure proper ventilation and sufficient space for the fowl.
- 20.8** All fowl coops shall be maintained in accordance with good animal husbandry practices and shall keep all vermin out.
- 20.9** All Properties on which fowl are kept shall have:
- 20.9.1** Detached Dwellings in existence and occupied,
- 20.9.2** A minimum frontage of Fifty (50) feet, and
- 20.9.3** A minimum depth of one hundred and ten (110) feet, and
- 20.10** Fowl Coops on all Properties shall be located in the rear yard as follows:
- 20.10.1** A minimum of twenty-five (25) feet from the rear lot line, and

20.10.2A minimum of twenty (20) feet from any side lot line.

20.11 All deceased fowl must be disposed of immediately.

20.12 All fowl feces must be removed on a daily basis and stored in a hygienic space.

20.13 All fowl food supply shall be protected against Vermin.

21.0 Keeping of Rabbits

21.1 No Owner shall allow or permit his or her Rabbit to Run at Large.

21.2 The maximum number of Rabbits permitted on a residential property within the urban boundary of the Township shall be as follows:

21.2.1 Rabbits - six (6) animals excluding Rabbits 12 weeks old or less

21.3 All Rabbits shall be located in the rear yard and the rabbitry must be fully enclosed and constructed so as to prevent the Rabbits from escaping.

21.4 The Rabbitry shall be designed and constructed to ensure proper ventilation and sufficient space for the Rabbits.

21.5 The Rabbitry shall be maintained in accordance with good animal husbandry practices and shall keep all vermin out.

21.6 All Properties on which Rabbits are kept shall have:

21.6.1 Detached Dwellings in existence and occupied,

21.6.2A minimum frontage of fifty (50) feet, and

21.6.3 A minimum depth of one hundred and ten (110) feet, and

21.7 Rabbitries on all Properties shall be located in the rear yard as follows:

21.7.1 A minimum of twenty-five (25) feet from the rear property line, and

21.7.2 A minimum of twenty (20) feet from any side property line.

21.8 All deceased Rabbit must be disposed of immediately.

21.9 All Rabbit feces must be removed on a daily basis and stored in a hygienic space.

21.10 All Rabbit food supply shall be protected against Vermin.

22.0 Undomesticated Animals

No Person shall keep, within the limits of the Township, any of the kind of undomesticated Animals as defined in Section 2 of this By-Law.

23.0 Exotic Animals

No Person shall keep, within the limits of the Township, any of the kind of Exotic Animals as defined in Section 2 of this By-Law including, but not limited to, those listed in Schedule "B" attached to and forming part of this By-Law.

24.0 Additional Matters

24.1 Fees required under this By-Law shall be established by the Township from time to time by resolution of Council as set out in Schedule "A" to and forming part of this By-Law.

24.2 The Municipal Law Enforcement Officer may, wherever claims are being made to the Township of attacks upon Persons, livestock or other Domesticated Animals by Dogs, or whenever the disease of canine madness known as "hydrophobia" is prevalent, issue a public notice directing that all Dogs shall be confined, tied up or Muzzled for a specific period of time as set forth in such notice, and, during the specified period of time, it shall be lawful for a designated Person or Persons appointed by the Township to destroy any Dog not properly Muzzled, Running at Large or Trespassing within the Township.

24.3 The Municipal Law Enforcement Officer may order destroyed on site, any Dog found Running at Large or Trespassing in the Township for claims of it attacking Persons, Livestock or other such Domesticated Animals have been made, or a Dog which, in the opinion of an Officer, cannot be seized in a safe manner.

24.4 Notwithstanding anything in this By-Law, Owners are subject to the Dog Owners Liability Act, 1990 and any other applicable legislation.

24.5 The Township, its agents and servants, and an Officer shall not be liable for damages or compensation for any Animal killed under the provisions of this By- Law and no such damages or compensation shall be paid to any person.

25.0 Temporary Exemption

25.1 In the event of unforeseen circumstances or situations, Persons may apply to the Municipality for a temporary exemption to this By-Law. Such an exemption allows the By-law Officer and Clerk time to investigate the situation and, if appropriate, to process an amendment to this By-Law and present to Council for approval. A temporary exemption application form as set out in Schedule "B" to this By-Law shall be completed and submitted, along with a processing fee of twenty dollars \$20.00.

25.2 No person shall contravene this By-Law unless a temporary exemption has been approved by the Township.

25.3 A temporary exemption may be granted for a maximum period of sixty (60) days, unless otherwise provided for, in writing, by the Township.

26.0 Transitional Matters

26.1 Notwithstanding any Section of this By-law, any Person owning more than the number of animals permitted in Section 8 or owning an undomesticated Animal or an Exotic Animal as set out in Sections 21 and 22, and Schedule "A" on the day prior to this By-Law coming into force shall be permitted to maintain those animals under the following conditions:

26.1.1 The Owner registers such ownership with the Township within (sixty 60) days of the passing of this By-Law, and

26.1.2 The Owner complies with the other provisions of this By-Law.

26.2 Animals referred to under this clause may be transferred to another Person in the Municipality provided the transfer is registered with the Township within sixty (60) days of the occurrence.

26.3 In the event that such Animals permanently go out of an Owner's possession, they will not be permitted to be replaced except in compliance with this By-Law.

27.0 Offences and Penalties

27.1 Any person who contravenes any of the provisions of this By-Law is guilty of an offence and may be fined as set out in Schedule "A" to this By-Law.

27.2 Any person who contravenes any of the provisions of this By-Law, and is not satisfied through voluntary process or the set fines process, remains guilty of an offence and, upon conviction, shall be subject to a fine or penalty of not more than \$5,000.00, exclusive of costs, and all such penalties shall be recoverable under the Provincial Offences Act.

27.3 Subsequent to 26.2 above, a court in which the conviction has been entered, or any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person

27.4 Convicted and such order shall be in addition to any other penalty imposed on the Person convicted.

28.0 This By-law shall come into force and take effect upon approval by the Attorney General or his designate of the Set Fines established under this By-law.

29.0 This By-law may be referred to as the "Animal Control By-law".

30.0 This By-law hereby rescinds By-law 65.2018.

31.0 Transitional Rules

31.1 Despite Sections 27 and 29, after the passage of this By-law; By-law 65.2018, as amended, shall continue to apply to any property for which an Order had been previously issued, but only until such time as the work required by that Order has been completed, or any work carried out by the Corporation under that by-law has been concluded.

Read a First and Second Time this ___ Day of _____, 2021.

Read a Third and Final Time this ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

DRAFT

Schedule "A"
(As per By-law _____)

<u>Short Form Wording</u>	<u>Provision Creating Offence</u>	<u>Set Fine/Fee</u>
<u>Dog Registration Fee</u>		
Male Dog (intact)	Section 12	\$50.00
Male Dog (neutered)	Section 12	\$25.00
Female Dog (intact)	Section 12	\$50.00
Female Dog (spayed)	Section 12	\$25.00
Replacement Dog Tag	Section 12	\$10.00
 Note: The spayed/neutered fee is if the owner can provide a spay/neuter certificate		
<u>Impoundment Fee</u>		
For each animal placed in the pound per day or fraction of the day	Section 15	\$50.00
<u>Surrender Fee – Owner</u>		
Per animal surrendered, if the animal is destroyed the owner must also pay the euthanasia fee incurred	Section 15	\$100.00
<u>Fines</u>		
Harbouring more than four (4) animals – single detached	Section 8	\$250.00
Harbouring more than two (2) animals – multi-unit	Section 8	\$250.00
Public Nuisance – animal – noise	Section 9	\$125.00
Public Nuisance – animal – scattering garbage/trash	Section 9	\$100.00
Public Nuisance – animal – premises/odour	Section 9	\$100.00
Public Nuisance – animal – chasing vehicles/pedestrians per animal	Section 9	\$100.00
Public Nuisance – animal – kennel/stable/riding centre – noise	Section 9	\$150.00
Public Nuisance – animal – kennel/stable/riding centre – odour	Section 9	\$200.00
Failure to remove excrement	Section 9	\$100.00
Failure to confine a female animal in heat	Section 9	\$150.00
Failure to purchase or renew Municipal identification per animal	Section 12	\$50.00
Failure to secure Municipal identification on dog/cat per animal	Section 12	\$50.00

Schedule "A" Continued
(As per By-law _____)

Failure to purchase Municipal identification within fifteen (15) days of becoming the owner of a dog/cat per animal	Section 12	\$50.00
Allowing an animal to run at large/trespass per animal	Section 10	\$100.00
Failure to muzzle/leash a dog	Section 13	\$250.00
Failure to confine a dog/cat within a dwelling unit	Section 13	\$250.00
Failure to enclose a dog in a pen as required per animal	Section 13	\$250.00
Operating a kennel without a valid licence	Section 16	\$250.00
Failure to operate a kennel in accordance to the terms and conditions of the licence – zoning/number of animals permitted	Section 16	\$200.00
Failure to erect/install a fence around the kennel	Section 16	\$150.00
Failure of shelter/kennel or breeding kennel to ensure that dog/cat released to the new owner is affixed with a Municipal identification	Section 16	\$125.00
Failure to operate a stable/riding centre in accordance to the terms and conditions of the licence – zoning/number of animals permitted	Section 19	\$200.00
Failure to erect/install a fence around a stable	Section 19	\$150.00
Failure to meet the requirements for Fowl coops	Section 20	\$100.00
Failure to dispose of deceased Fowl as required	Section 20	\$100.00
Failure to remove Fowl feces on a daily basis	Section 20	\$100.00
Failure to properly dispose of Fowl feces	Section 20	\$100.00
Failure to protect Fowl food from vermin	Section 20	\$100.00
Failure to meet the requirements for a Rabbitry	Section 21	\$100.00
Failure to dispose of deceased Rabbits as required	Section 21	\$100.00
Failure to remove Rabbit feces on a daily basis	Section 21	\$100.00
Failure to properly dispose of Rabbit feces	Section 21	\$100.00
Failure to protect Rabbit food from vermin	Section 21	\$100.00
	Sections	
Keeping of a prohibited animal – per animal	22 & 23	\$250.00

Note: the penalty provision for the offences indicated above is Section 7 of By-law _____, a certified copy of which has been filed.

Schedule "B"
(As per By-law _____ Section 23)

Prohibited Animals within the Township of Ignace

1. All Marsupials (such as Kangaroos and Opossums)
2. All Non-Human Primates (such as Gorillas and Monkeys)
3. All Felids, except Domestic Cats
4. All Canids, except Domestic Dogs
5. All Viverrinus (such as Mongoose, Civets and Genets)
6. All Ursids (Bears)
7. All Artiodactylous Ungulates, except Domestic Goats, Sheep, Pigs and Cattle, Bison, Elk, and Llamas (unless permitted by zoning By-law(s)_Farm/Zoo)
8. All Procyonids (such as Racoons, Coadis and Cacomistles)
9. All Hyenas
10. All Perissodactyls Ungulates, except the Domestic Horse and Ass (where zoning By-law(s) permit)
11. All Elephants
12. All Pinnipedian (such as Seals, Fur Seals and Walrus)
13. All Snakes of the families Pythonids and Boas
14. All Venomous Snakes
15. All Venomous Reptiles
16. All Raititae Birds (such as Ostriches, Rhea and Cassowaries)
17. All Diurnusand Nocturnal Raptors (such as Eagles, Hawkes and Owls)
18. All Edentates (such as Anteaters, Sloths and Armadillos)
19. All Bats
20. All Crocodilians (such as Alligators and Crocodiles)
21. All Venomous Amphibians (such as Venomous Frogs)
22. All Venomous Arthropoda (such as Venomous Spiders)
23. All Mustelidae or Mustelid such as Skunks, Weasels, Otters, Minks, Badgers and Martens
24. All Castoridae such as Beavers

Note: Examples of animals are provided for information and shall not be construed as limiting the generality of the group.



The Corporation of the Township of Ignace

Schedule "B" Application for Temporary Exemption to Animal Control By-law _____

The Corporation of the Township of Ignace
34 Hwy 17 West, PO Box 248, Ignace, Ontario, P0T 1T0
(P)807-934-2202, (F)807-934-2864, bylaw@ignace.ca

This application is to be filed with the By-law Enforcement Department and must be submitted with a \$20.00 application fee.

I/We hereby apply to the Municipality of Ignace for a Temporary Exemption to Animal Control By-law _____ as outlined in this application:

Name of Applicant: _____

Street Address: _____

Mailing Address (if different): _____

Telephone Number (daytime/evening): _____

The applicant is the owner of the land: Yes No

If not the owner of the land a letter of consent must accompany the application from the land owner with all contact information.

Reason in detail why the exemption is being requested: _____

List the Names and contact information (address, phone number) of each neighbour that you have made aware that you are applying for the exemption:

1. _____

2. _____

If you wish to provide additional information please attach a separate page.

Fees in respect of any further applications, i.e., Zoning By-Law Amendment, etc., are applicable.

- No two requests from one individual or group are permitted within a six-month (6) period.
- Exemptions may be granted for a maximum period of sixty (60) days, unless otherwise provided for, in writing, by the Municipality.
- Applicants must comply with Federal, Provincial, and Municipal regulations pertaining to the care and control of animals.

Municipal Use Only

Application Fee Received: \$_____.00 Application Fee Received By: _____

Approved By: _____ Date Approved: _____

Expiry of Temporary Exemption: _____

The Corporation of the Township of Ignace

By-law 39-2021

Being a By-law to Prohibit & Regulate Noise Within the Corporation of the Township of Ignace

WHEREAS Section 129(a) of the Municipal Act, R.S.O. 2001, as amended (“the Act”), allows a municipality to prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors; and

WHEREAS Section 129(b) of the Act allows a municipality to require the acquisition of a permit for an exemption to any provision regulated by a by-law of the municipality with respect to noise, vibration, odour, dust and outdoor illumination and may impose conditions for obtaining, continuing to hold and renewing the permit; and

WHEREAS Section 425 of the Act allows a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality passed under the Act is guilty of an offense; and

WHEREAS Section 429 of the Act grants authority to a municipality to establish a system of fines for offences under a by-law of the municipality passed under the Act; and

WHEREAS Section 435 of the Act sets out the conditions applying to the exercise of a power of entry of a municipality under the Act; and

WHEREAS Section 436 of the Act grants a municipality the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine compliance with: 1) a by-law of the municipality passed under the Act; 2) a direction or order of the municipality made under the Act or made under a by-law of the municipality passed under the Act; 3) a condition of a license issued under a by-law of the municipality passed under the Act; or 4) an order made under Section 431 of the Act; and

WHEREAS the Council of the Corporation of the Township of Ignace having deemed there be a need to prohibit and regulate noise within the municipality;

NOW THEREFORE BE IT RESOLVED THAT this by-law rescinds By-law 69.1991

NOW THEREFORE BE IT RESOLVED THAT The Council of the Corporation of the Township of Ignace enacts as follows:

1.0 Definitions

For the purpose of this By-law the following words or terms shall have the definitions associated therewith.

Paragraph Number	Word/Term	Definition
1.1	Animal	Any member of the animal kingdom, other than a human.
Paragraph Number	Word/Term	Definition
1.2	Audio Device	Any radio, television, stereo or musical-sound-producing instrument or device of any kind.
1.3	Corporation	The Corporation of the Township of Ignace.
1.4	Council	The Council of the Corporation of the Township of Ignace.
1.5	Compression Brake(s) or Modified Exhaust	The system that vehicles use to modify the engine valve operation to use engine compression to slow the vehicle, and when engaged typically produces a loud chattering or machine gun noise. Also known as “engine retarder brakes”, “compression release engine brake system”, and “Jake brakes” or modified exhaust to emit louder sound.
1.6	Construction	The erection, alteration, repair, dismantling, demolition, structural maintenance and painting of any structure; moving, land clearing, earth moving, grading, and excavation; blasting and detonation of explosive devices other than fireworks; the laying of pipe and conduit whether above or below ground level, street and highway building, concrete and asphalt laying; equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, including any associated or related work and/or equipment.
1.7	Enforcement Officer	An Animal Control Officer, a Municipal Law Enforcement Officer, a By-law Enforcement Officer, the By-law Enforcement/Officer Manager of Emergency Services, or other person(s) appointed or employed by the Corporation of the Township of Ignace to enforce By-laws, or a Police Officer.
1.8	Motor Vehicle	Any automobile, motorcycle, and any other conveyance propelled or driven otherwise than by muscular, gravitational or wind power.
1.9	Municipality	The Corporation of the Township of Ignace.
1.10	Noise	Any unwanted and unwarranted sound or vibration (also see “unwanted”).
1.11	Point of Reception	Any point outside of the originating location of a sound where the sound is clearly audible, and may include another structure, parcel of land, or highway.

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1.12	Signal Device	Any bell, horn, siren and any other device used to amplify a sound.
1.13	Special Event(s)	Any demonstration, parade, sporting event, festival, carnival, midway, street dance, block party, and any other function that Council deems to be a Special Event.
1.14	Statutory Holiday	Any holiday proclaimed as a Statutory Holiday or Public Holiday by the Government of the Province of Ontario or the Government of Canada, including but not limited to: New Year's Day (January 1 st), Family Day (third Monday in February), Good Friday (Friday before Easter Sunday), Victoria Day (Monday preceding May 25 th), Canada Day (July 1 st), Labour Day (1 st Monday in September), Thanksgiving Day (2 nd Monday in October), Remembrance Day (November 11 th), Christmas Day (December 25 th), and Boxing Day (December 26 th).
1.15	Timber Industry Operations	Any work including any equipment required to carry out such work.
1.16	Transmitting Device	Any drum, horn, bell, radio or mechanical loudspeaker, amplifier or other instrument or device or sound-producing instrument or apparatus.
1.17	Unwanted	With respect to noise with in the Municipality, any noise which unnecessarily disturbs the peace, quiet, comfort or repose of residents of the Municipality.

2.0 Interpretation

- 2.1 This By-law may be cited as the "Noise Control By-law".
- 2.2 All reference made to the male gender shall include the female gender and all reference made to the singular shall include the plural where applicable in this By-law.
- 2.3 All defined words in Section 1.0 are intended to reflect all possible forms of the word as required by this By-law.

3.0 General Prohibitions

- 3.1 No person shall emit, cause, or permit the emission of an Unwarranted Noise at any time when the Noise emitted is clearly audible at a Point of Reception resulting from:
- a) The sounding of any Audio Device, Signal Device or Transmitting Device;
 - b) Persistent barking, calling, whining or other similar persistent noise-making by any domestic animal or pet, or any other animal other than those used for agricultural purposes;
 - c) The detonation of fireworks;
 - d) The use of compression brakes or modified exhaust.

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4.0 Prohibitions by Time

- 4.1** No person shall emit, cause or permit the emission of any Unwarranted Noise not otherwise specified in this By-law between the hours of **11:00pm and 7:00am, Monday through Friday.**
- 4.2** No person shall emit, cause or permit the emission of any Unwanted Noise not otherwise specified in this By-law between the hours of **12:00am and 7:00am, on a Saturday.**
- 4.3** No person shall emit, cause or permit the emission of any Unwarranted Noise not otherwise specified in this By-law between the hours of **12:00am and 9:00am on a Sunday or Statutory Holiday.**
- 4.4** No person shall emit, cause or permit the emission of any Unwarranted Noise created by the use or operation of any Audio Device, Signal Device or Transmitting Device for the purpose of advertising or for attracting attention to any performance, show, sale or display of goods, ware or merchandise between the hours of **11:00pm and 7:00am** if the Noise is clearly audible at a Point of Reception.
- 4.5** No person shall emit, cause or permit the emission of any Unwarranted Noise resulting from the act of Construction or the use of Construction Equipment between the hours of **11:00pm and 7:00am Sunday through Friday**, or between the hours of **11:00pm and 9:00am on a Saturday** or the day preceding a Statutory Holiday. (See Schedule "A")

5.0 Exemptions

5.1 The provisions of this By-law do not apply to Noises caused by:

- a)** The use, in a reasonable manner, of any Transmitting Device or Audio Device for the amplification of human voice or of music in a public park during any public celebration or religious service, or during any other gathering provided that prior written permission for the Noise is obtained from the Manager of Emergency Services, including, but not necessarily limited to:
 - i)** Canada Day celebrations (including fireworks), concerts, parades, carnivals, midways, ceremonial drumming, and any Special Events set out by Council.
- b)** Any motor vehicle of the Police or Fire Departments or any Ambulance or other emergency vehicle, or any motor vehicle of the Corporation while answering a call or while participating in any event.
- c)** Emergency works conducted by or on behalf of the Corporation, including but not necessarily limited to excavation, construction, installation, alteration, relocation, repair or demolition of buildings, structures, public facilities or utilities; or

- d) The operation of street sweepers, snow clearing or removal equipment, or maintenance machines and equipment by or on the behalf of the Corporation.
- e) Maintenance on aircrafts and aircraft movement at the Ignace Aerodrome; float plane movement at float plane base; train traffic movement; helicopter movement at the Ministry of Natural Resources Base and at Mary Berglund Community Health Centre.
- f) The use or operation of any equipment, machines or facilities associated with Timber Industry Operations or the noise produced from or associated with Timber Industry Operations.

5.2 Notwithstanding any provision of this By-law, any person may take application to Council to be granted an exemption from any provision of this By-law with respect to any Noise he intends to emit, cause or permit to emit, for which he would otherwise be liable to a penalty as provided for under this By-law, and Council may, by Resolution:

- Grant requested exemption
- Refuse to grant requested exemption, or
- Grant an exemption of lesser effect.

Any exemption granted by Council shall not exceed a period of six (6) months, and shall specify the time period during which the exemption is in force. Council may impose such terms and conditions on the exemption as it deems appropriate. All decisions with respect to the granting of exemptions made by Council shall be deemed final.

5.3 Every request for an exemption to any provision of this By-law shall be made in accordance with Section 5.2, and shall be submitted to Council not less than Thirty (30) days prior to the date for which the exemption is requested. Every request for an exemption made to Council shall be made in writing and shall contain the following information:

- The name and address of the applicant
- The address or location for which the exemption is requested;
- A description of the source of the noise in respect of which the exemption is sought;
- The time(s) during which the noise will be produced
- The period of time, not to exceed six (6) months, for which the exemption is requested; and
- Where and/or when applicable; written proof of concurrence from neighbouring property owners and those individuals that may be affected by such exemption.

5.4 No person shall breach any requirement, condition, or other Council imposed term(s) of an exemption granted by Council. Such a breach shall render the exemption Null and Void and the person to whom the exemption was granted shall be guilty of an offence and liable to a penalty as provided for under this By-law.

6.0 Enforcement, Offence and Penalty

- 6.1** This By-law shall be enforced using the powers granted to municipalities under Part XIV of the Municipal Act, including Sections 435 and 436.
- 6.2** Every person who contravenes any provision of this By-law is guilty of an offence and, if convicted, is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33, See Schedule "B".
- 6.3** The Municipality shall make application to the Ministry of the Attorney General of Ontario for approval of Short Form Wordings and Set Fines in accordance with the Set Fines Schedule approved by Resolution of Council, and such fines shall come into effect upon the approval or amendment by the Attorney General of Ontario or his designate.
- 6.4** Staff shall be authorized to make changes to the By-law or Set Fine Schedule without amendment to the By-law or Resolution of Council, if so, recommended by the Attorney General or his designate in order for the Set Fines to be approved.
- 6.5** Council may, by Resolution, amend the Set Fines under this By-law at any time. Any amendment made to the Set Fines by Resolution of Council will come into force upon approval of the Attorney General or his designate.

7.0 Severability

If any provision or part of a provision of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law or its application in any other circumstances, shall not be affected and shall continue to be in full force and effect.

8.0 Rescind Previous By-law(s)

By-law 69.1991 and any other By-law(s) that prohibit or otherwise regulate noise are hereby rescinded.

9.0 Effective and Expiry Date

This By-law shall come into force and take effect upon approval by the Attorney General or his designate of the Set Fines established under this By-law.

READ A FIRST & SECOND TIME THIS ___ DAY OF _____, 2021

READ A THIRD TIME & PASSED THIS ___ DAY OF _____, 2021

Penny Lucas, Mayor

Lynda Colby, Clerk

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Schedule "A"

Prohibitions Summarized (as per Sections 3.0 & 4.0)

Section	Activity	Prohibited Period of Time
3.1(a)	The sounding of any Audio Device, Signal Device or Transmitting Device that is unwarranted and clearly audible at a Point of Reception.	At all times
3.1(b)	Persistent barking, calling, whining, or other similar persistent noise-making by any domestic animal or pet, or any other animal other than those animals used for agricultural purposes that is unwarranted and clearly audible at a Point of Reception.	At all times
3.1(c)	The detonation of fireworks that is unwarranted and clearly audible at a Point of Reception.	At all times
3.1(d)	The use of compression brakes or modified exhaust that is unwarranted and clearly audible at a Point of Reception.	At all times
4.1	Any unwarranted Noise not otherwise specified in this By-law.	11:00pm to 7:00am Monday through Friday
4.2	Any unwarranted Noise not otherwise specified in this By-law.	12:00am to 7:00am Saturday
4.3	Any unwarranted Noise not otherwise specified in this By-law.	12:00am to 9:00am Sunday or Statutory Holiday
4.4	The noise created by the use or operation of any Audio Device, Signal Device or Transmitting Device for the purpose of advertising or for attracting attention to any performance, show, sale or display of goods, ware or merchandise that is unwarranted and clearly audible at a Point of Reception.	11:00pm to 7:00am
4.5	The engaging in Construction and/or the use of Construction Equipment that is unwarranted and clearly audible at a Point of Reception.	11:00pm to 7:00am Sunday through Friday 12:00am to 7:00am on a Saturday or the day preceding a Statutory Holiday Specifically: Sunday 11:00pm – Monday 7:00am Monday 11:00pm – Tuesday 7:00am Tuesday 11:00pm – Wednesday 7:00am Wednesday 11:00pm – Thursday 7:00am Thursday 11:00pm – Friday 7:00am Friday 11:00pm – Saturday 7:00am Saturday 12:00am – Sunday 9:00am The day preceding a Statutory Holiday 11:00pm – 9:00am on the Statutory Holiday

Schedule "B"
(As per By-law _____)

Item No.	Column 1 – Short Form Wording	Column 2 – Provision Creating or Defining Offence	Column 3 – Set Fine
1	Emit, cause or permit unwarranted sounding of Audio, Signal, or Transmitting Device	3.1(a)	\$100.00
2	Emit, cause or permit persistent domestic animal/pet noises	3.1(b)	\$125.00
3	Emit, cause or permit detonation of fireworks	3.1(c)	\$250.00
4	Use of or cause or permit the use of Compression Brakes or Modified Exhaust	3.1(d)	\$150.00
5	Emit, cause or permit unwarranted noises on Monday through Friday between 11:00pm and 7:00am	4.1	\$150.00
6	Emit, cause or permit unwarranted noises on Saturday between 12:00am and 7:00am	4.2	\$150.00
7	Emit, cause or permit unwarranted noises on Sundays and Statutory Holidays between 12:00am and 9:00am	4.3	\$150.00
8	Emit, cause or permit use of Audio, Signal or Transmitting Device for advertising between 11:00pm and 7:00am	4.4	\$100.00
9	Emit, cause or permit unwarranted noises related to Construction between 11:00pm and 7:00am	4.5	\$200.00
10	Permit or breach of terms of exemption	5.4	\$150.00

Note: the penalty provision for the offences indicated above is Section 6.2 of By-law _____, a certified copy of which has been filed.

The Corporation of the Township of Ignace

By-law 40-2021

A By-law of the Township of Ignace to Control and Regulate Traffic, Parking and the Use of Roads

Whereas the Municipal Act, 2001, Part III, Section 50, as amended, provides for passing by-laws for regulating traffic on highways within the Municipality's Jurisdiction.

Whereas the Council of the Corporation of the Township of Ignace deems it expedient to restrict heavy trucks on Township Highways, Roadways and Parking Lots.

Whereas the Highway Traffic Act, 1990, Part X, Section 170 (3), Ss (1) does not apply to that portion of the roadway within a local municipality that was a Township on December 31, 2002, and but for the enactment of the Municipal Act, 2001, would have been a Township on January 1, 2003 in respect of which there is a By-law prohibiting or regulating parking, standing and stopping; now,

Therefore, the Corporation of the Township of Ignace hereby enacts as follows:

1.0 Definitions

Heavy Truck means a commercial motor vehicle or motor vehicle combination having a registered gross weight of **11,000 kg** or more, or a manufacturer's gross vehicle weight of **11,000 kg** or more. For the purposes of this By-law, the commercial motor vehicle or motor vehicle combination may be loaded or empty.

Highway includes a common and public highway or street, which is intended for or used by the general public for passage of vehicles and includes the area between the lateral property lines thereof.

Parking means standing, and stopping for any period of time.

Recreational Vehicle means a vehicle which is drawn, propelled or driven by any kind of power, which is used by the public in connection with any recreational activity, including boats, ATV's, motorized snow or water vehicles, or any other similar vehicles designed for recreational activity.

Trailer means a commercial fifth wheel combination or on its own as well as utility trailers (empty or loaded) are also included in this definition.

Use of Roads means the route, or way on land between two (2) places that has been paved or otherwise improved to allow travel by foot or by some form of conveyance including; motor vehicles of any size, off-road vehicle, bicycle, or pedestrian.

2.0 Restrictions

- 2.1** Except as provided in Subsections 2.2 and 2.5 of this section no person(s) shall move, drive, park or operate a heavy truck or trailer on highways set out in Schedule "A" attached and the Zoning By-law 36-2021.
- 2.2** Subsection 2.1 of this By-law shall **not** apply to any vehicle actually engaged in making a delivery or collection from premises which cannot be reached except by way of a highway or a portion of highway referred to in the said section, provided that in making such a delivery or collection, the said highway or portion of highway is travelled only insofar as is doable in getting to and from such premises.
- 2.3** Subsection 2.1 of this section shall **not** apply to any vehicle actually engaged in leaving from or returning to the said vehicle owner's (company/broker) principal address provided that in so leaving from and returning to the principal address, the said portion of highway is used is travelled insofar as unavoidable in getting to and from such premises and provided such storage of their vehicle is permitted under the Township of Ignace's Zoning By-law and provided that the heavy truck is not loaded.
- 2.4** Parking and storage of a trailer (utility) or recreational vehicle shall be permitted in all driveways providing the recreational vehicle/travel trailer is not being used for habitation or recreational purposes Zoning By-law 36-2021. The parking or storage of seasonal recreation vehicles shall be permitted in driveways and front yards during the in-season of the said vehicle. During the off-season of said vehicle parking and storage are restricted to driveways, side yards (no less than thirty (30) feet from the curb and rear yards of the premises.
- 2.5** Subsection 2.1 of this section does **not** apply to:
- a)** Vehicles operated or on behalf of the Township of Ignace or other authority having jurisdiction and control of a highway, where the vehicles are engaged in highway maintenance, including the carriage and application of abrasives or chemicals to the highway, the stockpiling of abrasives or chemicals for use on a highway, or the removal of snow from a highway.
 - b)** Fire or Rescue apparatus.
 - c)** Vehicles operated by or on behalf of the Municipality transporting waste or recycling material(s).
 - d)** Public utility emergency vehicle.
 - e)** Vehicles used exclusively for the transportation of liquid or gaseous heating fuel.

- 3.0** This By-law shall be regulated and take effect upon the Third and Final reading of said By-law.
- 4.0** The enforcement of this By-law shall be pursuant to the applicable sections and regulations under the Highway and Traffic Act, 1990. At the passing of this By-law, the contravention of the "Control Regulate Traffic, Parking and the Use of Roads" will be subject to fines as set out in Schedule "B" attached. The fine structure shall be that approved under the provisions of the Provincial Offences Act of Ontario, as set from time to time and the out of court settlements, also set by the Provincial Offences Court from time to time will apply to Part I Provincial Offences Tickets.
- 5.0** This By-law shall come into force and take effect upon approval by the Attorney General or his designate of the Set Fines established under this By-law.

Read a First and Second Time this ____ Day of _____, 2021.

Read a Third and Finally Passed this ____ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

Schedule "A"
By-law _____

Prohibited
Highways & Roadways within the Township of Ignace

Balsam Avenue	Garden Street	Rand Street
Balsam Place	Graver Street	Robinson Crescent
Berglund Street	Huron Crescent	Robinson Place
Birch Drive	James Street	Sorenson Avenue
Birch Place	Lake Street	Spruce Crescent
Boon Street	Lakeshore Drive	Sturgeon Drive
Carlson Drive	Lily Pad Lake Road	Superior Avenue
Cobb Street	Maple Street	Superior Street
Colley Street	McLeod Street	Tait Street
Davies Street	Nash Street	Tapsay Street
Davy Lake Road	Naumann Lane	West Street
East Street	Ontario Crescent	Willow Place
Erie Street	Ontario Street	Wren Street
Fox Point Road	Parker Lane	West Beach Drive
Front Street	Pine Street	

Schedule "B"
By-law _____

Set Fine Schedule as Provided for in Part I of the
Provincial Offences Act

Description	Fee/Fine
Search fee to retrieve the Registered Owner's information from the Ministry of Transportation	\$20.00
Park a Commercial Vehicle "Heavy Truck" on a street with or without combination of Heavy Truck and Trailer (Section 2.1 of this By-law)	\$500.00
Park a Commercial Trailer or Travel Trailer on a street (Section 2.1 of this By-law)	\$250.00
Obstruct a Municipal By-law Officer	\$100.00
Parking a Recreational Vehicle on the street (Section 2.4 of this By-law)	\$100.00
Parking a Recreational Vehicle or Utility Trailer in an unauthorized place (Section 2.4 of this By-law)	\$100.00
Using a Recreational Vehicle/Travel Trailer for living or eating accommodation on a residential property that violates Zoning By-law (Section 2.4 of this Bylaw)	\$100.00

Note: the penalty provision for the offences indicated above is Section 4 of By-law _____, a certified copy of which has been filed.

The Corporation of the Township of Ignace

By-law 41-2021

Being a By-law to Adopt a Policy on Handling Complaints

Whereas the Council of the Corporation of the Township of Ignace finds it expedient and deemed necessary to Adopt this Policy on Handling Complaints.

Now Let It Be Resolved that the Council of the Corporation of the Township of Ignace shall enact as follows:

1.0 Purpose

The Corporation of the Township of Ignace hereby adopts this policy for the intent of handling complaints consistently in the future and to balance the needs of all of its citizens. This Policy attempts to balance various legal and procedural issues against the need for protecting the rights of both parties of the complaint.

2.0 Definitions

Anonymous Complaint means a complaint or concern received either in a written form or verbal form which is from a person who does not wish to be named or go on the record.

Complainant means the party who makes the complaint in a legal matter/action or proceeding verbally or written.

3.0 Provisions of this By-law

3.1 All complaints should be addressed by the proper personnel having the authority authorized by either local ordinance or other laws;

3.2 Anonymous complaints should be assigned the lowest priority for investigation for a number of practical and legal reasons:

- a) Frequently anonymous complaints are without merit. They are often the result of personal disputes. The Township of Ignace should not be wasting its resources on investigating baseless complaints. The Township of Ignace is not obligated to do any follow up on anonymous complaints.
- b) To properly investigate a complaint, it is often necessary for the authority having jurisdiction to obtain additional or clarifying information from the complainant. It is also vital to close the circle and inform the complainant when there is a violation, so they both understand the issue and the Township of Ignace's response and position. This follow-up is impossible if the complainant wishes to remain anonymous.

- 3.3** Complaints shall be encouraged to be filed in written form.
- 3.4** All complaints whether formal or anonymous must be addressed by the appropriate personnel or authority having jurisdiction.
- 3.5** No legal action(s) shall be taken against homeowners/property owner(s) based on anonymous complaints unless approved or directed by the Council of the Township of Ignace.
- 3.6** Complaints that are of serious health or safety issues must be handled as quickly as possible. All required outside authorities must be notified when deemed necessary including but not limited to the Northwestern Health Unit, Chief Building Inspector or Animal Control.
- 3.7** Complaints that concern what appears to be of a serious imminent threat to an individual's safety or well-being or imminent environmental issue must take precedence over all other concerns. All required outside authorities must be notified deemed necessary including but not limited to the Northwestern Health Unit, Chief Building Inspector, Animal Control or the Ministry of the Environment.
- 3.8** As per the Canadian Charter of Rights and Freedoms, The Constitution Act, 1982, Part I, Enforcement S.s. 24(1) Anyone whose rights or freedoms, as guaranteed by this Charter, have been infringed or denied may apply to a court of competent jurisdiction to obtain such remedy as the court considers appropriate and just in the circumstances.
- 3.9** As per the Canadian Charter of Rights and Freedoms, The Constitution Act, 1982, Part I, Legal Rights, S.s. 7, Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.
- 3.10** The Personal Information Protection and Electronic Documents Act, (PIPEDA) Fair Information Principle 3 – Consent;
- 3.10.1** Organizations are generally required to obtain meaningful consent for the collection, use and disclosure of personal information.
- 3.10.2** To make consent meaningful, people must understand what they are consenting to.
- 3.10.3** Consent can only be required for the collections, uses, or disclosures that are necessary to fulfil an explicitly specified and legitimate purpose. For non-integral collections, uses and disclosures, individuals must be given a choice.
- 3.10.4** The form of consent must take into account the sensitivity of the personal information. The way you seek consent will depend on the circumstances and type of information you are collecting.
- 3.10.5** Individual(s) can withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice, and you must inform individuals of the implications of withdrawal.

4.0 Disclosure Consent Form

If and when disclosure is required for legal proceedings the complainant will be requested to fill out and sign the attached 'Disclosure of Information' form in accordance with Section 3.10 of this By-law.

5.0 This By-law shall be regulated and take effect upon the Third and Final reading of said By-law.

Read a First and Second Time this ___ Day of _____, 2021.

Read a Third and Finally Passed this ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

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The Corporation of the Township of Ignace
Disclosure of Information Form
In Accordance with By-law _____

In accordance with The Personal Information Protection and Electronic Documents Act, (PIPEDA). If and when disclosure is required for legal proceedings the complainant will be requested to fill out and sign the 'Disclosure of Information' form in accordance with Section 3.10 of the aforementioned By-law.

I _____ hereby authorize the Corporation of the Township of Ignace or any person(s) acting on their behalf to disclose my personal information, name, address, phone number to a court of competent jurisdiction for the purpose of disclosing collected investigative evidence regarding a specific matter as outlined below:

This consent is only applicable to the matter involving By-law # _____.

Details:

Signed this ___ Day of _____, 202__.

Signature (person giving consent)

Witness (By-law Officer)

The Corporation of the Township of Ignace

By-law 42-2021

Being a By-law to Regulate the Discharge of Firearms, Air-guns, Spring-guns, Cross-bows, Long-bows or any Class or Type Thereof within the Township of Ignace

Whereas pursuant to Section 119 of the Municipal Act 2001, the Councils of municipalities may pass by-laws for the purpose of public safety, for prohibiting or regulating the discharge of guns or other firearms, air-guns, spring-guns, cross-bows, long-bows or any class or type thereof in the municipality or in any defined area thereof;

Whereas it is deemed expedient for the purposes of public safety, to prohibit the discharge of guns or other firearms, air-guns, spring-guns, cross-bows, long-bows or any class or type thereof within defined areas of the Township of Ignace;

Whereas this By-law shall be referred to as the "**Discharge of Firearms Bylaw**".

Now Therefore the Council of the Corporation of the Township of Ignace hereby enacts as follows:

1.0 Definitions

Air-rifle, and Archery Tackle means a low pressured rifle/bow used for taking small game animals.

Ammunition means a supply or quantity of bullets and shells.

Archery Bow means the bow and arrow is a ranged weapon system consisting of an elastic launching device (bow) and long-shafted projectiles (arrows). Archery is the art, practice, or skill of using bows to shoot arrows.

Bullets a metal projectile for firing from a rifle, revolver, or other small firearm, typically cylindrical and pointed and sometimes containing an explosive.

Centre Fire Rifle means a high-powered rifle capable of taking large game animals.

Council means the Council of the Corporation of the Township of Ignace.

Firearm means any gun or other firearm, air-gun, pellet gun, spring-gun, shotgun, cross bow, long-bow, and any other barrelled weapon from which any shot, bullet, missile or other projectile may be discharged.

Municipal Law Enforcement Officer means a Municipal Law Enforcement Officer, or By-law Enforcement Officer for the Township of Ignace.

Officer means a Police Officer of the Ontario Provincial Police Service and includes a constable with the Royal Canadian Mounted Police, a Municipal Law Enforcement Officer and a By-Law Enforcement Officer for the Township of Ignace, a Conservation Officer or a Deputy Conservation Officer of the Ministry of Natural Resources, and any other person authorized to enforce the Ontario Fish and Wildlife Conservation Act, R.S.O. 1997, or the Firearms Act, R.S.C., 1995, c.39.

Paintball Gun means an air-gun used in the game of paintball; designated to simulate a semi-automatic air-gun, air-rifle, that propels a projectile by compressed air.

Paintball for the purpose of this By-law means a capsule of paint used in the game of paintball.

2.0 General Regulations

- 2.1** The Schedule(s) attached to this By-law are an integral part of it.
- 2.2** No person shall discharge any gun or other firearm, air-gun, spring-gun, cross-bow, long-bow, compound bow or any class or type thereof within that portion of the Township of Ignace as outlined in the attached Schedule "A";
- 2.3** Nothing in this by-law shall be interpreted as reducing or eliminating the need for full compliance with the provisions of all applicable Federal and Provincial statutes and regulations relating to firearms.

3.0 Exemptions

- 3.1** Exemption to this By-Law shall be provided to the following;
- 3.2** Municipal Law Enforcement Officer, or a By Law Enforcement Officer for the Township of Ignace authorized and in the actual and bona fide performance of his or her duties.
- 3.3** A Police Officer when duly authorized and in the actual and bona fide performance of his or her duties.
- 3.4** A staff member of the Correctional Services of Canada.
- 3.5** An inspector or agent of the Ontario Society for the Prevention of Cruelty to Animals when duly authorized and in the actual and bona fide performance of his or her duties.
- 3.6** A Conservation Officer or a Deputy Conservation Officer of the Ministry of Natural Resources, and any other person authorized to enforce the Ontario Fish and Wildlife Conservation Act, R.S.O. 1997, or the Firearms Act, R.S.C. 1995, c.39.
- 3.7** Exemption to this By-Law may be provided by Approval of Council for the following:
 - 3.7.1** Indoor or outdoor recreational activities relating to use of air guns and spring guns with a muzzle velocity not exceeding 500 feet/second.
 - 3.7.2** Indoor or outdoor recreational activities relating to use of cross-bows and long bows and compound bows.
 - 3.7.3** Shows or exhibits selling or displaying any classes of firearms intended to be discharged, as approved by the Chief Firearms Officer of Ontario.

4.0 Administration

Police Officers, and where appropriate, the Township By-Law Enforcement Officers are responsible for enforcing the provisions of this by-law.

5.0 Offences

Every person who contravenes any of the provisions of this By-Law is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the Provincial Offences Act, 1990.

6.0 Penalty

Every person(s) who is convicted of an offence under this By-law is liable to a fine as provided for in the Provincial Offences Act, R.S. O. 1990, Chap. p.33.

7.0 Severability

If any part or part of a provision of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law or its application in any other circumstances, shall not be affected and shall continue to be in full force and effect.

8.0 Effective Date

This By-law shall come into force and effect upon the Third and Final Reading hereof.

9.0 Repeals

This By-law hereby rescinds By-law 60.2016.

Read a First and Second Time this ___ Day of _____, 2021.

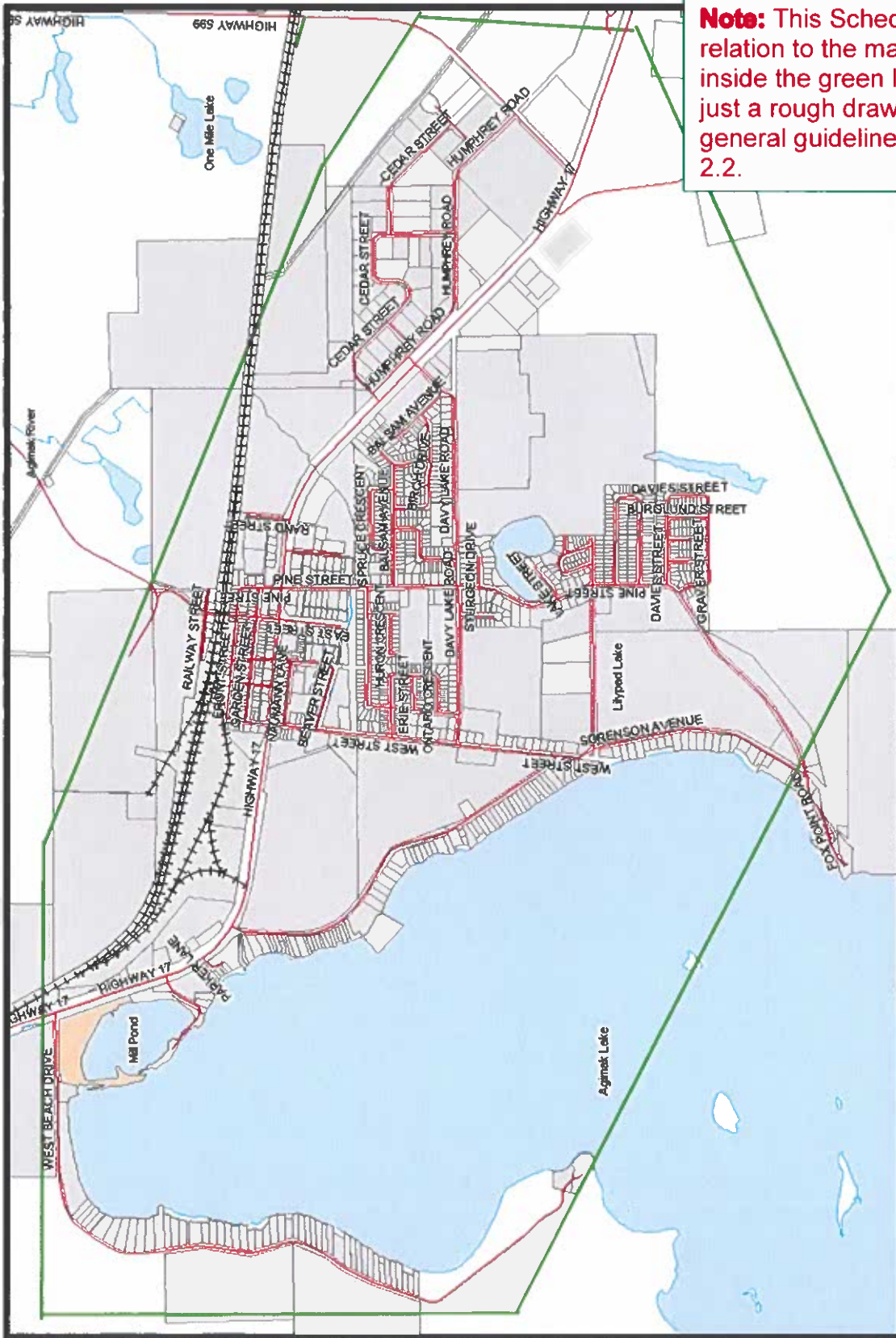
Read a Third and Finally Passed this ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

Schedule "A"
(As per By-law)

Note: This Schedule is in relation to the map area inside the green line. This is just a rough drawing and is a general guideline for Section 2.2.



The Corporation of the Township of Ignace

By-law 43-2021

Being a By-law to Control the Use of Motorized Snow Vehicles within the Township of Ignace

WHEREAS The Motorized Snow Vehicles Act, R.S.O. 1990, Chapter M. 44, Subsection 7(2) provides that the council of a local municipality may pass by-laws regulating, governing or prohibiting the operation of motorized snow vehicles within the municipality including any highway therein or any other part or parts thereof; and

WHEREAS it is deemed advisable and expedient to regulate, govern or prohibit the operation of motorized snow vehicles upon pedestrian ways, boulevards, and highways within the Township of Ignace, and to regulate the emission of noise from snow vehicles;

Now Therefore, the Council of the Corporation of the Township of Ignace hereby enacts as follows:

1.0 Definitions

ACCESS ROUTES, means any roadway allowed to be utilized for the purpose of gaining access to established approved trails. (See Schedule 'A' of this By-Law.)

APPROVED TRAILS, means Ontario Federation of Snowmobile Clubs (O.F.S.C.) trails established and maintained by the Ignace Otters Snowmobile Club for the use of motorized snow vehicles on Municipal properties.

BOULEVARD, means that part of the highway between the roadway and the property lines of the lots abutting the highway and includes the shoulder, but does not include a sidewalk, if any.

COUNCIL, means the Council of The Corporation of the Township of Ignace.

HIGHWAY, includes a common and public highway, street, avenue, road allowances, parkway, driveway, laneway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines.

MOTORIZED SNOW VEHICLE, means a self-propelled vehicle designed to be driven primarily on snow or ice or both. "Snowmobile" has a corresponding meaning.

MUNICIPALITY, means The Corporation of the Township of Ignace.

MUNICIPAL BY-LAW ENFORCEMENT OFFICER, means a Municipal Law Enforcement Officer, a By-law Enforcement Officer, the By-law Enforcement/Officer Manager of Emergency Services, or other person(s) appointed or employed by the Corporation of the Township of Ignace to enforce By-laws, or a Police Officer.

OPERATOR/DRIVER, means a person who is operating or driving a motorized snow vehicle.

OWNER/OCCUPIER, means a person who lives in a building that they own, lease, or rent.

PRIVATE PROPERTY, includes all property in the Municipality except crown land and highways.

PUBLICLY-OWNED PARKLAND, includes any land or premises under the controlled management of the Municipality.

RACE, means any competition of speed between two or more vehicles and/or drivers thereof.

ROADWAY, means that part of a highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and, where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all of the roadways collectively.

SIDEWALK, means a path or strip of land paved or otherwise in, on or alongside a highway and designed and intended for or used by the general public for pedestrian travel. In addition, "sidewalk" includes any property of the Municipality that is, or hereafter may be, physically set apart or made available and intended for pedestrian use.

2.0 No person shall operate or park a motorized snow vehicle on or within an area designated in Schedule 'B' to this By-Law.

3.0 Notwithstanding Section 2 of this By-Law, persons may operate a motorized snow vehicle on or within an area designated as an "approved access route", as shown in Schedule 'A' to this By-Law.

4.0 No person shall operate a motorized snow vehicle on an approved access route as shown in Schedule 'A' to this By-Law, except as follows:

4.1 the operator shall not exceed 20 kilometers per hour,

4.2 operators shall travel in single file, and

4.3 operators shall travel as close to the right-hand side of the road as conditions permit, and

4.4 the operator shall possess a valid driver's license, or a valid snowmobile operators' licence as prescribed by the Ontario Snowmobile Safety Course.

5.0 No person shall operate a motorized snow vehicle on any turfed area, sidewalk, walkway, public foot path, ski trail, bicycle path, boulevard, parkland, playground, school yard or other public property, unless written site specific approval has been granted from the owner/occupier.

6.0 No person shall operate a motorized snow vehicle on any private property unless the owner/occupier permits passage over such private property.

7.0 No person shall operate a motorized snow vehicle within the Township of Ignace between the hours of 11:00 p.m. and 7:00 a.m. Monday through Friday, or between the hours of 1:00 a.m. and 7:00 a.m. on Saturday, or between the hours of 1:00 a.m. and 9:00 a.m. on a Sunday or Statutory Holiday except for the purpose of directly gaining access to his/her residence from an approved trail.

- 8.0** No person shall drive a motorized snow vehicle across a roadway except at an angle of approximately 90 degrees to the direction of the roadway and only after the driver of such vehicle has ascertained that such a movement can be made safely.
- 9.0** No person shall engage in, or organize a snowmobile race unless approved in advance by the Council of the Municipality.
- 10.0** No person shall operate a motorized snow vehicle on any highway in the Municipality to tow or pull a person unless such person is in a sleigh that is rigidly attached to the motorized snow vehicle in such a manner that the distance between the motorized snow vehicle and the sleigh remains constant upon stopping and starting.
- 11.0** No person shall operate a motorized snow vehicle which has a muffler cut-out, straight exhaust, gutter muffler, Hollywood muffler bypass or similar device, alteration or modification upon it.
- 12.0** The provisions of this By-Law shall not apply to motorized snow vehicles operated by employees of the Corporation or service agents, including the Ontario Provincial Police, who are engaged in work which may be described as being of an essential or an emergency nature and which work is being conducted for the primary purpose of insuring the health, safety and welfare of the inhabitants of the Township of Ignace.
- 13.0** This By-Law shall not apply to prohibit the operation of motorized snow vehicles on a highway in the Municipality:
- 13.1** when the need for the use of such motorized snow vehicle thereon is created by an emergency;
 - 13.2** when such motorized snow vehicle is only operated on such highway for the purposes of crossing such highway from a point on one side of the highway to a point on the other side of the highway that is directly opposite thereto;
 - 13.3** when such a motorized snow vehicle is driven in a parade, contest or event that is held under the authority of a permit from the Municipality; or
 - 13.4** when such motorized snow vehicle is actually engaged in works undertaken by or on behalf of the Municipality.

14.0 Enforcement

The Municipality may delegate to any person or body the authority to investigate and enforce the provisions of this By-Law as deemed necessary and where such a person or body is authorized, and they shall inform any applicable persons at the time of inspection or enforcement of this authority. Such authority may include, but is not limited to, a Municipal Law Enforcement Officer, a By-Law Enforcement Officer, the By-Law Enforcement/Emergency Services Manager, or other person appointed or employed by The Corporation of the Township of Ignace to enforce by-laws of the Corporation, or a Police Officer.

- 15.0** No person shall interfere with, obstruct or impede a Municipal By-law Enforcement Officer who is in the process of enforcing the provisions of this By-law.

16.0 Penalty

Every person who contravenes any provision of this By-Law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, C.P. 33. See Schedule "C" attached.

17.0 Severability

If any section or part of this By-Law may be found by any competent Court of Law to be bad, illegal or beyond the power Council to enact, such section or part thereof shall be deemed to be separate and independent there from and to be enacted as such.

18.0 Repeals

This By-law hereby rescinds By-law 30.1996 and all other By-laws related to the governing of motorized snow vehicles.

19.0 Effective Date

This By-law shall come into force and take effect upon approval by the Attorney General or his designate of the Set Fines established under this By-law.

Read a First and Second Time this ___ Day of _____, 2021.

Read a Third and Finally Passed this ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

Schedule “A”
(As per By-law _____)

Designated Snowmobile Access Routes

1. Along all Municipal roadways and road allowances whether open or closed. However, the parking of snowmobiles on these roads is prohibited.
2. Along all Municipal urban highways within the exception of those stated in Schedule “B”. However, the parking of snowmobiles on these roads is prohibited.
3. On the existing snowmobile trail(s) located on Municipal property throughout the Municipality.
4. Snowmobiles will be permitted to cross over those prohibited areas as shown in Schedule “B”, and in accordance with Section 8 of this By-law.

Schedule “B”
Prohibited Areas for Snowmobile Use

1. No person shall operate a motorized snow vehicle on any turfed area, sidewalk, walkway, public foot path, ski trail, bicycle path, boulevard, parkland, playground, school yard or other public property, unless written site specific written approval has been granted from the owner/occupier. As per Section 5 of this By-law.
2. No person shall operate a motorized snow vehicle on any private property unless the owner/occupier permits passage over such private property. As per Section 6 of this By-law.
3. No person shall operate a snowmobile on Municipal owned property without the written permission in advance.
4. No person shall operate a snowmobile on the Ignace Municipal Airport property for any reason.

Schedule "C"

Set Fine Schedule as Provided by in the Provincial Offences Act, 1990

<u>Item Number</u>	<u>Short Form Wording</u>	<u>Provision Creating or Defining Offence</u>	<u>Set Fine</u>
1	Operating a snowmobile in a prohibited are.	Section 2 and Schedule "B"	\$150.00
2	Operating a snowmobile on private property without prior consent by the owner/occupier.	Section 6	\$150.00
3	Engaging in or organizing a race without permission/approval of the Municipality.	Section 9	\$150.00
4	Operating a snowmobile with a modified/altered exhaust system.	Section 11	\$200.00
5	Interference or obstruction of a By-law Enforcement Officer when performing his/her duties.	Section 15	\$200.00

The Corporation of the Township of Ignace

By-law 44-2021

Being a By-law to Regulate and Control the Use of Public Beaches and Tourist Attraction Information Centre Picnic Area within the Municipality of the Township of Ignace

WHEREAS Section 8 of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

WHEREAS Section 9 of the *Municipal Act*, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising the authority under the Act;

WHEREAS Section 11(2) of the *Municipal Act* permits a municipality to pass by-laws respecting the public assets of the municipality, the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property;

WHEREAS the Council of the Corporation of the Township of Ignace has deemed it appropriate to enact a by-law to prohibit and regulate activities at the Beaches and Tourist Attraction Information Centre Picnic Area and to protect these lands on behalf of the public interest;

NOW THEREFORE the Council of the Corporation of the Township of Ignace hereby enacts as follows:

1.0 Definitions

Animal means any domestic animal but shall not include a Service Animal.

Authorized Sign means any sign, notice, or other device placed or erected in or upon the property of the Municipality.

Beach means any part of the sand covered Municipally owned property including Agimac Beach and West Beach including the Boat Launch area at West Beach.

Canopy means any portable shelter, or temporary structure, including but not limited to a, shade canopy or windbreaker.

Council means the Council of the Corporation of the Township of Ignace.

Litter means the placing or displacing of any debris, refuse, waste or any other items or materials, in any place other than designated garbage receptacles.

Motor Vehicle includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam

railways, or other motor vehicles running only upon rails, farm tractors, self-propelled implement of husbandry or road-building machine within the meaning of the Highway Traffic Act.

Municipality means The Corporation of the Township of Ignace.

Officer means a Municipal Law Enforcement Officer or Police Officer.

Pavilion means a summerhouse or other decorative building used as a shelter in a park or large garden.

Person means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or other legal representatives of a person to whom the context can apply, according to law.

Picnic Area means the authorized picnic area at the Tourist Attraction Centre.

Property for the purpose of this by-law means all lands or municipal road allowances identified in Schedule A, forming part of this by-law.

Service Animal As defined in the Accessibility for Ontarians with Disabilities Act, 2005 as may be amended from time to time, a service animal is an animal for a person with a disability if it is readily apparent that the animal is used by the person for reasons relating to his or her disability or if the person provides a letter from a physician or nurse confirming that the persons require the animal for reasons relating to the disability.

Special Event means an exhibition, event or function held within the Township of Ignace where a person has applied to the Township of Ignace to conduct a Special Event and Council has approved the event, with or without conditions.

2.0 General Conduct

2.1 No Person shall start or tend to a fire on a Beach or a Property with the exceptions as prescribed in Section 2.10 of this By-law.

2.2 No Person shall defecate, urinate or otherwise leave human waste on a Beach or Property.

2.3 Northwestern Health Unit Advisory,

2.3.1 Water may contain high levels of bacteria;

2.3.1.1 For two (2) days after a heavy rainfall or strong winds.

2.3.1.2 If large numbers of waterfowl are present at the beach.

2.3.2 Prevent Illness and injury;

2.3.2.1 Do not drink the water.

2.3.2.2 Supervise your children at all times.

2.3.2.3 Don't swim with an open cut or wound.

2.3.2.4 Avoid swimming if the water is cloudy or murky.

2.3.2.5 Check for physical hazards before going into the water.

2.3.2.6 Wash your hands after swimming if you are handling food.

2.3.3 If you have concerns about the beach water quality, contact the Northwestern Health unit at 1-800-830-5978.

2.4 Be advised that there are no lifeguards at either Agimac or West Beach, swim at your own risk.

2.5 No Person shall permit a Domestic Animal on the Beach with the exception of Service Animals and Law Enforcement Animals.

2.6 No Person shall erect a Canopy on a Beach or Property that contains more than one opaque wall.

2.6.1 Does not preclude an Officer from applying the provision with discretion based on factors including but not limited to: age and medical needs; and

2.6.2 Does not apply do a Person caring for an infant, toddler, or Person with special needs.

2.7 No Person shall erect or use any Canopy on the Beach or a Property between the hours of 9:00pm - 8:00am.

2.7.1 No person shall overnight camp.

2.7.2 No person shall consume or store alcohol on the beach or a Property.

2.7.3 No person shall smoke or vape within twenty (20) meters of the playground.

2.8 No Person shall store potential wildlife attractants, including food or beverages, food preparation or storage equipment, cooking devices or utensils, garbage or recycling products, scented products or any other item in a manner that is likely to attract wildlife at the Beach or on a Property.

2.9 No Person shall possess a glass bottle on a Property due to potential safety hazards when broken.

2.10 No Person shall be permitted to use a barbeque, hibachi, or other cooking or heating appliance on the Beach, regardless of whether it is fueled by coal, propane, alcohol, benzene, methane, gasoline, wood or other such fuel on beaches as per Schedule "A", however; the picnic area at the Tourist Attraction Centre, and the Pavilion at West Beach is exempt along with Tower Hill during Special Events.

2.11 No Person shall deposit or cause to be deposited any Litter on a Beach or a Property.

2.12 No Person shall remove or damage or deface any part of a Beach or a Property.

- 2.13** No Person shall disobey an Authorized Sign on a Beach or a Property.
- 2.14** No Person shall hit, strike or otherwise propel a golf ball on a Beach or a Property.
- 2.15** No Person shall engage in riotous, boisterous, threatening, or indecent conduct or abusive, threatening or profane language within a Beach or a Property.
- 2.16** No person shall operate a Motor Vehicle on the Beach or a Property unless authorized by the Municipality.

3.0 Exemptions

- 3.1** Notwithstanding anything contained in this By-law, any person may make application a minimum of 15 days prior to the date(s) requiring an exemption, to the Council of the Township of Ignace to be granted an exemption from any of the provisions of this By-law with respect to General Conduct provisions. The Council of the Township of Ignace., may refuse to grant any exemption or may grant the exemption applied for or any exemption of lesser effect and any exemption granted shall specify the time period of a duration during which it is effective, and may contain such items and conditions as the Council sees fit.
- 3.2** The provisions of this by-law do not apply to an Officer or other emergency or enforcement personnel while performing their duties.
- 3.3** Sections 2.6 and 2.7 do not apply to Canopies used in relation to a Council approved Special Event, where the continued use of Canopies are required for the duration of the Special Event.

4.0 Enforcement

- 4.1** The provisions of this By-law may be enforced by an Officer.
- 4.2** Where any person contravenes any provision of this By-law, an Officer may direct such person to comply with this By-law. Every person so directed shall comply with such direction without undue delay.
- 4.3** Where an Officer has reasonable grounds to believe that a person has contravened any provision of this By-law, the Officer may require the name, address and proof of identity of that person, and the person shall supply that information. Failure to provide sufficient or any identification shall constitute obstruction of the Officer as set out in section 5.0 of this By-law.

5.0 Obstruction

No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this By-law.

6.0 Penalty

- 6.1** Any Person, who contravenes or fails to comply with any provision of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.
- 6.2** Upon conviction any penalty imposed under this By-law may be collected under the authority of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, See Schedule "B".
- 6.3** Every person who is convicted of an offence, is liable to a maximum fine of \$25,000 for a first offence and a maximum fine of \$50,000 for a subsequent offence.
- 6.4** Upon conviction, in addition to any other remedy and to any penalty imposed by this Chapter, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

7.0 Severability

If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the validity of this By-law as a whole or any part thereof, other than that part which is declared invalid, shall not be affected and it shall continue to apply in full force and effect to all other circumstances.

8.0 Conflicts

If any provision of this By-law conflicts with an Act or a regulation or another by-law, the provision that is the most restrictive shall prevail.

9.0 Repeals

This By-law hereby repeals any other By-law that pertains to the "Use of Beaches and Picnic Areas within the Township of Ignace".

10.0 Date Effective

This By-law shall come into force and take effect upon approval by the Attorney General or his designate of the Set Fines established under this By-law.

Read a First and Second Time this ___ Day of _____, 2021.

Read a Third and Finally Passed this ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk

Schedule "A"
(As per By-law _____)

Provisions of Agimac Beach, West Beach and the West Beach Boat Launch

<u>Short Form Wording</u>	<u>Agimac Beach</u>		<u>West Beach</u>		<u>West Beach Boat Launch</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
Alcohol Use/Storage		X		X		X
Overnight Camping		X		X		X
Lifeguard Present		X		X		X
Smoking/Vaping Permitted		X		X	X	
Picnic Area		X		X		X
Campfires of any Kind		X		X		X
Motorized Vehicles		X		X	X	

Note: These items are pertaining to the sand covered Municipal property as outlined in Section 1 and 6 of this By-law and is subject to a Fine if contravened.

The Tourist Attraction Centre

<u>Short Form Wording</u>	<u>Permitted</u>	<u>Not Permitted</u>
Domestic Animals – feces to be picked up and disposed of	X	
Alcohol Use/Storage		X
Overnight Camping		X
Picnic Area – BBQ equipped	X	
Smoking/Vaping		X
Campfires of any Kind		X
Motorized Vehicles – Picnic Area		X

Note: These items are pertaining to the Tourist Attraction Centre only as per Section 6 of this By-law and are subject to a Fine if contravened.

**Schedule “B”
Set Fine(S)**

<u>Item Number</u>	<u>Short Form Wording</u>	<u>Provision Creating the Offence</u>	<u>Set Fine</u>
1	Alcohol Use/Storage	Section 2.7.2	\$100.00
2	Overnight Camping	Section 2.7.1	\$50.00
3	Smoking/Vaping Permitted	Section 2.7.3	\$100.00
4	Campfires of any Kind	Section 2.1	\$100.00
5	Motorized Vehicles	Section 2.16	\$100.00
6	Domestic Animals – on unauthorized property of the Municipality	Section 2.5	\$50.00
7	Urinating or Defecating – on Municipal property	Section 2.2	\$100.00
8	Littering	Section 2.11	\$500.00
9	Domestic Animal Feces – Not Disposed of where applicable	See Schedule “A”	\$100.00

Note: the penalty provision for the offences indicated above is Section 6 of By-law _____, a certified copy of which has been filed.

The Corporation of the Township of Ignace

By-law 45-2021

A By-law to Regulate the Location and Installation of Outdoor Wood Burning Appliances in the Township of Ignace

Whereas Section 125 of the Municipal Act 2001, provides for the regulation of location and installation of outdoor wood burning appliances;

Whereas Council of the Corporation of the Township of Ignace deems it necessary to regulate the location and installation of these heating appliances;

Now Therefore the Corporation of the Corporation of the Township of Ignace enacts as follows:

1.0 Definitions

Appliance means an outdoor wood burning appliance situated outside of the main building which is intended to heat, using solid fuel for combustion.

Chief Building Official means the Chief Building Official for the Corporation of the Township of Ignace appointed by By-law pursuant to the Building Code Act, 1992.

2.0 Rules and Regulations

2.1 No appliance shall be erected or installed unless a Building Permit has been obtained from the Chief Building Official.

2.2 No appliance shall be permitted unless such appliance had been certified by Canadian Standards Association or other accredited test laboratory.

2.3 Appliances shall only be permitted in areas zoned:

- | | | |
|--------------|------------------|---------------------------|
| 2.3.1 | IND | (Industrial Zone) |
| 2.3.2 | MR, MHR, WR, LDR | (Residential Zone) |
| 2.3.3 | GC | (General Commercial Zone) |

2.4 Approval of any permit for the installation of such appliance in any zone shall be contingent upon being able to meet the location requirements in Section 2.7, 2.8 and 2.9 of this By-law.

2.5 Also, in allowing such units to be installed in the GC area, applications will only be approved if the overall lot size is able to meet location requirements including any additional requirements deemed necessary by the Chief Building Official relative to the size of the unit to be installed to heat such facility. The units smoke stack shall be installed so

that the height is at least three (3) feet over the height of the peak of the roof of said facility.

- 2.6** Every appliance shall be supported by a base constructed of concrete or other non-combustible material, and shall be constructed to adequately support the weight of the appliance while it is in operation.
- 2.7** The dimensions of the base for the appliance shall be in accordance with the manufacturer's installation instructions, or where such dimensions are not provided, the base shall be sufficiently large enough to extend 12' beyond the sides and the back, and 128" from the front of the appliance. An additional concrete apron of at least three feet wide and three feet long shall be constructed separate to the base of the appliance guarding against any sparks igniting wood debris in the area where wood is loaded into the unit.
- 2.8** The chimney of the appliance shall be steel (3/16" thickness) or insulated piping units, equipped with a spark arrester and a rain cap. The chimney shall be at least sixteen feet (16') above the supporting base of the appliance.
- 2.9** An appliance shall be located:
- 2.9.1** Not less than 20 feet from any property line.
 - 2.9.2** Not less than 40 feet from the principal residence.
 - 2.9.3** Not less than 10 feet from any accessory building.
 - 2.9.4** Only in a rear yard.
 - 2.9.5** Only in a rear yard for lake lots shall be defined as the part adjacent to the travelled roadway.
- 2.10** Electrical hookups for the appliance shall be inspected by an electrical inspector prior to the appliance being put into operation.
- 2.11** The piping for the appliance to the main building shall be in a trench covered by non-combustible material. The underground pipe shall be approved piping such as Kitec in order to guard against failure and subsequent environmental damage occurring if the heating agent drains into the soil.
- 2.12** Fuel for the appliance shall not be stored closer than 10 feet from the appliance.
- 2.13** Fuel used in the appliance shall be wood or wood by-products only.
- 2.14** The Chief Building Official may grant an exemption to the provisions contained in Sections 2.1 to 2.11 of this By-Law, but may in granting such exemption, impose other conditions or restrictions to the installation or erection of an appliance, which shall be endorsed on the building permit.
- 2.15** Appliances installed prior to the passing of this By-Law, shall be altered as required, to comply to the provisions of Section 2.1 to 2.11, provided they are located in a zone permitted under Section 2.9 and they can meet the required clearances under Section 2.8.

- 2.16** Appliances mentioned in Section 2.14 shall have 30 days from the date of written notice from the Chief Building Official to comply with the provisions of Section 2.14.
- 2.17** Any person who contravenes any provision of this By-Law, shall forfeit and pay a fine of not more than Two Thousand Dollars (\$2,000.00), exclusive of costs and every such fine is recoverable under the Provincial Offences Act.
- 2.18** This By-Law shall come into force and take effect upon the final passing thereof.
- 2.19** That this by-law rescinds By-Law 43.2011.

Read a First and Second Time this ___ Day of _____, 2021.

Read a Third and Finally Passed this ___ Day of _____, 2021.

Penny Lucas, Mayor

Lynda Colby, Clerk