



Municipal Law Enforcement Division

180 Kent Street West

Lindsay ON K9V 2Y6

Tel: (705) 324-9411 Ext.1275

Property Standards ORDER

Issued pursuant to section 15.2(2) of
The Building Code Act, S.O. 1992,
Chapter 23, as amended.

July 11, 2018

To:	Mr. G. Giles 2 River St. Coboconk, ON K0M 1K0	Re Occurrence #	ML2018-1092
		Address:	2 River St., Coboconk, ON
		Legal Roll Number	RANGE GR PT LOT 15 PLAN 46 LOT 1&2 1651 340 011 075 00

The above described property, which is owned by you or in which you have an interest has been inspected by a Property Standards Officer on **July 11th, 2018**.

The inspection revealed that in some respects the property does not conform to the standards prescribed by the City of Kawartha Lakes, Property Standards By-Law 2016-112.

IT IS ORDERED that repairs necessary to correct the defects set out in **Schedule 'A'** be carried out and the property brought to a condition of compliance with the prescribed standards on or before **August 3rd 2018**.

YOU ARE ADVISED THAT, if you are not satisfied with the terms or conditions of this Order, you may make an appeal to the Property Standards Committee by sending a Notice of Appeal by registered mail to The Secretary of the Property Standards Committee, C/O The Property Standards Department, The Corporation of the City of Kawartha Lakes, 180 Kent Street West Lindsay, Ontario, K9V 2Y6 within 14 days of service of the Order upon you, stating your grounds for appeal. A non-refundable cheque in the amount of **ninety-one dollars and ninety-three cents (\$91.93)** must accompany all appeals.

In the event that no appeal is taken, within the above prescribed period, the Order shall be deemed to be confirmed and shall be final and binding upon you, requiring you to comply with its Terms within the time and in the manner specified in the Order.

Where it has been determined that necessary repairs or demolition has not been completed in accordance with this Order as confirmed or modified, in addition to any possible court action, the City of Kawartha Lakes may cause the property to be repaired or demolished and the costs of such action may be registered as a lien on the land and shall be deemed to be municipal real property taxes and may be added by the clerk of the municipality to the collectors roll and be collected in the same manner and with the same priorities as municipal real property taxes.

Your anticipated cooperation is appreciated.

Yours truly,

Jenn Toste
Municipal Law Enforcement Officer
City of Kawartha Lakes

SCHEDULE 'A'

Date: **July 11, 2018**

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The item(s) listed herein are in violation of the City of Kawartha Lakes Property Standards By-law 2016-112

ITEM	LOCATION	DEFECT	SECTION	SECTION WORDING
1.	Building	Missing bricks, damaged roof, damaged soffits and eavestrough, exterior walls.	3.02(a)	<u>Structural Adequacy</u> 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.
			3.02 (b)	<u>Structural Adequacy – cont'd</u> If, in the opinion of the Property Standards Officer, there is doubt as to the structural

2.				condition and integrity of a building or structure, the Property Standards Officer may order that the building or structure be examined by a professional engineer, licensed to practice in Ontario, at the Owners expense. The written report, including drawings, signed and sealed by the engineer, and giving details of the finding of the examination shall be submitted to the Property Standards Officer.
			3.02(g)	Materials forming part of a building or structure which show damage, or evidence of decay or other deterioration, shall be repaired or replaced by the owner in a manner acceptable to the Property Standards Officer.
			3.34	<u>Property Clearing After Demolition</u> An owner who has demolished a building, an accessory building, a fence or another structure on a property shall ensure that the property is cleared of all rubbish, debris, refuse, masonry, lumber and other materials, and left in a graded and leveled condition.

FOR YOUR INFORMATION:

All repairs and maintenance of property required by the standards prescribed by the By-Law shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose. All new construction or repairs shall conform to the Ontario Building Code, the Ontario Fire Code, and the *Fire Prevention and Protection Act*, where applicable.

No person shall use or occupy, or permit the use or occupancy of, any Building that does not conform to the standards of this By-law.

All repairs and maintenance of property required by the standards prescribed by this By-law shall be carried out by the Owner or occupant, as applicable, in a manner acceptable in the trades concerned and with materials suitable and sufficient for the purpose.

Where a permit is required to undertake any repair required to conform to the standards as prescribed in this Order, it is the responsibility of the Owner to obtain any such permit.

OFFENCES AND PROSECUTION: Every person who contravenes or fails to comply with any of the provisions of this By-law has committed an offence and may be prosecuted as provided for by Section 61 of the *Provincial Offences Act*, for each day on which the offence occurs. Persons convicted of offences

pursuant to this By-law are subject to the fines and/or other penalties as provided in Section 36 of the *Building Code Act, 1992*. For ease of reference, Schedule "C" is a copy of Section 36 of the *Building Code Act, 1992*. It is important to note, however, that amendments to the *Building Code Act, 1992*, if any, apply to this By-law, which is subject to that statute. The *Building Code Act, 1992* should always be resorted to for final analysis.

CAUTION: Failure to remedy such deficiencies within the time prescribed may result in:

- (A) A fine not exceeding fifty thousand dollars (\$50,000.00), exclusive of costs for each offence if found guilty of a contravention of the By-Law by a Justice of the Peace of the Ontario Court of Justice; and
- (B) The Corporation of the City of Kawartha Lakes carrying out the repairs or other work at the expense of the Owner. All expenses incurred by the Corporation of the City of Kawartha Lakes in doing said works, including but not limited to materials, labour, equipment, administration and legal expenses, shall be paid by the owner of the lands and premises and shall be charged against the property and the amount shall be deemed to be municipal real property taxes and may be added by the clerk of the municipality to the collector's roll and collected in the same manner and with the same priorities as municipal real property taxes.

Note: Section 20 of The Building Code Act, 1992, states that **no person shall obstruct the visibility of an order and no person shall remove a copy of any order posted under this Act unless authorized to do so by an inspector or officer.**