

SECTION 36- ADMINISTRATION

36.1 BY-LAW ENFORCEMENT

This By-law shall be administered and enforced by the *PERSON* or *PERSONS* appointed by By-law from time to time by the *CORPORATION*.

36.2.1 VIOLATION OF THIS BY-LAW (By-law 2010-99)

Where land is proposed to be *USED*, or a *BUILDING* or *STRUCTURE* is proposed to be *ERECTED* or *USED* in violation of this By-law,

- (a) No permit for the *USE* of the land or for the *ERECTION* or *USE* of the *BUILDING* or *STRUCTURE* shall be issued;
- (b) No certificate of occupancy or permit for change in *USE* shall be issued;
- (c) No municipal license shall be issued;
- (d) The above does not apply with respect to a legal *NON-CONFORMING USE*.

36.2.2 Where a property is in violation of this By-law, the City may, in addition to any other action, give notice to the property owner or *PERSON* in violation of this By-law, requiring compliance with this By-law in the time period set out in the notice. In the event that a notice is given and the property is not made to conform with this By-law as set out in the notice, the City, its employees, agent, or contractor may enter upon the land and carry out such work as is necessary to make the property comply with this By-law as set out in the notice, and may charge the costs incurred for such work to the property owner or *PERSON*. The City may recover the costs in accordance with Section 427 of the Municipal Act. **(By-law 2010-99)**

36.3 CERTIFICATE OF OCCUPANCY

No change may be made in the type of *USE* of any *LOT*, *BUILDING* or *STRUCTURE* until a Certificate of Occupancy has been issued by the *CORPORATION* to the effect that a proposed *USE* conforms with this By-law or it has been confirmed that the *USE* is legal *NON-CONFORMING*.

36.4 APPLICATION AND PLANS

In addition to the requirements of the Building By-law, every application for a Building Permit shall be accompanied by plans, in duplicate, drawn to a scale satisfactory to the Chief Building Official showing the true shape and dimensions of the *LOT* to be *USED*, or upon which it is proposed to *ERECT* any *BUILDING* or *STRUCTURE* and showing the proposed location, height and dimensions of the *BUILDING* or *STRUCTURE* or work, in respect of which the permit is applied, and the location of every *BUILDING* or *STRUCTURE* already *ERECTED* on, or partly on, such *LOT* and the location of every *BUILDING* upon contiguous *LOTS*, the proposed location of *PARKING SPACES*, loading spaces, driveways and landscaped areas and other such information as may be necessary to determine whether or not the *BUILDING*, *STRUCTURE* or work conforms with the requirements of this By-law. Every application shall be signed by the registered owner or his/her agent duly authorized and filed with the Chief Building Official. Every application shall state, in detail, the current and intended *USE* of the *LOT* and

any *BUILDING* or *STRUCTURE* or part thereof together with all information necessary to determine whether or not every such *BUILDING* or *STRUCTURE* conforms with the requirements of this By-law.

36.5 VIOLATIONS AND PENALTIES

Every *PERSON* or *CORPORATION* who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to the penalties prescribed by Section 67, Chapter P.13 of the *Planning Act*, as amended from time to time.

36.6 REQUESTS FOR AMENDMENTS

Every request for an amendment to this By-law shall be made on forms prescribed, from time to time, and shall be accompanied by the appropriate fee.

36.7 VALIDITY

If any Section, clause or provision of this By-law, including anything contained in the attached Schedules, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the Section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all of the remaining Sections, clauses or provisions of the By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions shall have been declared invalid.

36.8 CONFLICT WITH OTHER BY-LAWS

In the event of a conflict between this By-law and any general or special By-law, this By-law shall prevail.