

ORDRE DU JOUR

Agenda

Séance régulière du conseil qui aura lieu
à 19 h 00, le mercredi 24 mai 2023
*Regular council meeting scheduled for Wednesday,
May 24, 2023 at 7:00 p.m.*

1. OUVERTURE CALL TO ORDER

- Reconnaissance des terres autochtones par la Mairesse / *Indigenous land acknowledgement by the Mayor;*

2. PRÉSENCE ROLL CALL

	In attendance	Absent	With Notice	Without Notice
Mayor Beverly Nantel				
Councillor Hélène Perth				
Councillor Luc Lévesque				
Councillor Julila Hemphill				
Councillor Krystel Lévesque				
CAO-Clerk				
Treasurer/Tax Collector				
Infrastructure Superintendant				
Misc. Municipal Employees				

3. APPEL ET DÉCLARATION D'INTÉRÊT PÉCUNIAIRE DECLARATION OF CONFLICT

4. ADOPTION DE L'ORDRE DU JOUR APPROVAL OF AGENDA

5. ADOPTION DES PROCÈS-VERBAUX
ADOPTION OF MINUTES

- 5.1 Procès-verbal daté du 10 mai 2023 de la réunion régulière du conseil municipal / *Regular Municipal Council meeting minutes dated May 10, 2023;*

6. DÉLÉGATIONS
DELEGATIONS

7. CORRESPONDANCE
CORRESPONDENCE

- 7.1 Résolution datée du 9 mai 2023 de la Corporation du Canton de Armour au sujet d'une demande d'appui concernant les aérodromes aquatiques / *Resolution dated May 9, 2023 from the Corporation of the Township of Armour with regards to a request for support concerning water aerodromes; et / and (Support / Resolution)*
- 7.2 Lettre datée du 10 mai 2023 de la Corporation de la Ville de Cambridge au sujet d'une demande d'appui concernant des amendements législatifs visant à améliorer les codes de conduite municipaux et l'application de la loi / *Letter dated May 10, 2023 from the Corporation of the City of Cambridge with regards to a request for support concerning legislative amendments to improve municipal codes of conduct and enforcement; et / and (Support / Resolution)*
- 7.3 Lettre datée du 10 mai 2023 de la Corporation de la Ville de Cambridge au sujet d'une demande d'appui concernant des amendements au Code de la route / *Letter dated May 10, 2023 from the Corporation of the City of Cambridge with regards to a request for support concerning Highway Traffic Act amendments; et / and (Support / Resolution)*
- 7.4 Lettre datée du 10 mai 2023 de la Corporation du Comté de Prince Edward au sujet d'une demande d'appui concernant la nouvelle proposition de déclaration de planification provinciale / *Letter dated May 10, 2023 from the Corporation of the County of Prince Edward with regards to a request for support concerning the proposed new Provincial Planning Statement (PPS); et / and (Support / Resolution)*
- 7.5 Lettre datée du 11 mai 2023 de la Ville de Plympton-Wyoming au sujet d'une demande d'appui concernant l'élimination des adresses sur les formulaires d'élection municipale / *Letter dated May 11, 2023 from the Town of Plympton-Wyoming with regards to a request for support concerning removing addresses on municipal election forms; et / and (Support / Resolution)*

- 7.6 Campagne de collecte de fonds pour la construction de salles de classe dans l'Extrême-Nord du Cameroun / *Fundraising campaign for the construction of classrooms in the Far North of Cameroon*; **(Support / Resolution)**

8. RAPPORT DES COMITÉS ET DÉPARTEMENTS **REPORTS FROM COMMITTEES AND DEPARTMENTS**

- 8.1 Discussion au sujet du calendrier des réunions régulières du conseil municipal pendant l'été / *Discussion with regards to the summer regular municipal council meeting schedule*; et / and **(Information / Resolution)**
- 8.2 Rapport pour le conseil daté du 11 mai 2023 du Chef des pompiers au sujet d'une donation d'un camion de pompiers plus récent à notre service de pompiers volontaires / *Council report dated May 11, 2023 from the Fire Chief with regards to the donation of a newer fire truck to our volunteer fire department*; et / and **(Information / Resolution)**
- 8.3 Lettre datée du 17 mai 2023 de Kresin Engineering Corporation au sujet de leur rapport et leurs recommandations de l'appel d'offres pour le développement du nouveau site d'enfouissement du chemin Goudreau / *Letter dated May 17, 2023 from Kresin Engineering Corporation with regards to the new Goudreau Road Waste Disposal Site development tender report and recommendations*; et / and **(Information / Resolution)**
- 8.4 Discussion générale concernant des sujets variés municipaux / *General discussion with regards to various municipal subjects*; **(Information / Resolution)**

9. APPROBATION DES RÉGISTRE DE CHÈQUES **APPROVAL OF CHECK REGISTER**

- 9.1 Rapport pour le Conseil (registre des chèques pour 2023) daté du 18 mai 2023 (liste A) / *Council Board Report (cheque register for 2023) dated May 18, 2023 (list A)*; et / and **(Resolution)**
- 9.2 Rapport pour le Conseil (registre des chèques pour 2023) daté du 18 mai 2023 (liste B – Visa / Virement électronique) / *Council Board Report (cheque register for 2023) dated May 18, 2023 (list B – Visa / Etransfer)*; **(Resolution)**

10. RÉGLEMENTS **BY-LAWS**

- 10.1 Arrêté-municipal no. 2023-35, étant un règlement visant à confirmer les travaux du Conseil de la Corporation du Canton de Dubreuilville à sa séance régulière tenue le 24 mai 2023 / *By-Law No. 2023-35, being a By-law to confirm the proceedings of the Council of the Corporation of the*

- 10.2 Arrêté-municipal no. 2023-36, étant un règlement pour mettre en œuvre un régime de sanctions administratives pécuniaires (RSAP) dans la Corporation du Canton de Dubreuilville, comme le permet la Loi sur les municipalités, et qui sera désigné sous le nom de « Règlement sur le RSAP » / *By-Law No. 2023-36, being a By-law to implement an Administrative Monetary Penalty System (AMPS) in the Corporation of the Township of Dubreuilville, as permitted under the Municipal Act and will be referred to as the « AMPS By-Law »*; et / and **(Resolution)**
- 10.3 Arrêté-municipal no. 2023-37, étant un règlement pour nommer une trésorière / perceptrice de taxes et une responsable des licences de loterie / *By-Law No. 2023-37, being a By-law to appoint a Treasurer / Tax Collector and Lottery Licensing Officer*; et / and **(Resolution)**
- 10.4 Arrêté-municipal no. 2023-38, étant un règlement pour autoriser l'exécution d'un contrat de travail entre la Corporation du Canton de Dubreuilville et la trésorière / perceptrice de taxes / *By-Law No. 2023-38, being a By-law to authorize the execution of an employment agreement between the Corporation of the Township of Dubreuilville and its Treasurer / Tax Collector*; et / and **(Resolution)**
- 10.5 Arrêté-municipal no. 2023-39, étant un règlement pour adopter la politique en matière d'aménagement du temps de travail / *By-Law No. 2023-39, being a By-law to adopt the Alternative Working Arrangement Policy*; et / and **(Resolution)**
- 10.6 Arrêté-municipal no. 2023-40, étant un règlement pour réglementer le brûlage à l'air libre dans la municipalité du Canton de Dubreuilville / *By-Law No. 2023-40, being a By-law to regulate open-air burning within the municipality in the Township of Dubreuilville*; **(Resolution)**

11. **AJOUT**
ADDENDUM

12. **ASSEMBLÉE A HUIS CLOS**
CLOSED SESSION

13. **AJOURNEMENT**
ADJOURNMENT



5.1

THE CORPORATION OF THE TOWNSHIP OF DUBREUILVILLE

-MINUTES-

Regular Council Meeting held on
May 10, 2023, at 7:00 p.m.
Council Chambers

PRESENT: Mayor B. Nantel
Councillor, H. Perth
Councillor L. Lévesque
Councillor J. Hemphill
Councillor K. Lévesque

ABSENT:

STAFF: CAO-Clerk, Shelley B. Casey

Mayor Beverly Nantel called the meeting to order at 7:01 p.m.

Councillor K. Lévesque declared conflict of interests and vacated her seat during item 12.1

23-134 Moved By: Councillor H. Perth
Seconded By: Councillor L. Lévesque

Whereas that the agenda for the regular municipal council meeting dated May 10, 2023, be adopted as submitted.

Carried

23-135 Moved By: Councillor H. Perth
Seconded By: Councillor K. Lévesque

Whereas that the Council of the Corporation of the Township of Dubreuilville hereby wishes to receive and approve the following municipal council meeting minutes as submitted:

- Regular Municipal Council meeting minutes dated April 26, 2023.

Carried

23-136 Moved By: Councillor K. Lévesque
Seconded By: Councillor H. Perth

Whereas that the following be received as information only:

7.1 Algoma Public Health Board of Health Meeting minutes dated February 22, 2023; and
7.2 Algoma District Services Administration Board meeting minutes dated February 23, 2023.

Carried

23-137 Moved By: Councillor L. Lévesque
Seconded By: Councillor K. Lévesque

Whereas that the Council of the Corporation of the Township of Dubreuilville hereby wishes to receive and approve the attached letter dated March 2023 from the Dubreuilville Magpie Rod & Gun Club with regards to a request for donations concerning their annual Magpie Walley Derby, as presented;

Therefore, be it resolved that we provide a few municipal promotional items towards their event as per previous years past practice.

Carried

23-138 Moved By: Councillor H. Perth
Seconded By: Councillor L. Lévesque

Whereas that the Council of the Corporation of the Township of Dubreuilville hereby wishes to receive and _____ a \$ _____ donation towards the attached letter dated February 2023 from the Chris Casavant Memorial Fund with regards to a request for donations concerning a Memorial Golf tournament, as presented.

DEFEATED

23-139 Moved By: Councillor H. Perth
Seconded By: Councillor J. Hemphill

Whereas that the Council of the Corporation of the Township of Dubreuilville hereby wishes to receive and acknowledge the attached MPCA Dubreuilville Quaterly Meeting April 2023 report, as presented.

Carried

23-140 Moved By: Councillor H. Perth
Seconded By: Councillor L. Lévesque

Whereas that the Council of the Corporation of the Township of Dubreuilville hereby wishes to receive and acknowledge the attached letter dated May 4, 2023, from the Treasury Board Secretariat Emergency Management Ontario with regards to our efforts in meeting the EMCPA requirements in 2023, as presented.

Carried

23-141 Moved By: Councillor H. Perth
Seconded By: Councillor J. Hemphill

Whereas that the Council of the Corporation of the Township of Dubreuilville hereby wishes to receive and acknowledge the attached letter dated May 2, 2023, from concerned citizens with regards to firewood tree length logs within residential neighborhoods, as presented;

Therefore, be it resolved that we move forward in advertising to the general public to be respectful of your neighbors when cutting wood on your property;

Furthermore, that our current property standards by-law and noise by-law be updated to address these concerns and brought back for future council approval.

Carried

23-142 Moved By: Councillor K. Lévesque
Seconded By: Councillor L. Lévesque

Whereas that the Council of the Corporation of the Township of Dubreuilville does hereby wish to receive and approve the attached Diversity, Equity and Inclusion policy, as presented.

Carried

23-143 Moved By: Councillor H. Perth
Seconded By: Councillor K. Lévesque

Whereas that the Council of the Corporation of the Township of Dubreuilville does hereby wish to receive and approve the attached information with regards to the Clean-Up Week and the Community Clean Up Day event, as presented.

Carried

23-144 Moved By: Councillor L. Lévesque
Seconded By: Councillor H. Perth

Whereas that By-Law No. 2023-28, being a By-law to prescribe standards for the maintenance and occupancy of property within the municipality in the Corporation of the Township Dubreuilville, be read a third time and be finally passed as presented, with a few slight changes as discussed.

Carried

23-145 Moved By: Councillor H. Perth
Seconded By: Councillor K. Lévesque

Whereas that the Council Board Report (cheque register for 2023, list A) dated May 3, 2023 in the amount of \$45,643.25, be approved for payment.

Carried

23-146 Moved By: Councillor H. Perth
Seconded By: Councillor K. Lévesque

Whereas that the attached Council Board Report (cheque register for 2023, list B – Visa / Etransfer) dated May 3, 2023, in the amount of \$43,168.12, be approved for payment.

Carried

23-147 Moved By: Councillor H. Perth
Seconded By: Councillor J. Hemphill

Whereas that By-Law No. 2023-32, being a By-law to confirm the proceedings of Council of The Corporation of The Township of Dubreuilville at its regular meeting held on May 10, 2023, be adopted as presented.

Carried

23-148 Moved By: Councillor H. Perth
Seconded By: Councillor J. Hemphill

Whereas that By-Law No. 2023-33, being a By-law to name members of Council and municipal employees to various committees and appoint a Deputy-Mayor, be adopted as presented.

Carried

23-149 Moved By: Councillor H. Perth
Seconded By: Councillor L. Lévesque

Whereas that By-Law No. 2023-24, being a By-law to amend By-Law No. 2018-29 to authorize the execution of a letter of engagement between Expertise for Municipalities (E4m) and the Corporation of the Township of Dubreuilville to appoint an Integrity Commissioner, be adopted as presented.

Carried

23-150 Moved By: Councillor H. Perth
Seconded By: Councillor L Lévesque

Whereas that By-Law No. 2023-29, being a By-law to regulate noise within the municipality in the Township of Dubreuilville, be read a third time and be finally passed as presented, with a few slight changes as discussed.

Carried

23-151 Moved By: Councillor L. Lévesque
Seconded By: Councillor L. Lévesque

Whereas that By-Law No. 2023-30, being a By-law to regulate and govern Animal Care and Control within the Corporation of the Township of Dubreuilville, be read a third time and be finally passed as presented, with a few slight changes as discussed.

Carried

23-152 Moved By: Councillor H. Perth
Seconded By: Councillor K. Lévesque

Whereas that we adjourn to go in closed session at 9:27 p.m.

12.1 The meeting is held for the purpose of discussing personal matters about identifiable individuals, including municipal or local board employees (*Municipal Act, 2001 S.O. 2001, c. 25, s. 239 (2) (b)*).

Carried

Councillor K. Lévesque declared a conflict of interest, vacated her seat and abstained from voting resolution 23-152.

23-153 Moved By: Councillor H.Perth
Seconded By: Councillor J. Hemphill

Whereas that we reconvene in regular municipal council meeting at 9:40 p.m.

Carried

Councillor K. Lévesque returned to her seat.

23-154 Moved By: Councillor H. Perth
Seconded By: Councillor J. Hemphill

Whereas that this regular municipal council meeting dated May 10, 2023, hereby adjourn at 9:43 p.m.

Carried

Mayor

CAO/Clerk



CORPORATION OF THE TOWNSHIP OF ARMOUR

RESOLUTION

Date: May 9, 2023

Motion # 132

WHEREAS some proponents of water aerodromes claim federal jurisdiction to bypass provincial and municipal authorities and build massive docks and boathouses under the guise of the Aeronautics Act;

AND WHEREAS Transport Canada does not require proponents of water aerodromes to follow the same registration and certification procedures as land aerodromes;

AND WHEREAS Transport Canada's current regulations for water aerodromes fail to state that mixed-use docks and structures are not permitted;

AND WHEREAS Transport Canada does not require a proponent to be transparent with local authorities about their intentions or submit a building permit and final construction plans;

AND WHEREAS Transport Canada does not require a proponent to provide the municipality with a copy of the water aerodrome registration or certification documents;

AND WHEREAS Registration and certification of water aerodromes are done without environmental impact assessments from provincial and municipal authorities;

AND WHEREAS Registration and certification of water aerodromes are done without safety assessments from local authorities;

AND WHEREAS Transport Canada's loopholes in the regulations lead to lengthy court battles paid by provincial and municipal jurisdictions.

NOW THEREFORE, be it resolved that the Council of the Township of Armour supports efforts to raise awareness about the loopholes in current regulations regarding water aerodromes that allow proponents to build massive docks and boathouses without municipal consultation, approval, or adherence to bylaws and regulations.

AND FURTHERMORE, The Council of the Township of Armour endorses the letter from the Three Mile Lake Community Club Inc. and calls on Transport Canada to:

- Amend current legislation regarding water aerodromes to require mandatory consultation and transparency with provincial and municipal authorities prior to construction.
- State that 'mixed-use' docks and structures will not be permitted.

AND FURTHERMORE, the Council of the Township of Armour urges all mentioned in this resolution to support petition e-4364 to the Minister of Transport, Omar Alghabra.

Petition e-4364 - Petitions (ourcommons.ca)

AND FURTHERMORE, be it resolved that this resolution be forwarded to neighbouring municipalities, the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM). Federation of Northern Ontario Municipalities (FONOM), Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), MP Scott Aitchison, MP Marcus Powlowski (Haliburton-Kawartha Lakes-Brock, Ontario), Graydon Smith MPP.

Moved by:	Blakelock, Rod	<input checked="" type="checkbox"/>	Seconded by:	Blakelock, Rod	<input checked="" type="checkbox"/>
	Brandt, Jerry	<input type="checkbox"/>		Brandt, Jerry	<input type="checkbox"/>
	Haggart-Davis, Dorothy	<input type="checkbox"/>		Haggart-Davis, Dorothy	<input type="checkbox"/>
	Ward, Rod	<input type="checkbox"/>		Ward, Rod	<input type="checkbox"/>
	Whitwell, Wendy	<input type="checkbox"/>		Whitwell, Wendy	<input type="checkbox"/>

Carried / Defeated _____ *R*

Declaration of Pecuniary Interest by: _____

Recorded vote requested by: _____

<u>Recorded Vote:</u>	For	Opposed
Blakelock, Rod	<input type="checkbox"/>	<input type="checkbox"/>
Brandt, Jerry	<input type="checkbox"/>	<input type="checkbox"/>
Haggart-Davis, Dorothy	<input type="checkbox"/>	<input type="checkbox"/>
Ward, Rod	<input type="checkbox"/>	<input type="checkbox"/>
Whitwell, Wendy	<input type="checkbox"/>	<input type="checkbox"/>

**The Corporation of the City of Cambridge
Corporate Services Department
Clerk's Division
The City of Cambridge
50 Dickson Street, P.O. Box 669
Cambridge ON N1R 5W8
Tel: (519) 740-4680 ext. 4585
mantond@cambridge.ca**

May 10, 2023

Re: Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement

Dear Mr. Trudeau

At its Council Meeting of May 9, 2023, the Council of the Corporation of the City of Cambridge passed the following Motion:

WHEREAS, Ontario's Big City Mayors (OBCM) have passed a motion that supports the call of the Association of Municipalities of Ontario for the Government of Ontario to introduce legislation to strengthen municipal Codes of Conduct and compliance with them in consultation with municipal governments or in the alternative, OBCM has supported the province ordering Bill 5 for second reading to expedite the matter;

AND WHEREAS the legislation encompasses the Association of Municipalities of Ontario's recommendations for:

- a. Updating municipal Codes of Conduct to account for workplace safety and harassment;
- b. Creating a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario;
- c. Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province;
- d. Allowing municipalities to apply to a member of the judiciary to remove a sitting member if recommended through the report of a municipal Integrity Commissioner; and
- e. Prohibiting a member so removed from sitting for election in the term of removal and the subsequent term of office.

AND WHEREAS OBCM's motion requests that municipalities and their respective Integrity Commissioners be consulted on the development of any regulations related to the proposed legislation;

AND WHEREAS OBCM believes that municipal elected officials should be held to account in in this way, it also believes that federal and provincial elected officials should take similar actions to hold themselves to account.

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of Cambridge supports the Ontario Big City Mayor's motion on legislative amendments to improve municipal Codes of Conduct and enforcement.

AND THAT this motion be circulated to Right Honourable Justin Trudeau, Prime Minister of Canada, the Honourable Doug Ford, Premier of Ontario, the Honourable David Lametti, Minister of Justice, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, Kate Manson-Smith, Deputy Minister of Municipal Affairs and Housing, Scott Pearce, Federation of Canadian Municipalities Acting President, Colin Best, President of the Association of Municipalities of Ontario, and all Ontario municipalities.

Should you have any questions related to the approved resolution, please contact me.

Yours Truly,



Danielle Manton
City Clerk

Cc: (via email)

Hon. Justin Trudeau, Prime Minister of Canada

Hon. Doug Ford, Premier of Ontario

Hon. David Lametti, Minister of Justice

Hon. Steve Clark, Minister of Municipal Affairs and Housing

Kate Manson-Smith, Deputy Minister of Municipal Affairs and Housing

Scott Pearce, Federation of Canadian Municipalities Acting President

Colin Best, President of the Association of Municipalities of Ontario

All Ontario Municipalities

**The Corporation of the City of Cambridge
Corporate Services Department
Clerk's Division
The City of Cambridge
50 Dickson Street, P.O. Box 669
Cambridge ON N1R 5W8
Tel: (519) 740-4680 ext. 4585
mantond@cambridge.ca**

May 10, 2023

Re: Highway Traffic Act Amendments

Dear Ms. Mulroney,

At the Council Meeting of May 9, 2023, the Council of the Corporation of the City of Cambridge passed the following Motion:

WHEREAS speeding on our roads is a major concern in our community,

AND WHEREAS speeding can occur in all areas of our community,

AND WHEREAS barriers and delays to enforcement pose a danger to our community,

AND WHEREAS our municipality has limited resources to implement speed mitigation road design and re-design,

AND WHEREAS our local police service has limited resources to undertake speed enforcement,

AND WHEREAS s.205.1 of the Highway Traffic Act (HTA) provides that Automated Speed Enforcement systems (ASE) may only be placed in designated community safety zones and school safety zones,

THEREFORE BE IT RESOLVED THAT, the City of Cambridge request that the Ontario Government amend s.205.1 of the HTA to permit municipalities to locate an ASE system permanently or temporarily on any roadway under the jurisdiction of municipalities and as determined by municipalities and not be restricted to only community safety zones and school safety zones;

AND THAT a copy of this resolution be forwarded to the Ontario Minister of Transportation, the Ontario Minister of Municipal Affairs and Housing, local area MPPs, the Association of Municipalities of Ontario (AMO) and all Ontario Municipalities.



Should you have any questions related to the approved resolution, please contact me.

Yours Truly,

A handwritten signature in cursive script that reads "Danielle Manton".

Danielle Manton
City Clerk

Cc: (via email)
Steve Clark, Ontario Minister of Municipal Affairs and Housing
Local Area MPPs
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities



7.4

From the Office of the Clerk
The Corporation of the County of Prince Edward
T: 613.476.2148 x 1021 | F: 613.476.5727
clerks@pecounty.on.ca | www.thecounty.ca

May 10, 2023

Please be advised that during the Regular Council meeting of May 9, 2023 the following resolution regarding the proposed new Provincial Planning Statement (PPS) was carried:

RESOLUTION NO. 2023-293

DATE: **May 9, 2023**

MOVED BY: **Councillor Hirsch**

SECONDED BY: **Councillor MacNaughton**

WHEREAS the goal of increasing housing supply and reducing barriers in planning processes as set out in the recent legislative, regulatory and policy changes, including new provisions from Bill 23, More Homes Built Faster Act, 2022 is welcomed;

WHEREAS the proposed PPS (sections 2.6 and 4.3) would dramatically remove municipal power and renders aspects of the County's Official Plan, and other official plans throughout Ontario inoperative, terminating some local planning autonomy, and directly interfering with municipalities' ability to meet local variation and unique community needs;

WHEREAS the proposed PPS changes that would allow proliferation of lots with protection restricted to specialty crop areas only diminishes the purpose, uses, and integrity of rural and agricultural lands, thereby removing protection and restricting future uses of those lands;

WHEREAS the proposed PPS changes encourage sprawl and rural roadway strip development, rather than more fiscally and environmentally sustainable practices like intensification in established settlement areas; and

WHEREAS the province has announced changes will be proposed to natural heritage (section 4.1) that have yet to be published;

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the County of Prince Edward urges the province to:

- pause proposed changes to the PPS, particularly regarding natural heritage (section 4.1) and agricultural lands (sections 2.6 and 4.3)



From the Office of the Clerk
The Corporation of the County of Prince Edward
T: 613.476.2148 x 1021 | F: 613.476.5727
clerks@pecounty.on.ca | www.thecounty.ca

- reinvest trust in the local planning authority of all 444 municipalities, recognizing that each Ontario municipality has unique landscapes, different housing needs and differing visions for local planning matters;

THAT our fellow municipalities be urged to voice their concerns regarding the proposed undermining of local planning authority;

AND FURTHER THAT a copy of this resolution be sent to all 444 municipalities, The Hon. Doug Ford, Premier of Ontario, The Hon. Steve Clark, Minister of Municipal Affairs and Housing; The Hon. Lisa Thompson, Ministry of Agriculture, Food and Rural Affairs, The Hon. David Piccini, Minister of Environment, Conservation and Parks, Bay of Quinte MPP, Todd Smith, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, and the Eastern Ontario Wardens Caucus.

CARRIED

Yours truly,

Catalina Blumenberg, **CLERK**

cc: Mayor Ferguson, Councillor Hirsch, Councillor MacNaughton & Marcia Wallace, CAO



7.5

The Honourable Steve Clark
Minister of Municipal Affairs & Housing
minister.mah@ontario.ca

DELIVERED VIA EMAIL

May 11th 2023

Re: Removing Addresses on Municipal Election Forms

Dear Minister Clark,

Please be advised that at the Regular Council Meeting on May 10th 2023, the Town of Plympton-Wyoming Council passed the following motion, supporting the resolution from the Council of the Region of Waterloo regarding Removing Addresses on Municipal Election Forms.

Motion 13

Moved by Councillor Kristen Rodrigues

Seconded by Councillor Mike Vasey

That Council support item 'M' of correspondence from the Region of Waterloo regarding Removing Addresses on Municipal Election Forms.

Carried.

If you have any questions regarding the above motion, please do not hesitate to contact me by phone or email at dgiles@plympton-wyoming.ca.

Sincerely,

Denny Giles
Deputy Clerk
Town of Plympton-Wyoming

cc: Rebekah Harris, Research/Administrative Assistant to Council, Region of Waterloo
Bob Bailey – MPP, Sarnia-Lambton
Association of Municipalities of Ontario
Association of Municipal Clerks and Treasurers of Ontario
Ontario Public School Boards' Association
Ontario Catholic School Trustees' Association
All Ontario Municipalities



April 24, 2023

Area Members of Provincial Parliament
Sent via email

Dear Area Members of Provincial Parliament:

Re: Councillor J. Erb Notice of Motion

Please be advised that the Council of the Regional Municipality of Waterloo at their regular meeting held on April 19, 2023, approved the following motion:

WHEREAS the Municipal Elections Act requires all individuals wishing to be a candidate in a municipal or school board election to file Nomination Paper - Form 1 with the municipal clerk;

AND WHEREAS the Municipal Elections Act requires all candidates who sought election to a municipal council or school board to file Financial Statement – Auditor’s Report Candidate – Form 4 with the municipal clerk;

AND WHEREAS Form 1 requires candidates to provide their qualifying address;

AND WHEREAS Form 4 requires candidates to list the name and home address of any donor contributing over \$100.00

AND WHEREAS the Municipal Elections Act specifies that these documents are not protected by the Municipal Freedom of Information and Protection of Privacy Act, and requires the municipal clerk to make Form 4 available on a website;

AND WHEREAS there has been concern expressed about those who hold public office and those who support them that they have been the subject of unnecessary attention and excessive scrutiny;

AND WHEREAS the requirement to publish the personal home address of donors to specific candidates may discourage individuals from

engaging in the democratic process to elect municipal and school board politicians.

THEREFORE, BE RESOLVED THAT the Regional Municipality of Waterloo calls on the Minister of Municipal Affairs and Housing for the Province of Ontario to protect the privacy of candidates and donors by removing the requirement for their street name, number and postal code to be listed on publicly available forms.

AND FURTHER THAT for verification purposes, the addresses of all candidates and all donors over \$100 be submitted to the municipal clerk on separate forms that are protected by the Municipal Freedom of Information and Protection of Privacy Act and will not be published.

AND FINALLY, that this resolution be forwarded to the Area Members of Provincial Parliament, the Association of Municipalities of Ontario, the Association of Municipal Clerks and Treasurers of Ontario, the Ontario Public School Boards' Association, the Ontario Catholic School Trustees' Association, and all Ontario municipalities.

Please accept this letter for information purposes only. If you have any questions or require additional information, please contact Rebekah Harris, Research/Administrative Assistant to Council, at RHarris@regionofwaterloo.ca or 519-575-4581.

Regards,



William Short

Regional Clerk/Director, Council and Administrative Services

WS/hk

cc: Association of Municipalities of Ontario
Association of Municipal Clerks and Treasurers of Ontario
Ontario Public School Boards' Association
Ontario Catholic School Trustees' Association
Ontario municipalities

FUNDRAISING CAMPAIGN FOR THE CONSTRUCTION OF CLASSROOMS



Fundamental right to education: A school for all, a right for everyone!



**Actions speak louder than words!
DONATE TODAY!**

About us: Le Septentrion
A non-profit organization whose mission is the schooling of underprivileged children:
We need your help to finalize the construction of two classrooms that will improve the learning conditions of these disadvantaged children.
Interac: infos@le-septentrion.ca
www.le-septentrion.ca

**Objective of the collar:
6000\$**



Hope for these children in the Far North of Cameroon



Council Report

From: Patrick Sigouin, Fire Chief **Date:** May 11, 2023

Subject: Alamos Gold Inc. offering to donate a newer fire truck

Purpose: To replace our oldest fire truck, which dates back to 1990

Recommendation: Whereas that the Council of the Corporation of the Township of Dubreuilville hereby authorizes to accept the donation of a 2020 Mercedes Bens fire truck by Alamos Gold Inc. to replace our oldest fleet model.

Analysis: The fire truck was built by Mercedes Bens in Turkey in 2020 and has been brought to Canada most recently. Alamos Gold Inc. will be providing necessary parts/items for the unit to comply with Ontario regulations. Such things as emergency lights, truck safety, spare tire and rim, program used to scan unit for any deficiencies, all parts needed to adapt to our local water systems, etc. In addition, included with this generous donation of this truck, there will be brand new equipment such as, four (4) Draeger SCBA, seven (7) Draeger masks, seven (7) 4500psi bottles, which is compatible with our new compressor and new bunker gear (newer model helmets, boots, gloves, coat and pants). The color is different; however, very good for training.

Also, a tentative training session for Steeve Pinel and Patrick Sigouin is scheduled for May 30 and May 31, 2023 in Toronto. This session is to get familiarized with the truck systems and to get a glimpse on how to maintain the apparatus.

This truck would be used to replace the township's oldest fire truck. The objective for the moment is to keep the old truck and use it as a spare one. Argonaut Gold Inc. agrees to keep the old one on site in their garage in town, which the Fire Chief has access to whenever needed. Some of the equipment from the old truck will be transferred to the new truck, but Argonaut Gold Inc. will replace it with their own equipment, so the truck is ready to be used if need be. Our current automatic aid fire protection agreement per By-law no. 2022-69 with Argonaut Gold Inc. will need to be amended to ensure the specifics of this arrangement for the storage of the older unit are clear.

Furthermore, the new logo of the Dubreuilville Fire Department, the Alamos Gold Inc. logo and a memorial plaque for Chris Casavant will be made and installed by Laird in the middle of June 2023.

Financial: Since funds were already budgeted in previous years to go towards the purchase of a new fire truck eventually, those funds could be reallocated to cover its yearly maintenance costs. As far as insurance is concerned, there will not be any additional cost.



Patrick Sigouin
Fire Chief



Shelley B. Casey
CAO-Clerk

May 17, 2023

Ref. No. 2263.01

By Email fdechamplain@dubreuilville.ca

Township of Dubreuilville
23 Rue des pins
Dubreuilville, ON P0S 1B0

Attention: Mr. Francis DeChamplain, Infrastructure Superintendent

Re: Corporation of the Township of Dubreuilville
Contract No. 2023-01 Goudreau Road Waste Disposal Site

Dear Mr. DeChamplain:

We have reviewed the tenders received by Kresin Engineering Corporation (KEC) on Monday, May 15, 2023 for the above-noted Contract and present herein our Tender Report and recommendations.

Introduction

The tendered work generally consists of supplying all materials, labour and equipment necessary for the development of the Goudreau Road Waste Disposal Site in Dubreuilville, ON including clearing and grubbing, preparation for the site to accept refuse (earth excavation and grading), construction of a recyclables and divertables drop-off area, surface water management facilities, access road and entrance gate, perimeter fencing as well as providing an attendant shelter and site signage.

On April 24, 2023, electronic tender packages were provided to Villeneuve Construction Co. Ltd., J. Provost Contracting Ltd. and Pioneer Construction Inc. The contract was also publicly advertised at the Sault Ste. Marie Construction Association the same day.

During the tender period, various inquiries from bidders were received regarding the technical specifications and drawings. Three (3) Addenda were issued to provide clarification on issues as they arose throughout the tender period.

Summary of Tenders

Two (2) bids were received by KEC via email prior to the tender closing deadline of 3:00 p.m. on Monday, May 15, 2023. The tenders were opened at 3:15 p.m. on the same day in the KEC boardroom. During the opening, the bids were reviewed to ensure the submissions were in general compliance with the tender documents including the required tender deposit (i.e. bid bond, certified cheque or Irrevocable Letter of Credit in the minimum amount of 10% of the Tender Price). Original hardcopies of the tender deposits have been requested from the bidders and will be retained by KEC for return at a later date.

The Tender Values, excluding HST (13%), as read during the opening are presented below.

Contractor	Total Tender Price
1. Pioneer Construction Inc.	\$2,187,825.23
2. Villeneuve Construction Co. Ltd.	\$2,498,592.45

The tender prices include an allowance of \$100,000.00 (HST extra) for contingencies (unforeseen extras or requested additional work).

Following the tender opening, KEC staff conducted a detailed review including checking for any mathematical errors that would result in a change to the tender price.

Copies of the tender submissions are enclosed with this report.

Tender Review

The tenders were reviewed in detail with respect to requirements set out in the Instructions to Tenderers and the requirements identified in the Form of Tender. The following specific comments were noted from the review of the tenders:

1. The tenders submitted were properly executed with the bidder's signature, witnessed and/or sealed.
2. The submissions were checked for mathematical errors. No mathematical errors were found.
3. The tender documents required the completion and submission of Statements 'A' through 'D' which outline the tenderers' work experience, staff, available construction equipment and proposed sub-contractors. The bidders complied.
4. Tenderers were required to submit an Agreement to Bond certifying the Contractor can obtain the required Performance and Labour and Material Payment bonds. The bidders complied.
5. Tenderers were required to acknowledge receipt of the Addenda. The bidders acknowledged receipt of the three (3) addenda issued.
6. The Instructions to Tenderers required that submissions were to include a tender deposit in the minimum amount of 10% of the Tender Price, in the form of a bid bond, certified cheque or Irrevocable Letter of Credit. The bidders complied.

Discussion

From our review of the bids received for this contract, we note that the submissions were in compliance with requirements outlined in the tender documents.

Based on the information provided and KEC's experience working with these contractors, we are satisfied that the 2 bidders have the necessary experience and background with similar projects to complete the proposed work. With respect to the low tenderer, Pioneer Construction Inc., they have successfully completed numerous similar contracts in the past.

The tender amount of \$2,187,825.23 (excluding HST) is 18% lower than the pre-tender estimate of \$2,673,344.40 (excluding HST).

Recommendations

KEC believes that the price quoted in the tender submitted by Pioneer Construction Inc. is reasonable for the proposed work under this Contract. Furthermore, considering our knowledge of their experience, Pioneer Construction Inc. is capable of carrying out and completing the work.

We therefore recommend that the tender submitted by Pioneer Construction Inc. be accepted for award. The amount of the contract to be awarded is \$2,187,825.23 (excluding HST).

Upon confirmation of the Township's acceptance of this recommendation, we will prepare formal contracts for signing.

We further recommend that the Tender Security received from Villeneuve Construction Co. Ltd. be retained until a contract has been properly and fully executed with Pioneer Construction Inc.

Please call should you have any questions or require further elaboration/clarification regarding this Tender Report.

Thank you.

Yours very truly,

Kresin Engineering Corporation



Ryan Wilson, P. Eng.
Project Engineer

RW/rw
2263 rw tender report.docx

Council Board Report



9.1 List A

Vendor : 1372101 to ZOOM01
 Fund : 1 GENERAL FUND
 Include all Payment Types : No

Date Range: 24-May-2023 to 24-May-2023
 Sequence by: Cheque/EFT#
 Fund No. Masked: No

Vendor Name	Chq./EFT#	Chq./EFT Date	Purpose	Amount Allocated to Fund
Algoma District Services Administration Board	6699	24-May-2023	Municipal Levy - May 2023	12,403.58
Belisle, Daniel	6700	24-May-2023	Kubota Tractor & Garage - Travelling Expenses -	25.00
Bouchard, Aryanne	6701	24-May-2023	Recreation Committee - Storage Box	32.74
Croft, Chantal	6702	24-May-2023	Economic Development - Tra. Exp. - Mileage & I	1,041.00
Encompass IT . ca	6703	24-May-2023	Admin - Buying - New Laptop Computer	1,579.74
J.Provost Contracting Ltd.	6704	24-May-2023	Storm Sewers - Labour - Clean Out Catch Basin	1,577.03
Kresin Engineering Corporation	6705	24-May-2023	Landfill Site - Misc Service Professional - Annual	2,098.09
Laird Signs	6706	24-May-2023	By-Law Enforcement - Supplies - Magnetic Signs	136.78
Municipal Tax Equity Consultants Inc.	6707	24-May-2023	Admin - Misc Service Professional - Tax Analysis	169.50
N1 STRATEGY INC.	6708	24-May-2023	Economic Development - Misc Service Professio	10,170.00
Nolan, Amanda	6709	24-May-2023	By-Law Enforcement - Travelling Expenses - Mile	1,038.20
Northern Light Ford Mercury	6710	24-May-2023	Public Work Truck - Labour - Brake Module	509.91
Ontario Clean Water Agency	6711	24-May-2023	Water Well Supply & Wastewater - April 2023	14,066.33
Ontario Library Service	6712	24-May-2023	Prepays & Library - JASI Membership - April 1/2	719.37
Linde Canada Inc.	6713	24-May-2023	Garage - Cylinder Rental - April 2023	48.18
RCAP Leasing	6714	24-May-2023	Admin - Copier Lease - February to June 2023	856.65
R.C.M.D. a Division of Pioneer Construction Inc.	6715	24-May-2023	Landfill Compactor & Loader & Landfill Site - Lab	2,949.30
Town of/Canton de Dubreuilville	6716	24-May-2023	Water & Sewer - Interim Billing - May 2023 - Arer	2,849.60
TOWNSHIP OF WAWA	6717	24-May-2023	Prepays & Admin - Asset Management Coordinat	15,537.50
Yellow Pages	6718	24-May-2023	Library - Monthly Charges - May 2023	14.95
Total:				67,823.45

Council Board Report



Visa & E-Transfer 9.2 List B

Vendor : 1372101 to ZOOM01
 Fund : 1 GENERAL FUND
 Include all Payment Types : No

Date Range: 25-May-2023 to 25-May-2023
 Sequence by: Cheque/EFT#
 Fund No. Masked: No

Vendor Name	Chq./EFT#	Chq./EFT Date	Purpose	Amount Allocated to Fund
4 Imprint	2014	25-May-2023	Admin - Supplies - Dub Broadband Banners	672.63
Algoma Office Equipment	2015	25-May-2023	Admin - Photocopies - April 16 to May 15/2023	216.58
Algoma Power Inc.	2016	25-May-2023	Hydro - April 2023 - Water Treatment - Well	8,241.69
Amazon.ca	2017	25-May-2023	Economic Development - Supplies - Laptop Case	47.90
Canada Post Corporation	2018	25-May-2023	Admin - Supplies Postage - Stamps	1,112.98
Construction Equipment Co.	2019	25-May-2023	Kubota Tractor - Buying - Brushes	1,588.80
Eventbrite	2020	25-May-2023	Economic Development - Travelling Expenses - f	375.00
Home Depot	2021	25-May-2023	Fire Department - Buying - Cordless Combo Tool	709.64
Internic.ca	2022	25-May-2023	Strongman - Internic - Website Domain 2023	44.07
Minister of Finance	2023	25-May-2023	OPP Service - March 2023	9,602.00
NORTHROUTE FUELS	2024	25-May-2023	Public Work Truck - Supplies Gas - May 8/2023	1,998.89
ONTERA	2025	25-May-2023	Library - Internet Service - May 2023	79.04
Staples Business Depot	2026	25-May-2023	Admin & By-Law Enforcement - Supplies Office -	87.65
Stokes International	2027	25-May-2023	A/R - Fire Department - Supplies P/R - Plate & E	545.07
TBAYtel	2028	25-May-2023	Cell Phone Usage - May 10 to June 9/2023	22.60
Total:				25,344.54



10.1

By-Law No. 2023-35

Being a By-law to confirm the proceedings of the Council of the Corporation of the Township of Dubreuilville at its regular meeting held on May 24, 2023.

WHEREAS Section 9 of the Municipal Act, 2001, S.O. 2001, Chapter 25, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

WHEREAS Section 5(1) of the Municipal Act, 2001, S.O. 2001, Chapter 25, provides that the powers of a municipal corporation are to be exercised by its Council; and

WHEREAS Section 5(3) of the said Municipal Act provides that the powers of every Council are to be exercised by by-law; and

WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Dubreuilville at the May 24, 2023 meeting be confirmed and adopted through a confirmatory by-law;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Dubreuilville enacts the following as a By-Law:

1. The actions of the Council of the Corporation of the Township of Dubreuilville in respect of each recommendation and in respect of each motion and resolution passed, and other action taken by Council at the May 24, 2023 meeting is hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-Law.
2. That where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the above-mentioned minutes or with respect to the exercise of any powers by the Council in the above-mentioned minutes, then this by-law shall be deemed for all purposes to be the by-law required for approving and authorizing and taking of any action authorized therein or thereby, or required for the exercise of any powers therein by the Council.
3. That the Mayor and the CAO-Clerk of the Corporation of the Township of Dubreuilville are hereby authorized and directed to do all things necessary to give effect to the said action of the Council or to obtain approvals where required and, except where otherwise provided, the Mayor and the CAO-Clerk are hereby directed to execute all documents necessary on behalf of the Corporation of the Township of Dubreuilville and to affix the Corporate Seal thereto.

4. That this By-law shall come into force and take effect upon the passing thereof.

READ a first, second and third time and be finally passed this 24th day of May 2023.

MAYOR

CAO-CLERK

By-Law No. 2023-36

Being a By-law to implement an Administrative Monetary Penalty System (AMPS) in the Corporation of the Township of Dubreuilville, as permitted under the Municipal Act and will be referred to as the "AMPS By-Law"

WHEREAS the Council of the Township of Dubreuilville, pursuant to Sections 8, 9 and 10 of the *Municipal Act*, is implementing an Administrative Monetary Penalty System (referred to as the AMPS Program) that will allow the municipality to govern its affairs, respond to municipal issues; while at the same time – ensuring accountability, transparency and protection of persons and property within the Municipality; and

WHEREAS Sections 23.1, 23.2, 23.3 and 23.5 of the *Municipal Act, 2001* authorizes the municipality to delegate its administrative and hearing powers; and

WHEREAS Section 391 of Part XII of the *Municipal Act* enables a municipality to pass By-laws for imposing fees or charges to permits and services provided or done by them; and

WHEREAS Section 434.1 of the *Municipal Act* allows a municipality to impose a system of administrative monetary penalties and fees as a means of encouraging compliance with Designated By-laws; and

WHEREAS pursuant to Section 434.2 of the *Municipal Act*, provides that an Administrative Penalty imposed by the municipality on a person constitutes a debt of the person to the municipality; and

WHEREAS pursuant to O. Reg. 333/07: Administrative Penalties, under the *Municipal Act*, a municipality may establish a system of administrative penalties respecting the parking, standing, or stopping of vehicles; and

WHEREAS Section 102.1 of the *Municipal Act*, a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any by-laws respecting the parking, standing, or stopping of vehicles; and

WHEREAS Section 391 of the *Municipal Act*, authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it;

WHEREAS the Council of the Corporation of the Township of Dubreuilville deems it desirable to implement an Administrative Monetary Penalty System (AMPS) Program including penalties and fees for designated Municipal By-laws, or portions of designated Municipal By-laws.

NOW THEREFORE the Council of the Corporation of the Township of Dubreuilville, a municipal corporation pursuant to the *Municipal Act, 2001*, as amended enacts as follows:

1. SHORT TITLE

1.1. This By-law may be referred to as the "AMPS by-law" for Designated By-laws and approved Administrative Penalties.

2. DEFINITIONS

For the purposes of this By-law:

2.1. **Administrative Fee** refers to any fee defined in a Designated By-law, or set out in the Fees & Charges By-law, as amended from time to time;

2.2. **Administrative Penalty (AMP)** refers to a financial penalty set out in Schedule 'A' attached to this By-law, as amended from time to time, as authorized under section 434.1 (1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, issued to a person, property, vehicle, or

owner of a vehicle, where there has been a contravention of or failure to comply with any provision of a Designated By-law;

2.3. **Administrative Monetary Penalty System (AMPS Program)** refers to the program that the Township has implemented to encourage compliance with Designated By-laws and provide accountability, which includes financial penalties, administrative fees, review for penalties received, and policies and procedures administered by the Township;

2.4. **Authorized Representative** means someone appearing on behalf of a Person in accordance with a written authorization provided upon request to the Director, and who is not required to be licenced by any professional body;

2.5. **By-law Enforcement Officer** means a municipal law enforcement officer of the Corporation of the Township of Dubreuilville who is dually appointed by Council of the Corporation for the purpose of enforcing the provisions of the Corporation's By-laws.

2.6. **CAO-Clerk** means the Municipal Clerk, their delegate, or anyone designated by the CAO-Clerk to perform duties for the Corporation of the Township of Dubreuilville;

2.7. **Council** means the Council of the Township of Dubreuilville;

2.8. **Corporation** means a body incorporated pursuant to the *Business Corporations Act*, R.S.O. 1990 c. B. 16, or the *Corporations Act*, R.S.O. 1990 c. C. 38;

2.9. **Date or Day** means any calendar day;

2.10. **Date of Contravention** means the date on which there was an alleged contravention of a Designated By-law, which may be different from the date of issuance and/or the effective date if the Penalty Notice is served on a date that is after the date of contravention;

2.11. **Date of Issuance** means the date on which the Penalty Notice was completed and served according to subsection 8 of this By-law;

2.12. **Designated By-law** means a By-law, or part or provision of a by-law, that is designated under this or another by-law, and is listed in Schedule "A" attached to this By-law to which the AMP applies;

2.13. **Director** means the Director of Building & By-law Services for the Township and his or her designate or successor;

2.14. **Effective Date** means the date on which service of a Penalty Notice is deemed to be effective in accordance with Section 8 of this By-law;

2.15. **Fee** means a fee payable under the Fees & Charges By-law, as amended from time to time, and is not prorated;

2.16. **Hearing Decision** means a notice which contains the decision made by a Hearing Officer;

2.17. **Hearing Non-Appearance Fee** means an Administrative Fee under the User Fees & Charges By-law, as amended from time to time, in respect of Person's failure to appear at the time and place scheduled for a hearing before the Hearing Officer;

2.18. **Hearing Officer** means any person appointed by the Township, from time to time, to perform the functions of a Hearing Officer in accordance with this By-law;

2.19. **Holiday** means a Saturday, Sunday and any statutory holiday in the Province of Ontario or any day on which the office of the Township is officially closed for business;

2.20. **Late Payment Fee** means an Administrative Fee under the User Fees & Charges By-law, as amended from time to time, in respect of a Person's failure to pay an Administrative Penalty within the time prescribed in this By-law;

2.21. **NSF Fee** means an Administrative Fee under the User Fees & Charges By-law, as amended from time to time, in respect or any payment to the Township from a Person, for which there are insufficient funds available, or the transaction is declined;

2.22. **Officer** means a Police Officer, Fire Inspector, Building Official, Municipal Law Enforcement Officer or their authorized designate to enforce Township By-laws;

2.23. **Owner** means the person whose name appears on one or more of the following:

- a) Property Roll Number or Land registry document;
- b) Corporation ownership documents;
- c) Vehicle permit as licenced by the Ontario Ministry of Transportation;

2.24. **Penalty Notice** means a notice given to a Person as described in this By-law;

2.25. **Penalty Notice Number** means the reference number specified on the Penalty Notice that is unique to that Penalty Notice, pursuant to this By-law;

2.26. **Person** includes an individual or a business name, sole proprietorship, corporation, partnership, or limited partnership, or an authorized representative thereof, and, in relation to vehicle, parking or traffic-related contraventions, whose name appears on the vehicle permit as provided by the Ontario Ministry of Transportation, If the vehicle permit consists of a vehicle portion and licence plate portion, and different Persons are named on each portion, the Person whose same appears on the licence plate portion, as provided by the Ontario Ministry of Transportation, is the Person for the purposes of this By-law;

2.27. **Plate Denial Fee** means an Administrative Fee under the User Fees & Charges By-law as amended from time to time, in respect to a Person's failure to pay within the time prescribed prior to a request for plate denial, in accordance with this By-law;

2.28. **Regulation** means Ontario Regulation 333/07 under the *Municipal Act*;

2.29. **Request for Review by Hearing Officer** means the request which may be made in accordance with this By-law for the review of a Screening Decision;

2.30. **Request for Review by Screening Officer** means the request made in accordance with this By-law for the review of a Penalty Notice;

2.31. **Screening Decision** means a notice which contains the decision of a Screening Officer, as set out in Section 6 in this By-law;

2.32. **Screening Non-Appearance Fee** means an Administrative Fee under the User Fees & Charges By-law, as amended from time to time, in respect of a Person's failure to appear at the time and place scheduled for a screening before a Screening Officer;

2.33. **Screening Officer** means any person appointed by the Township for time to time, to perform the functions of a Screening Officer pursuant to this By-law;

2.34. **Township** means the Corporation of the Township of Dubreuilville in the District of Algoma.

3. APPLICATION

- 3.1. The Designated By-laws, or portions of Designated By-laws, listed in Schedule “A” of the By-law sets out the Administrative Penalties and may include short form language used on Penalty Notices for the contravention of Designated By-laws.
- 3.2. Fees imposed for the purposes of this By-law shall be set out in the User Fees & Charges By-law, as amended from time to time.
- 3.3. Any Designated By-law respecting the parking, standing, or stopping of vehicles is designated for the purposes of paragraph 3(1)(b) of Ontario Regulation 333/07, and Section 102.1 of the *Municipal Act, 2001*.
- 3.4. The *Provincial Offences Act* applies to all Designated By-laws except to a Designated By-law respecting the parking, standing, or stopping of vehicles.
- 3.5. Screening Officers and Hearing Officers conducting a review or appeal under this By-law do not have jurisdiction to consider any question relating to the validity of a statute, regulation or by-law including but not limited to the constitutional applicability or operability of any statute, regulation, or By-law.

4. PENALTY NOTICE

- 4.1. Every person who contravenes a Designated By-law shall, upon issuance of a Penalty Notice, be liable to pay the Township an Administrative Penalty in an amount specified in Schedule 'A' to this By-law.
- 4.2. An Officer who has reason to believe that a Person has contravened any Designated By-laws may issue a Penalty Notice to that Person.
- 4.3. A Penalty Notice shall include the information, as applicable:
- a) Date of violation;
 - b) The Penalty Notice date;
 - c) A Penalty Notice Reference Number;
 - d) The date on which the Administrative Penalty is due and payable, fifteen (15) days from service of the Penalty Notice;
 - e) The identification number and signature of the Officer;
 - f) The contravention working as listed in the attached Schedules, or other particulars reasonably sufficient to indicate the contravention;
 - g) The amount of the Administrative Penalty;
 - h) Payment options;
 - i) Timelines for payment of Administrative Penalty or applicable Administrative Fee(s);
 - j) Such additional information as the Director determines is appropriate, respecting the process by which a Person may exercise the right to request a Screening Review of the Administrative Penalty; and
 - k) A statement advising that an unpaid Administrative Penalty, including any applicable Administrative Fee(s), will constitute a debt of the Person to the Township unless cancelled pursuant to Screening Review or Hearing process.
- 4.4. In addition, to the service methods provided in Section 8 "Service of Documents" of this By-law, an Officer may serve the Penalty Notice on a Person by:
- a) Affixing it to the vehicles in a conspicuous place at the time of a parking or traffic-related contravention; or

- b) Delivering it personally to the Person;
 - i. When relating to a parking or traffic-related contravention, the Person having care and control of the vehicle at the time of the contravention, within seven (7) days of the contravention; or
 - ii. For all other contraventions, within fifteen (15) days of the contravention.

4.5. No Officer may accept payment of an Administrative Penalty or Administrative Fee.

4.6. A Person who is served with a Penalty Notice and who does not pay the amount of the Administrative Penalty on or before the date on which the Administrative Notice is due and payable, shall also pay the Township any applicable Administrative Fee(s).

4.7. A person who has been issued a penalty notice shall:

- a) pay the Administrative Penalty within fifteen (15) days; or
- b) no later than fifteen (15) days after the Effective Date, request the Administrative Penalty be reviewed by a Screening Officer in accordance with Section 6.

5. VOLUNTARY PAYMENT OF PENALTY NOTICE

5.1. Where a Penalty Notice has been paid, the Penalty Notice shall not be subject to any further review.

5.2. A Penalty Notice shall be deemed to have been paid when the amount and all fees prescribed in this By-law have been paid.

6. REVIEW BY SCREENING OFFICER

6.1. A Person who is served with a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer and shall do so before the effective date which the Administrative Penalty is due and payable.

6.2. If a Person has not requested a Screening Review on or before the date on which the Administrative Penalty is due and payable, the Person may request that a Screening Officer extends the time to request a Screening Review to a date no later than forty-five (45) days after the Penalty Notice Date.

6.3. A Person's right to request an extension of time for a Screening Review expires, if it has not been exercised, on or before fifteen days after the effective date, at which time:

- a) The Person shall be deemed to have waived the right to request a Screening Review or request an extension of time for a Screening Review;
- b) The Administrative Penalty shall be deemed to be confirmed; and
- c) The Administrative Penalty shall not be subject to any further review, including a review by any Court.

6.4. A Person's request for Review by a Screening Officer or request for an extension of Time to request a Screening Review are exercised by a submission in writing, in the prescribed form and in accordance with the directions on the prescribed form.

6.5. A request for review by Screening Officer or request for an extension of time to request a Screening Review shall be served in accordance with the provisions of Section 8 of this By law.

6.6. The Officer may grant a request to extend the time to request a Screening Review where a Person demonstrates, to the satisfaction of the officer, that the existence of extenuating circumstances prevented the filing of the request within the prescribed timeline.

6.7. Where an extension of time to request a Screening Review is not granted by the Officer, the Administrative Penalty and any applicable Administrative Fee(s) are deemed to be confirmed. Notice of this decision will be provided by the director to the Person in accordance with Section 8.

6.8. Where an extension of time to request a Screening Review is granted by the Officer, or when a Screening Review has been requested in accordance with this Section, Notice of an Appointment for Screening Review will be provided in accordance with Section 8.

6.9. Where a Person fails to attend at the time and place scheduled for a Screening Review of an Administrative Penalty, or fails to provide requested documentation in accordance with a request by a Screening Officer:

a) The Person shall be deemed to have abandoned the request for a Screening Review of the Administrative Penalty;

b) The Administrative Penalty as set in the Penalty Notice shall be deemed to be confirmed, and is payable no later than;

- i. The date scheduled; or
- ii. Thirty (30) days after the Penalty Notice's Effective Date, whichever date is later;

c) The Administrative Penalty shall not be subject to any further review, including a review by any Court; and

d) The Person shall pay the Township a Screening Non-Appearance Fee, MTO fee, if applicable, and any other applicable Administrative Fee(s).

6.10. After considering a request to review, a Screening Officer may:

a) Affirm the Administrative Penalty;

d) Cancel, reduce, or extend the time for payment of the Administrative Penalty, including any Administrative Fee(s), where the Screening Officer is satisfied that doing so would maintain the general intent and purpose of the Designated By-law, and/or any of the following circumstances exist:

- i. Defective form or substance on the Penalty Notice;
- ii. Service of the Penalty Notice did not occur in accordance with Section 8; or
- ii. Undue financial hardship.

6.11. The Screening Officer may request such information from a person as the Screening Officer considers relevant to a request to review.

6.12. A Screening Officer shall inform a person of his or her decision at the conclusion of a review.

7. APPEAL TO HEARING OFFICER

7.1. A person may request an appeal of a Screening Officer's decision by attending at the location or locations as specified on the Penalty Notice no later than fifteen (15) days after the date on which the Screening Officer's decision is given to them.

7.2. Despite subsection 7.1, a person may request that a Hearing Officer extend the time to appeal from sixteen (16) days to no later than thirty (30) days after the Screening Officer's decision has been given to them, if the person demonstrates, on a balance of probabilities, the existence of extenuating circumstances that prevented the person from appealing in accordance with subsection 7 .1.

7.3. The Hearing Officer may request such information for a person as the Hearing Officer considers relevant to a request to extend the time to appeal.

7.4. A Person's right to request an extension of time for a Hearing Appeal expires, if it has not been exercised, on or before thirty (30) days after the Screening Decision date, at which time:

- a) The Person shall be deemed to have waived the right to request an appeal by a Hearing Officer or request an extension of time for an appeal by a Hearing Officer;
- b) The Screening Decision is confirmed; and
- c) The Administrative Penalty shall not be subject to any further review, including a review by any Court.

7.5. A Person's request for appeal by a Hearing Officer or request for an extension of time to request a review by a Hearing Officer are exercised by a submission in writing, in the prescribed form and in accordance with the directions on the prescribed form.

7.6. A request for an appeal by a Hearing Officer or a request for an extension of time to request an appeal by a Hearing officer shall only be scheduled by the Officer if the Person makes the request on or before the dates established by Section 7(1) of this By-law.

7.7. The Officer may grant a request to extend the time to request an appeal by a Hearing Officer only where the Person demonstrates, to the satisfaction of the Officer in his/her sole discretion that they were not served in accordance with Section 8.

7.8. Where a Person fails to attend at the date, time and place scheduled in accordance with subsection 7.1 for a Hearing:

- a) The Person shall be deemed to have abandoned the request for an appeal of the Hearing;
- b) The Screening Officer's decision and the Administrative Penalty and any Administrative Fee(s) shall be deemed to be confirmed;
- c) The Administrative Penalty and any Administrative Fee(s) is payable no later than:
 - i. The date as determined by the Screening Officer;
 - ii. The date scheduled; or
 - iii. Thirty (30) days after the date of the Screening Officer's decision, whichever date is later.
- d) The Person shall pay to the Township a Hearing Non-Appearance fee, Late Payment fee, MTO Fee if applicable, and any other applicable Administrative Fee(s).
- e) The Administrative Penalty is not subject to any further review or appeal by any Court.

7.9. The *Statutory Powers Procedure Act* applies to the consideration of an appeal by a Hearing Officer.

7.10. The Hearing Officer may request such information from a person as the Hearing Officer considers relevant to considering an appeal.

7.11 After considering an appeal, including hearing from the parties, a Hearing Officer may decide to:

- a) Affirm the Administrative Penalty;
- b) cancel, reduce or extend the time for payment of the Administrative Penalty, including Administrative Fee(s), on the following grounds:
 - i. There is reason to doubt the person contravened the Designated By law;
 - ii. The person took all reasonable steps to prevent the contravention; or
 - iii. The cancelation, reduction, or extension of time for payment is necessary to relieve undue financial hardship.

7.12. In addition to anything else that is admissible as evidence at an appeal in accordance with the *Statutory Powers Procedure Act*, the following are admissible evidence as proof of the facts certified in them, in the absence of evidence to the contrary:

- a) A statement of an Officer respecting a contravention;
- b) A copy of a document, including but not limited to a photograph taken by an Officer, respecting a contravention;
- c) A statement from an Officer that he or she served a document, with the date and method of service indicated.

7.13. If certified evidence referred to in subsection 7.9 is being admitted as evidence at an appeal, the Hearing Officer shall not adjourn the appeal for the purpose of having the Officer attend to give evidence unless the Hearing Officer is satisfied that the oral evidence of the Officer is necessary to ensure a fair appeal.

7.14. A Hearing Officer shall give the written decision to the Person at the conclusion of the Hearing.

7.15. If a Hearing Officer's decision affirms, reduces, or extends the time to pay an Administrative Penalty, the Administrative Penalty and any Administrative Fee(s) is payable no later than:

- a) The date as determined by the Hearing Officer;
- b) The date of the Hearing Officer's decision; or
- c) Thirty (30) days after the Screening Officer's decision, whichever date is later.

7.16. If a person who has been given a Screening Officer's decision has not acted in accordance with subsections 7.1, 7.2, and 7.3, then:

- a) They are deemed to have waived their right to appeal;
- b) The Screening Officer's decision is affirmed;
- c) The Administrative Penalty and any Administrative Fee(s) is payable no later than:
 - i. The date as determined by the Screening Officer; or
 - ii. Thirty (30) days after the date of the Screening Officer's decision, whichever date is later; and
- d) The Administrative Penalty is not subject to any further review or appeal to the Township (reference to *Statutory Powers Procedure Act, R.S.O. 1990, c. S.22.*)

7.17. If a Hearing Officer does not extend a person's time to appeal under subsections 7.2 and 7.3, then:

- a) The Screening Officer's decision is affirmed;
- b) The Administrative Penalty and any Administrative Fee(s) is payable no later than:
 - i. The date as determined by the Screening Officer;
 - ii. The date of the Hearing Officer's decision; or
 - iii. Thirty (30) days after the date of the Screening Officer's decision, whichever date is later; and
- c) The Administrative Penalty is not subject to any further review or appeal by any Court.

8. SERVICE OF DOCUMENTS

8.1. The Township may serve any document, notice or decision, including a Penalty Notice pursuant to this By-law, including but not limited to a penalty notice, within thirty (30) days of becoming aware of an alleged offence of a Designated By-law, by one (1) or more of the following:

Method of Service	Date of Issuance	Effective Date
Personally	Date given to person	Same as Date of Issuance
Leave / post at address	Date left at address	Same as Date of Issuance
Fax / Email	Date fax/email is sent	Same as Date of Issuance
Regular / Registered Mail	Date of mailing	Five (5) days after date of mailing

8.2. A Person's last known number or address includes the number or address provided by the Person to the Township during any transaction between the Township and the Person, or the information included in the property tax file.

8.3. If a notice document that has been given or delivered to a Person under this By-law is mailed to the Person at the Person's last known address appearing on the records of the Township as part of a proceeding under this By-law, or sent electronically to an email address that was provided by the Person, there is a irrebuttable presumption that the notice or document is given or delivered to the person.

8.4. In addition to the service of documents provided for under subsection 8.1, an Officer may serve the penalty notice for a contravention of a Designated By-law respecting the parking, standing, or stopping of vehicles on the person who is the owner of the vehicle by:

- a) Affixing the penalty notice to the vehicle in a conspicuous place; or
- b) Giving it personally to the person who has care or control of the vehicle, at the time of contravention.

8.5. When a Penalty Notice is served under subsection 6.4, the date of issuance and effective date shall be one in the same.

9. ADMINISTRATION

9.1. The Officer, their delegate, or anyone designated by the Township shall administer this By-law and establish any additional policies and procedures necessary to implement this By-law and may amend such policies and procedures from time to time as they deem necessary, without amendment to this By-law.

9.2. The Officer, their delegate, or anyone designated by the Township shall prescribe all forms and notices, including the Penalty Notice, necessary to implement this By-law and may amend such forms and notices from time to time as they deem necessary, without amendment to this By-law.

9.3. The Officer, their delegate, or anyone designated by the Township shall establish and approve any additional policies, procedures, or by-laws for the appointment of Screening Officer(s) and Hearing Officer(s) for the purposes of the administration of this By-law, its Designated By-laws, or portions thereof.

9.4. An Officer may issue an Administrative Penalty to a Person, owner, corporation, agent, or their representative found in contravention of any provision of a Designated By-law.

9.5. An Administrative Penalty shall be issued according to Section 6 of this By-law, and shall include the following information:

- a) Information found in Schedule 'B' of this By-law;
- b) Particulars of the contravention, including to which Premises it applies;
- c) Amount of the Administrative Penalty;
- d) Timelines for appeal of the Administrative Penalty;
- e) Timelines for payment of the Administrative Penalty; and
- f) Statement advising that Administrative Penalties constitute a debt to the Municipality.

9.6. A person who has been issued an Administrative Penalty shall pay the Administrative Penalty within thirty (15) days from the Effective date.

9.7. An Administrative Penalty is deemed late on the sixteenth (16th) day after the Effective Date and shall be subject to fees referred to in this By-law, and found in the User Fees By-law, as amended from time to time.

9.8. An Administrative Penalty is deemed to be confirmed on the thirty-first (31) day after the Effective Date and is not subject to any further appeal by any Court.

9.9. Where a Person makes payments to the Township of any Administrative Penalty, Administrative Fee(s) or Late Payment Fee(s), by negotiable instrument, for which there are insufficient funds available in the account on which the instrument was drawn, the Person shall pay to the Township the NSF Fee set out in the Township's current User Fees By-law.

9.10 An Administrative Penalty, including any Administrative Fee(s), that is confirmed or reduced, or in respect of which the time for payment has been extended, remaining unpaid after the date when it is due and payable, constitutes a debt to the Township owed by the Person.

9.11. Pursuant to *Section 434.2 of the Municipal Act*, where an Administrative Penalty, including any Administrative Fees(s) remain unpaid after the final date on which it is payable as specified in the Penalty Notice, the Administrative Penalty, including any Administrative Fees(s) shall be deemed to be unpaid taxes and the outstanding amount shall be added to the tax roll and collected in the same manner as municipal taxes.

9.12. Where an Administrative Penalty is cancelled by a Screening Officer or Hearing Officer, any Administrative Fee(s) are also cancelled.

9.13. An authorized representative is permitted to appear on behalf of a Person at a Screening Review of Appeal by a Hearing Officer, or to communicate with the Township on behalf of a Person in accordance with written authorization.

9.14. An Officer cannot accept payment of an Administrative Penalty or any fee(s).

9.15. Any time limit that would otherwise expire, is extended to the next day if the expiry date occurs on:

- a) a Holiday/Statutory holiday; or
- b) a day on which the Township's offices are not open for business.

9.16. A person, owner or corporation claiming financial hardship under this By-law shall provide documented proof of the financial hardship to the Officer, their delegate, or anyone designated by the Township, the Screening Officer, or the Hearing Officer, as applicable.

9.17. Any schedule attached to this By-law forms part of this By-law.

10. SEVERABILITY

10.1. Should any provision, or any part of a provision, of this By-law be declared invalid, or to be of no force and effect by a court of competent jurisdiction, it is the intent of Council that such provision, or part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

11. SCHEDULES

11.1. The following schedules attached hereto form part of this By-law:

- a) Schedule 'A' Designated By-laws and Administrative Penalties
- b) Schedule 'B' AMPS Screening Review Request Form
- c) Schedule 'C' AMPS Hearing Review Request Form
- d) Schedule 'D' AMPS Time Extension Request for Screening Review Form
- e) Schedule 'E' AMPS Authorization to Act as Agent Form



**The Corporation of the Township of Dubreuilville
AMPS By-law 2023-36**

12. EFFECTIVE DATE

12.1 That this By-Law shall come into force and take effect on the 14th day of June 2023.

READ a first and a second time on the 24th day of May 2023.

READ a third time and be finally passed this 10th day of June 2023.

MAYOR

CAO-CLERK

SCHEDULE "A"

Designated By-law Administrative Penalties under the AMP By-law

ANIMAL CONTROL BY-LAW 2023-30

Item	Column 1	Column 2	Column 3
	Short Form Wording	Provision creating or defining offence	Penalty Amount
1	Failure to register dog or cat	5.1	\$60.00
2	Failure to obey muzzle order	12.2 (a)	\$100.00
3	Failure to pay permit and registration fee	7.1 & 7.2	\$50.00
4	Failure to keep tag securely fixed on dog or cat	5.7	\$50.00
5	Fail to notify the Municipal By-Law Enforcement Officer of changes to owner information	12.2 (f)	\$50.00
6	Failure to remove excrement	9.1	\$50.00
7	Failure to restrain a dog in public	9.3	\$75.00
8	Allowing dog or cat to run at large or create nuisance	11.1	\$75.00
9	Owner fails to tether dog or cat	10.3	\$50.00
10	Unlawfully have dog or cat on a tether more than two (2) meters in length	10.3 (c)	\$50.00
11	Allowing a dog or cat to trespass on private Property	11.1	\$50.00
12	Allowing a dog within a municipal beach area when prohibited	9.3 (e)	\$75.00
13	Allowing a dog to damage public or private Property	9.3 (b)	\$75.00
14	Failure to restrain a dog in a municipal Park or on a municipal trail	9.3 (f)	\$75.00
15	Allowing dog into a municipal operated facility or building	9.3 (g)	\$75.00
16	Allowing a dog to persistent barking, calling or whining or other similar noises	9.3 (a)	\$75.00
17	Allowing a dog to scatter garbage	9.3 (c)	\$75.00
18	Allowing a dog to interfere with waste management activities	9.3 (c)	\$75.00
19	Allowing a dog to chase person	9.3 (d)	\$100.00
20	Allowing a dog to chase vehicle	9.3 (d)	\$100.00
21	Failure to obtain a hen coop permit	6.1	\$50.00
22	Owner fails to maintain hen coop & hen run	Schedule "B" 7.3	\$50.00
23	Unlawfully having more then the maximum allowance of hens (10)	Schedule "B" 6. (a)	\$75.00
24	Allowing hen to make noise	Schedule "B" 6 (I)	\$75.00
25	Allowing hen to be at large	11.1	\$75.00
26	Unlawfully keep a rooster	Schedule "B" 6 (B)	\$75.00
27	Hinder or obstruct an Officer/appointed person lawfully carrying out duties	13.1	\$300.00
28	Failure to identify themselves to an Officer/appointed person while in contravention of this By-law	13.2	\$200.00
29	Failure to comply with order	15.1	\$175.00

SCHEDULE "A" - Designated By-law (continued)

REGULATE NOISE BY-LAW 2023-29

Item	Column 1	Column 2	Column 3
	Short Form Wording	Provision creating or defining offence	Set fine
1	Emit/cause/permit noise from amplified sound	Section 9 Schedule "A", item 1	\$50
2	Emit/cause/permit noise from fireworks	Section 9 Schedule "A", item 2	\$50
3	Permit dog to create noise	Section 9 Schedule "A", item 3	\$50
4	Permit noise from equipment without muffling device	Section 9 Schedule "A", item 4	\$50
5	Cause or Permit noise from domestic work activity	Section 9 Schedule "A", item 5	\$50
6	Permit noise from engine idling longer than five (5) minutes	Section 9 Schedule "A", item 6	\$50
7	Cause or Permit noise from revving an engine	Section 9 Schedule "A", item 7	\$50
8	Yelling when prohibited	Section 10 Schedule "B", item 1	\$50
9	Cause or permit amplified sound when prohibited	Section 10 Schedule "B", item 2	\$50
10	Cause or permit noise from construction equipment or activity when prohibited	Section 10 Schedule "B", item 3	\$50
11	Cause or permit noise from tool or equipment when prohibited	Section 10 Schedule "B", item 4	\$50
12	Emit, cause or permit noise from handling material for non-essential purposes when prohibited	Section 10 Schedule "B", item 5	\$50
13	Cause or permit noise from a toy, model or replica when prohibited	Section 10 Schedule "B", item 6	\$50
14	Emit, cause or permit noise from auditory signaling devices when prohibited	Section 10 Schedule "B", item 7	\$50
15	Cause or permit noise from the discharge of fireworks during a fire ban	Section 10 Schedule "B", item 8	\$100
16	Cause or permit noise from the discharge of fireworks when prohibited	Section 10 Schedule "B", item 8	\$100
17	Cause or permit noise without an approved exemption	Section 12	\$100
18	Providing false/misleading information on application form	Section 15	\$100
19	Cause or permit the breach of approved noise exemption	Section 26	\$100
20	Hinder or obstruct an Officer/appointed person lawfully carrying out duties	Section 32	\$300
21	Failure to identify themselves to an Officer/appointed person while in contravention of this By-law	Section 33	\$200

SCHEDULE "A" - Designated By-law (continued)

PROPERTY STANDARDS BY-LAW 2023-28

Item	Column 1	Column 2	Column 3
	Short Form Wording	Provision creating or defining offence	Penalty Amount
1	Owner fails to keep ground cover to less than 15 centimeters (about 5.91 in) in height	3.4 a)	\$75.00
2	Owner fails to keep property clear of garbage/refuse/domestic or industrial waste	3.4 b)	\$75.00
3	Owner fails to keep property clear of any refrigerator/freezer having unlocked lid	3.4 c)	\$75.00
4	Owner fails to keep property clear of a wrecked/dismantled/abandoned/inoperable appliance/machine	3.4 d)	\$75.00
5	Owner fails to keep property clear of a derelict motor vehicle	3.4 e)	\$75.00
6	Owner fails to maintain hedge/tree/branch on property to not hinder pedestrian traffic on public sidewalks	3.4 f)	\$75.00
7	Owner fails to keep property clear of accumulation of animal excrement	3.4 g)	\$75.00
8	Owner fails to keep property clear of dead/decayed/damaged trees/natural growth/branches/limbs which create unsafe condition	3.4 h)	\$75.00
9	Owner fails to ensure steps/pedestrian walkway/driveway/parking space/similar area on land is properly maintained	3.5 a)	\$75.00
10	Owner fails to remove hazardous ice/snow from the roof of building	3.5 b)	\$75.00
11	Owner fails to ensure naturalized area does not encroach above or onto adjacent property	3.5 c)	\$75.00
12	Owner fails to maintain landscaped feature in good repair	3.5 d)	\$75.00
13	Owner fails to properly store household waste	3.6	\$75.00
14	Deposit garbage/refuse/domestic or industrial waste on Township/District property	3.9	\$200.00
15	Use land/structure for dumping/burying/disposing of garbage/refuse/domestic or industrial waste	3.10	\$200.00
16	Owner fails to take necessary action to prevent open pit/excavation/well/hazard on property	3.11	\$100.00
17	Owner fails to maintain accessory building, retaining wall, sign, fence or required plantings	4.1 a)	\$75.00
18	Owner fails to prevent or remove any condition that may endanger person/property after a fire, storm, or other event	4.2 a) (i)	\$75.00
19	Owner fails to demolish the building after a fire	4.2.a) (v)	\$75.00
20	Owner fails to keep dwellings free of rodents and vermin	4.4 a)	\$75.00

21	Owner fails to maintain surface conditions of a yard	4.6 a)	\$75.00
22	Owner fails to secure the vacant building from entry by trespassers	4.7 b) (i)	\$75.00
23	Owner fails to provide a heating source suitable to maintain indoor temperature of 20 C	4.12 a)	\$75.00
24	Owner fails to provide a safe and adequate water supply	4.19 a)	\$75.00
25	Owner fails to maintain barrier-free design standards	5.1 a)	\$75.00
26	Hinder or obstruct an Officer/appointed person lawfully carrying out duties	6.4	\$300.00
27	Failure to properly identify themselves to an Officer/appointed person while in contravention of this By-law	6.4	\$200.00
28	Owner fails to comply with a notice	6.7	\$150.00
29	Owner fails to comply with emergency order	6.7	\$150.00

Formulaire de demande de revision préalable - RSAP

Screening Review Request Form - AMPS

Veillez remplir et soumettre ce formulaire pour demander une revision préalable afin de contester l'avis de pénalité décrit ci-dessous :

Please fill and submit this form to request a Screening Review to dispute the Penalty Notice described below:

Numéro de l'avis de pénalité* / Penalty Notice number*

Avis de pénalité émis le* / Penalty Notice issued on*

Numéro de la plaque du véhicule (le cas échéant) / Vehicle Plate # (if applicable)

Votre nom* / Your Name*

Votre adresse* / Your Street Address*

Votre numéro d'appartement/d'unité/de suite / Your Apartment/Unit/Suite Number

Votre ville* / Your City*

Votre province/territoire* / Your Province/Territory*

Code postal* / Postal Code*

Téléphone* / Telephone*

Adresse courriel / Email Address

Êtes-vous le propriétaire des plaques d'immatriculation? / Are you the owner of the licence plates?

Yes

No

Si non, un formulaire d'autorisation d'agir en tant qu'agent doit être rempli et reçu par le Canton. Ce formulaire peut être obtenu sur le site web <http://www.dubreuilville.ca>, à l'office du Canton ou par courriel. / If no, an Authorization to Act as an Agent Form must be completed and received by the Township. This form can be obtained on the website <http://www.dubreuilville.ca> at the Township office or by email.

Veillez fournir des informations pour aider l'agente de contrôle à examiner votre litige. Des photographies et d'autres documents peuvent être joints à ce formulaire. / Please provide information to assist the Screening Officer in reviewing your dispute. Photographs and other documentation can be attached to this form.

Instructions pour le demandeur / Instructions for Applicant

Afin d'être prise en considération pour une révision préalable, cette demande de révision doit être reçue au plus tard à la date d'échéance indiquée sur l'avis de pénalité. Pour demander une prolongation du délai en raison de circonstances atténuantes ou atténuées. Veuillez consulter le site web suivant <http://www.dubreuilville.ca>, venez à l'office du Canton ou demander le formulaire par courriel. / In order to be considered for a Screening Review, this Request for Review must be received on or before the Due Date shown on the Penalty Notice. To request an extension of time due to extenuating or mitigating circumstances. Please visit the following website <http://www.dubreuilville.ca>, come to the Township office or request the form by email.

Aucun rendez-vous n'est nécessaire pour votre révision préalable et une décision vous sera envoyée par courrier électronique dans un délai de 15 jours ouvrables. Si vous n'avez pas reçu de décision d'examen préalable par courriel dans les 15 jours ouvrables, veuillez contacter Amanda Nolan au 705-884-2340, poste 126, ou par courriel à l'adresse anolan@dubreuilville.ca. / No appointment is necessary for your Screening Review, and a decision will be emailed back to you within 15 business days. If you have not received a screening review decision by email within 15 business days, please contact Amanda Nolan at 705-884-2340 x 126 or email anolan@dubreuilville.ca.

Si vous soumettez une demande imprimée, veuillez envoyer cette demande de révision préalable dûment remplie à l'adresse suivante: / If submitting a printed request, please send this completed Screening Review Request to:

Amanda Nolan
Agente de révision préalable / Screening Officer
Municipal By-law Enforcement Officer
23, rue des Pins, C.P. 367 / 23 Pines Street, P.O. Box 367
Dubreuilville ON P0S 1B0 / Dubreuilville, Ontario P0S 1B0

Merci!

Votre demande sera soumise à l'agente de contrôle du RSAP.

Thank You!

Your request will be submitted to the AMPS Screening Officer.

Décision de l'audience d'appel - RSAP / Decision of Appeal Hearing - AMPS

Les examens d'audience ne peuvent être réservés qu'après qu'une révision préalable effectuée par un agent de contrôle. Veuillez d'abord demander une révision préalable. / Hearing Reviews can only be booked after a Screening Review by a Screening Officer. Please Request a Screening Review first.

Si vous avez déjà fait l'objet d'une révision préalable et que vous souhaitez une révision finale de l'audience, veuillez remplir et soumettre ce formulaire pour demander une révision par l'agente d'audience de la notification de sanction décrite ci-dessous : / If you have already completed a Screening Review and would like to have a final Hearing Review, please complete and submit this form to request a Review by the Hearing Officer of the Penalty Notice described below:

Numéro de l'avis de pénalité* / Penalty Notice number*

Avis de pénalité émis le* / Penalty Notice issued on*

Numéro de la plaque du véhicule (le cas échéant) / Vehicle Plate # (if applicable)

Votre nom* / Your Name*

Votre adresse* / Your Street Address*

Votre numéro d'appartement/d'unité/de suite / Your Apartment/Unit/Suite Number

Votre ville* / Your City*

Votre province/territoire* / Your Province/Territory*

Code postal* / Postal Code*

Téléphone* / Telephone*

Adresse courriel / Email Address

Êtes-vous le propriétaire des plaques d'immatriculation? / Are you the owner of the licence plates?

Yes

No

Si non, un formulaire d'autorisation d'agir en tant qu'agent doit être rempli et reçu par le Canton. Ce formulaire peut être obtenu sur le site web <http://www.dubreuilville.ca>, à l'office du Canton ou par courriel. / If no, an Authorization to Act as an Agent Form must be completed and received by the Township. This form can be obtained on the website <http://www.dubreuilville.ca> at the Township office or by email.

Instructions pour le demandeur / Instructions for Applicant

Pour être prise en considération en vue d'une révision, la présente demande de révision par l'agente d'audience doit être reçue au plus tard à la date limite indiquée dans la décision de l'agente de contrôle. / In order to be considered for a Hearing Review, this Request for Review by Hearing Officer must be received on or before the Due Date shown on the Decision of the Screening Officer.

Une notification de rendez-vous pour la révision de l'audience vous sera envoyée par courriel ou par la poste, avec la date, l'heure et le lieu de la révision de l'audience. / A Notice of Appointment for Hearing Review will be e-mailed or mailed to you, with the date, time, and location of the scheduled Hearing Review.

Si vous ne vous présentez pas à la révision de l'audience à la date prévue, des frais administratifs de 250 \$ seront ajoutés au montant de l'avis de pénalité. / If you do not attend the Hearing Review at the scheduled time, an administrative fee of \$250 will be added to the amount of the Penalty Notice.

Si vous soumettez une demande imprimée, veuillez envoyer cette demande de révision de l'audience dûment remplie à l'adresse suivante: / If submitting a printed request, please send this completed Request for Hearing Review to:

Brigitte Tremblay
Agente d'audience / Hearing Officer
23 rue des Pins / 23 Pines Street, C.P. 367 / P.O. Box 367
Dubreuilville ON P0S 1B0 / Dubreuilville, Ontario P0S 1B0

Avis de collecte

Les renseignements personnels contenus dans le présent formulaire sont recueillis conformément à la *Loi de 2001* sur les municipalités et seront utilisés dans le cadre de l'administration du Régime de sanctions administratives pécuniaires. Les questions relatives à cette collecte peuvent être adressées à l'agente d'audience, 23 rue des Pins, Dubreuilville (Ontario) P0S 1B0, par téléphone au 705-884-2340, poste 125, ou par courriel à l'adresse btremblay@dubreuilville.ca.

Notice of Collection

The personal information on this form is collected in accordance with the *Municipal Act, 2001*, and will be used in the administration of the Administrative Monetary Penalty System. Questions about this collection can be directed to the Hearing Officer, 23 Pines Street, Dubreuilville, Ontario P0S 1B0, by telephone at 705-884-2340 x 125, or by email to btremblay@dubreuilville.ca.

Demande de prolongation du délai du RSAP pour la révision préalable / AMPS Time Extension Request for Screening Review

Ce formulaire peut également être rempli en ligne à l'adresse suivante: www.dubreuilville.ca / This form can also be completed online at: www.dubreuilville.ca

Veuillez compléter et soumettre ce formulaire pour demander une prolongation du délai pour demander un examen préalable de l'avis de pénalité décrit ci-dessous : / Please complete and submit this form to request an Extension of Time to Request a Screening Review of the Penalty Notice described below:

Numéro de l'avis de pénalité* / Penalty Notice number*

Avis de pénalité émis le* / Penalty Notice issued on*

Numéro de la plaque du véhicule (le cas échéant) / Vehicle Plate # (if applicable)

Votre nom* / Your Name*

Votre adresse* / Your Street Address*

Votre numéro d'appartement/d'unité/de suite / Your Apartment/Unit/Suite Number

Votre ville* / Your City*

Votre province/territoire* / Your Province/Territory*

Code postal* / Postal Code* Téléphone* / Telephone*

Adresse courriel / Email Address

Veillez décrire les circonstances atténuantes qui justifient une prolongation du délai : / Please describe the mitigating or extenuating circumstances that warrant an extension of time:

Afin de pouvoir bénéficier d'une prolongation du délai pour demander une révision préalable, cette demande doit être reçue par l'agente de contrôle du RSAP dans les 15 jours suivant la date d'émission de l'avis de pénalité. / In order to be considered for an Extension of Time to Request a Screening Review, this Request must be received by the AMPS Unit Screening Officer within 15 days of the date the Penalty Notice was issued.

L'agente de contrôle peut accorder une prolongation et fixer une date pour la révision préalable que si le demandeur démontre, selon la prépondérance des probabilités, l'existence de circonstances atténuantes ou atténuées qui justifient une prolongation du délai. / The Screening Officer may grant an Extension and set a date for a Screening Review only if the Applicant demonstrates, on a balance of probabilities, the existence of mitigating or extenuating circumstances that warrant an extension of time.

Vous serez informé de la décision de l'agente de contrôle. Si l'agent de contrôle accorde une prolongation, un membre du personnel vous contactera pour fixer un rendez-vous d'examen préalable. / You will be notified of the decision of the Screening Officer. If the Screening Officer grants an extension, a staff member will contact you to book a Screening Review appointment.

Si vous ne vous présentez pas à l'examen préalable à la date prévue, des frais administratifs de 100\$ seront ajoutés au montant de l'avis de pénalité. / If you do not attend the Screening Review at the scheduled time, an administrative fee of \$100 will be added to the amount of the Penalty Notice.

Si vous soumettez une demande imprimée, veuillez envoyer cette demande de révision préalable dûment remplie à l'adresse suivante : / If submitting a printed request, please send this completed Request for Extension of Time to Request a Screening Review to:

Amanda Nolan
Agente de contrôle / Screening Officer
23, rue des Pins, C.P. 367 / 23 Pines Street, P.O. Box 367
Dubreuilville ON P0S 1B0 / Dubreuilville, Ontario P0S 1B0

Parking Administrative Penalty System
AUTHORIZATION TO ACT AS AGENT

Schedule 'E'

Complete this form if you are authorizing a person to act on your behalf in relation to a Penalty Notice.

I/we, the undersigned, am the registered owner(s) of the vehicle bearing Plate No.:

I/we hereby authorize: _____
to act and appear for me as my agent in the matters pertaining to the following Penalty Notice(s):

Items	Required Information
Penalty Notice number*:	
Penalty Notice issued on*:	
Vehicle Licence Plate Number*:	
Registered Owner(s) Full Name(s)*:	
Registered Owner(s) Address*:	
Registered Owner(s) Telephone Number*:	

* indicates required information

I/we authorize the agent to act on my behalf in relation to the above Penalty Notice(s) and to enter an agreement to any penalty or resolution he or she deems appropriate toward a conclusion of this matter. I/we am aware that if there is an administrative penalty and/or administrative fees to be paid after the Screening Review or Hearing Review, the ultimate responsibility to pay these amounts rests with me.

Name (please print): _____ Name (please print): _____

Signature: _____ Signature: _____

Date: _____ Date: _____

NOTE: this form must be printed, signed and brought to the Screening and Hearing Review

To the extent that the following information constitutes personal information as defined in the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, chapter M.56 as amended, the information is subject to provisions of that Act and will be used for the purposes indicated or implied by this form. Questions about the collection of personal information should be directed to the CAO-Clerk, 23 Pine Street Dubreuilville, Ontario, P0S 1B0 telephone 705-884-2340 x 121.

For Office Use Only:

Date Received: _____

Système de sanctions administratives en matière de stationnement AUTORISATION D'AGIR EN TANT QU'AGENT

Remplissez ce formulaire si vous autorisez une personne à agir en votre nom dans le cadre d'une notification de pénalité.

Je/nous, soussigné(s), suis/sommes le(s) propriétaire(s) enregistré(s) du véhicule portant le numéro de plaque d'immatriculation :

J'autorise/nous autorisons par la présente : _____

d'agir et de comparaître en mon nom en tant que mandataire pour les questions relatives à la (aux) notification(s) de pénalité suivante(s) :

Articles	Informations requises
Numéro de l'avis de pénalité* :	
Avis de pénalité émis le* :	
Numéro de plaque d'immatriculation* :	
Propriétaire(s) enregistré(s) Nom(s) complet(s)* :	
Adresse Propriétaire(s) enregistré(s) * :	
Propriétaire(s) enregistré(s) Numéro de téléphone* :	

* indique les informations requises

J'autorise (nous autorisons) l'agent à agir en mon nom en ce qui concerne la (les) notification(s) de pénalité susmentionnée(s) et à conclure un accord sur toute pénalité ou résolution qu'il (elle) juge appropriée en vue de la conclusion de cette affaire.

Je suis conscient(e) que s'il y a une sanction administrative et/ou des frais administratifs à payer après l'examen préliminaire ou l'examen de l'audience, c'est à moi qu'il incombe en dernier ressort de payer ces montants.

Nom (imprimer): _____

Nom (imprimer): _____

Signature: _____

Signature: _____

Date: _____

Date: _____

REMARQUE : ce formulaire doit être imprimé, signé et apporté à l'agente de contrôle et d'audience.

Dans la mesure où les informations suivantes constituent des renseignements personnels au sens de la Loi sur l'accès à l'information municipale et la protection de la vie privée, L.R.O. 1990, chapitre M.56, telle que modifiée, elles sont soumises aux dispositions de cette loi et seront utilisées aux fins indiquées ou sous-entendues dans le présent formulaire. Les questions relatives à la collecte d'informations personnelles doivent être adressées à la Greffière administrative, 23, rue des Pins, Dubreuilville ON P0S 1B0 téléphone 705-884-2340 poste 121.

Réservé à l'usage du bureau :

Date de réception: _____



By-Law No. 2023-37

Being a By-law to appoint a Treasurer/Tax Collector and Lottery Licensing Officer

WHEREAS the Municipal Act provides authority to the Council of a municipality to appoint such officers as may be necessary for the purpose of the Corporation; and

WHEREAS the Municipal Council deems it desirable to appoint a Treasurer/Tax Collector and Lottery Licensing Officer for the Township of Dubreuilville; and

NOW THEREFORE be it resolved that the Municipal Council of the Corporation of the Township of Dubreuilville enacts as follows:

1. That Brigitte Tremblay be appointed Treasurer/Tax Collector and Lottery Licensing Officer for the Corporation of the Township of Dubreuilville; and
2. That Brigitte Tremblay be paid as per approved signed agreement; and
3. That Brigitte Tremblay be provided with the fringe benefits that the full-time management personnel of the Corporation are entitled to as per employee agreement; and
4. That in addition to the duties required to be performed under any statute, Brigitte Tremblay shall perform such other duties as may, from time to time, be assigned to the Treasurer/Tax-Collector and Lottery Licensing Officer by By-Law of Council; and
5. That By-Law No. 2012-07 be and is hereby repealed.

READ a first, second and third time and be finally PASSED this 24th day of May 2023.

MAYOR

CAO/CLERK



By-Law No. 2023-38

Being a By-law to authorize the execution of an employment agreement between the Corporation of the Township of Dubreuilville and its Treasurer / Tax Collector

WHEREAS the Council of the Corporation of the Township of Dubreuilville deems it necessary to enter into an employment agreement with its Treasurer / Tax Collector for establishing the working conditions and fringe benefits for its employee;

NOW THEREFORE BE IT RESOLVED THAT the Municipal Council of the Corporation of the Township of Dubreuilville enacts as follows:

1. That the Mayor and the CAO-Clerk be and are hereby authorized to execute an employment agreement with the Treasurer / Tax Collector of the Corporation of the Township of Dubreuilville effective May 21, 2023; and
2. That the employment agreement attached hereto and marked as Schedule "1" be and shall form part of this By-law; and
3. That By-Law No. 2019-46 therefore be and is hereby repealed; and
4. That this By-law shall come into force and take effect upon the passing thereof.

READ a first, second and third time and be finally PASSED this 24th day of May 2023.

MAYOR

CAO/CLERK



10.5

By-Law No. 2023-39

Being a By-Law to adopt the Alternative Working Arrangement Policy

WHEREAS Section 9 of the Municipal Act, 2001, S.O. 2001, Chapter 25, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

WHEREAS Section 5(1) of the Municipal Act, 2001, S.O. 2001, Chapter 25, provides that the powers of a municipal corporation are to be exercised by its Council; and

WHEREAS Section 5(3) of the said Municipal Act, S.O. 2001, Chapter 25, provides that the powers of every Council are to be exercised by by-law; and

WHEREAS Section 8(1) of the Municipal Act, 2001, S.O. 2001, Chapter 25 confers broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Dubreuilville hereby enacts the following as a By-Law:

1. THAT the Council of the Corporation of the Township of Dubreuilville hereby adopt the "Alternative Working Arrangement" Policy attached hereto and marked as Schedule "A" to this By-Law.
2. That this By-law shall come into force and take effect upon the passing thereof.

BE IT FURTHER ENACTED that all By-Laws or parts thereof, and all or any resolutions of Council contrary thereto, or inconsistent herewith, be and the same are hereby repealed.

READ a first, second and third time and be finally passed this 24th day of May 2023.

MAYOR

CAO-CLERK



BY-LAW No. 2023-39

SCHEDULE "A"

Alternative Working Arrangement Policy

TOWNSHIP OF DUBREUILVILLE

A-11

ADMINISTRATIVE POLICIES AND PROCEDURES

Section of Manual - A -	Effective Date May 24, 2023
Subject Alternative Working Arrangement Policy	
Department ALL	Resolution No. 23-XX By-law No. 2023-39 Repealed Res. No.

POLICY STATEMENT:

The Corporation of the Township of Dubreuilville through other arrangements in the past, has encouraged flexibility in work schedules whenever possible and practical without compromising effective service delivery to the ratepayers of Dubreuilville.

The Township of Dubreuilville values its employees, and the purpose of this policy is to recognize wellness by various flexible work opportunities to assist employees in meeting their work and personal responsibilities.

PROCEDURE:

The policy embodies many alternative work schedule opportunities that offer flexibility to employees that will assist with work-life balance in keeping with the municipality's requirement to be a responsive municipality to the ratepayers of Dubreuilville. The contents within this policy are intended to assist employees and management to understand each of the flex options, and how to apply and administer these options consistently across the organization. It is important to note that the following standard provisions remain throughout the policy:

- not all jobs may be suitable for each of the flex options outlined;
- the work habits, skills and abilities of employees may impact the decision to approve;
- alternative work schedules are a privilege rather than a right of employment;
- organizational and operational requirements will supersede any and all requests;
- no requests will be approved if there are additional costs i.e., overtime;

- departmental goals and objectives must not be compromised due to alternative work arrangements;
- any approved alternative work arrangement may be cancelled without notice; however, the Corporation will try to provide reasonable notice where possible.

The Alternative Work Arrangement Policy provides information to employees and management on requesting, assessing, and approving an alternative work arrangement.

All requests must be submitted, assessed, and approved in accordance with the provisions in this policy.

The terms and conditions in this policy are subject to review and change by the Senior Managers and CAO/Clerk. Municipal employees will be provided with reasonable notice and communication as required.

Employees may request any of the provisions as outlined in this policy. Other work arrangements not outlined in this policy must be initiated by the Manager and reviewed with the CAO/Clerk prior to implementation to ensure compliance with labour and contractual requirements.

Provisions are as follows:

- Compressed Work Week Employees - work a longer workday in exchange for a reduction in the number of working days in a pay period.
- Flex Time - Employees work their regular daily and weekly hours, but outside the normal start and end times of their “regular” shift, such as during seasonal demands.
- Work-from-home Telecommuting Employees complete their work from a home office, on either a:
 - Infrequent basis;
 - emergency basis;
 - periodic basis;
 - or permanent basis

Alternative working arrangements are any work arrangement that is different from the employee’s regular work schedule, Monday to Friday 8:00 a.m. to 4:30 p.m. (7.5 hours per day).

By-Law No. 2023-40

Being a By-Law to regulate open-air burning within the municipality in the Township of Dubreuilville.

WHEREAS the Council of the Corporation of the Township of Dubreuilville deems it necessary to regulate the open air burning within the Township of Dubreuilville;

AND WHEREAS section 7.1 (1) (a) of the *Fire Protection and Prevention Act, 1997*, as amended, authorizes the municipality to pass by-laws to regulate the fire prevention, including the prevention of the spreading of fires;

AND WHEREAS section 7.1 (1) (b) of the *Fire Protection and Prevention Act, 1997*, as amended, authorize the municipality to pass by-laws regulating the setting of open-air fires, including establishing the times during which open fires may be set;

AND WHEREAS Section 11 (2) (6) of the *Municipal Act, 2001, S.O. 2001, Chapter 25*, as amended, authorizes Council to pass by-laws concerning health, safety and well-being of persons;

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

SHORT TITLE

1. This By-law may be referred to as the "Open Air Burning By-Law".

DEFINITIONS

2. In this by-law:

- a) "Act" means the *Fire Protection and Prevention Act, 1997, S.O. 1997, c.4*;
- b) "Administrative penalty" means a monetary penalty that can be issued to a person or corporation found in violation of the provisions of the by-law, established by by-laws passed by the Township, *the Provincial Offences Act, R.S.O. 1990* or *the Municipal Act, 2001*.
- c) "Agricultural/Industrial Burn" means any burn subject to the Agricultural/Industrial Burn portion of this bylaw;
- d) "Appliance" means a household device either fixed or portable;
- e) "Approved Fire Pit"
 - I. a pit dug into the ground or made from stones, masonry, steel or other fire-resistant material used for the purposes of containing a recreational fire of which the interior dimensions shall be no larger than one metre by one metre (3 feet by 3 feet); and
 - II. above-ground pre-manufactured chimeneas and other like receptacles designed and constructed for the purposes of containing a small recreational fire.
- f) "Barbeque" means a gas or propane powered appliance that is designed and intended for the sole purpose of cooking food in the open air; and includes a hibachi, but does not include devises designed for personal warmth, fire pits or campfires;

- g) "Building" means:
- I. a structure occupying an area greater than ten square metres (107.639 square foot) 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;
 - II. a structure occupying an area of ten square metres (107.639 square foot) or less that contains plumbing, including the plumbing appurtenant thereto; and,
 - III. structures designated in the *Building Code*, as amended;
- h) "Council" means the Council of the Corporation of the Township of Dubreuilville;
- i) "Fire Chief" means the appointed Fire Chief of the Township under provisions of the *Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4*; for any or all Fire Department catchment areas as designated by Council, or his or her designate;
- j) "Fire Ban" means a partial or total ban against any Open-Air Fire in the Township as declared by the Municipal Law Enforcement Officer / Fire Chief or by the Province;
- k) "Firewood" means clean, dry wood that has not been treated, painted or otherwise exposed to toxic material, cut to a maximum of 60 cm (24 inches) in length so as to easily be situated in an approved fire pit;
- l) "Incinerator" means an enclosed device constructed entirely of non-combustible material and is noted under s. 21, i. of "Open Air Burning By-Law" By-Law 2023-40;
- m) "Municipal Law Enforcement Officer" means the Municipal Law Enforcement Officer appointed by the Township of Dubreuilville or their agent, other municipal employee appointed as an Officer for the Township;
- n) "Municipality" means the land within the geographic limit of the Township of Dubreuilville;
- o) "Open Air Fire" means any fire that takes place outside of a Building or structure;
- p) "Owner" means the registered owner or occupant of a property;
- q) "Permit" means a permit issued by the Municipal Law Enforcement Officer or the Fire Chief to permit a person to set, light, ignite and maintain an open air fire;
- r) "person" means an individual or corporation;
- s) "Prohibited Material" means materials that are, but not limited to, automobile and truck bodies, tires, oil, grease, paint, rags, plastics, wire, asphalt, shingles, rubber, construction materials, insulation, and flammable or combustible liquids or accelerants;
- t) "Recreational Fire" means an open-air fire that complies with the provisions of section 20 of this "Open Air Burning By-Law" By-Law 2023-40;
- u) "Township" means the geographic area comprising the Township of Dubreuilville.

GENERAL PROHIBITIONS

3. No person shall set, light, ignite, or maintain an open-air fire, or permit an open-air fire to be set, lit, ignited or maintained, at any time, without first obtaining a permit.
4. No person shall set, light, ignite, or maintain an open-air fire, or permit an open-air fire to be set, lit, ignited or maintained, at any time, in the Settlement Area, except if it is a Recreational Fire.
5. No person shall offer for sale, set, light, ignite or maintain a flying lantern, or permit a flying lantern to be sold, set, lit, ignited or maintained, at any time.

6. No person shall burn or permit to be burnt any of the following materials, but not limited to, automobile and truck bodies, tires, oil, grease, paint, rags, plastics, wire, asphalt, shingles, rubber, construction materials, wood material that has been treated or painted, insulation and flammable or combustible liquids or accelerants.

7. No person shall set, light, ignite, or maintain an open air fire, or permit an open air fire to be set, lit, ignited or maintained, no sooner than 2 hours before sunset, and the fire must be extinguished no later than 2 hours after sunrise, unless such open-air fire is a recreational fire in an approved fire pit or an approved agricultural/industrial burn plan.

8. No person shall leave an open-air fire unattended or unsupervised at any time.

9. No person shall light, ignite, or maintain an open-air fire, or permit an open-air fire to be set, lit, ignited or maintained, in an area that could potentially endanger any buildings or structures, or any persons located nearby, in or occupying those buildings or structures.

10. No person shall use, or cause to be used, any barbeque of any kind on any balconies of multi-residential building.

11. No person shall set, light, ignite, or maintain an open-air fire, or permit an open-air fire to be set, lit, ignited or maintained, which creates a nuisance for any person such as, but not limited to:

- a) excessive smoke or odour;
- b) a decrease in visibility on roads or highways; or
- c) a rapid spread of fire through grass, brush or any wooded area.

12. No person shall set, light, ignite or maintain an open-air fire, or permit an open-air fire to be set, lit, ignited, or maintained, during a fire ban or restricted fire zone.

FIRE BANS

13. The Municipal Law Enforcement Officer or Fire Chief may declare a Fire Ban in the Township at anytime.

PERMITS

14. Following the receipt of an application for a permit, the Municipal Law Enforcement Officer or Fire Chief may approve or refuse a permit with such conditions as necessary, as determined by the Fire Chief and every person who receives a permit shall comply with the conditions of the permit.

15. The Municipal Law Enforcement Officer or Fire Chief may suspend or revoke a permit at any time:

- a) For non-compliance with this by-law;
- b) For non-compliance with one or more of the conditions of the permit; or
- c) If a dangerous condition exists at or near the proposed site for the open-air fire.

16. Permits are non-transferable.

17. All Permits shall be deemed to be suspended during a municipal fire ban or during a restricted fire zone declared by the Ontario Ministry of Natural Resources and Forestry.

18. An application for a permit under this by-law shall be in the form prescribed by the Municipal Law Enforcement Officer or Fire Chief.

OPEN AIR FIRE REGULATION

19. All open-air fires require the applicable burn permit, which is the newest, and most current burn permit as of the permit issue date.

20. In order to obtain a permit, the property on which the open-air fire is to occur must comply with the following, except if it is a recreational fire or agricultural/industrial burn or chimenea, which are subject to the amendments noted under each section.

- a) The property must have a lot size greater than 0.4 hectare (1 acre)
- b) The sole purpose of the open-air fire must be the disposal of materials other than prohibited materials.

21. A person who obtains a permit, shall always comply with the following regulations, except if the permit relates to a recreational fire or agricultural/industrial burn:

- a) Open-air fires shall not be set, lit, ignited or maintained, within 30 meters (100 feet) of any building or structure, grass, grain field, bush, or wood lot;
- b) Open-air fires shall not exceed 2 meters (6.5 ft) in diameter, or an area of 2 meters x 2 meters (6.5 ft x 6.5 ft);
- c) The stacked height of the materials to be burned in an open-air fire shall not exceed 2 meters (6 feet);
- d) Open-air fires shall not be set, lit, ignited or maintained, if winds exceed 16 km/h (10mph);
- e) Prior to setting, lighting, or igniting an open-air fire, the person who obtained the permit shall notify the Municipal Law Enforcement Officer, Fire Chief or designate; and
- f) Appropriate extinguishing agents (e.g. water hose, sand, fire extinguishers, tractors and/or plow) shall be on-hand at all times during the preparation of the open-air fire, while the open-air fire is underway, and until the open-air fire is fully and completely extinguished;
- g) A responsible person is available to attend the fire until extinguished;
- h) Only one pile shall be burned at a time;
- i) As well as the portions from section/subsection 21. a, d, f. g. of By-Law 2023-40 "Open Air Burning By-Law" an incinerator must meet the following criteria; be an enclosed device constructed entirely from non-combustible materials, at least 10 meters (33 feet) from any forest, woodland, combustible materials, as well as the outlet of the incinerator being covered with a screen having a mesh size of not more than five millimeters (0.19685 inches) and the incinerator is situated on bare rock or bare mineral soil;
- j) As well as the portions from section/subsection 21. d, e, f, g. of By-Law 2023-40 "Open Air Burning By-Law" burning of grass and leaves must meet the following criteria: area to be burned is no greater than 1 hectare (2.54 acres); the length of the flaming edge is less than 30 metres.

22. A person who obtains a permit for a recreational fire shall always comply with the following regulations:

- a) A recreational fire is permitted within the settlement areas;
- b) Recreational fires must be in approved fire pits;
- c) Recreational fire shall not exceed 1 meter (3 feet) in diameter, or an area of 1 meter by 1 meter (3 feet by 3 feet);
- d) The stacked height of materials being burned in a recreational fire shall not exceed 1 meter (3 feet) in height;
- e) Recreational fires may only be used for warmth or the cooking of food;
- f) Only firewood may be used as the combustible material in a recreational fire;
- g) Recreational fires shall not be set, lit, ignited or maintained, within 4 meters (13 feet) of any building or structure, grain field, bush, or wood lot;
- h) Recreational fires shall not be set, lit, ignited or maintained if winds exceed 10 mph (16 km/h); and

- i) Appropriate extinguishing agents (e.g. water hose, sand, fire extinguishers, tractors and/or plows) shall be on-hand at all times during the preparation of the recreational fire, while the recreational fire is underway, and until the recreational fire is fully and completely extinguished;
- j) A responsible person is available to attend the fire until extinguished.

23. A person who obtains a permit for a chimenea shall always comply with the following regulations:

- a) shall not be set, lit, ignited or maintained, within 4 meters (13 feet) of any building or structure, grain field, bush, or wood lot and shall not be ignited or maintained if winds exceed 10 mph (16 km/h); and;
- b) Appropriate extinguishing agents (e.g. water hose, sand, and/or fire extinguishers) shall be on-hand at all times during the preparation of the chimenea fire, while the chimenea fire is underway, and until the chimenea fire is fully and completely extinguished;
- c) Must have a spark arrester, as per the Ontario Building Code;
- d) Only permitted to burn properly seasoned wood products;
- e) Must be placed on a non-combustible base;
- f) Must be always supervised during use.

24. A person who obtains a permit for an agricultural/industrial burn shall always comply with the following regulations:

*Note all portions of s. 21 of By-Law 2023-40 "Open Air Burning By-Law" go for any agricultural/industrial burn

- a) The person responsible must do everything possible to avoid building piles in muskeg areas;
- b) Eliminate as much dirt from the roots and do not pack the windrows tight. Air circulator around the piles/windrows is necessary to aid in combustion and subsequent consumption of fuels;
- c) Ensure that windrows are not longer than 30 meters (100 feet) and no wider than 3 meters (10 feet);
- d) Ensure that a minimum of 10 meters (33 feet) break is created between the ends of each windrow;
- e) Ensure that all windrows/piles are 25 meters (75 feet) from standing timber & 35 meters (115 feet) from any structures;
- f) The approved current municipal burn plan form must be filled out in its entirety by the applicant;
- g) Appropriate extinguishing agents (e.g. water hose, sand, fire extinguishers, tractors and/or plows) shall be on-hand at all times during the preparation of the fire, while the fire is underway, and until the fire is fully and completely extinguished;
- h) Agricultural/industrial fires shall not be set, lit, ignited or maintained, if winds exceed 16 km/h (10mph);
- i) Prior to setting, lighting, or igniting an agricultural/industrial fire, the person who obtained the permit shall notify the Municipal Law Enforcement Officer or Fire Chief

25. This by-law shall not apply to:

- a) The Fire Department of the Township for the purposes of live fire training exercises and operational requirements;

b) The Corporation of the Township of Dubreuville, where authorized by the Municipal Law Enforcement Officer or Fire Chief;

c) The Ministry of Natural Resources and Forestry, where authorized by the Municipal Law Enforcement Officer or Fire Chief.

INSPECTION

26. A Police Officer, Municipal Law Enforcement Officer, Fire Chief or designate may enter upon land and/or into structures at any reasonable time to inspect the land and/or structures to determine whether this by-law is being complied with.

27. Prior to a permit being issued under this by-law, the Municipal Law Enforcement Officer or Fire Chief may require an inspection of the property for which an open-air fire permit is being applied and/or inspect the materials that are proposed to be burned.

ORDER TO DISCONTINUE ACTIVITY

28. If the Municipal Law Enforcement Officer or Fire Chief is satisfied that a contravention of this by-law has occurred, they may make an order requiring the person 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.

29. An order made under s.28 of this "Open Air Burning By-Law" By-Law 2023-40 shall set out:

- a) reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
- b) the date by which there must be compliance with the order.

30. Any person who contravenes an order under s. 28 of this "Open Air Burning By-Law" By-Law 2023-40 is guilty of an offence.

WORK ORDER

31. If the Municipal Law Enforcement Officer or Fire Chief is satisfied that a contravention of this by-law has occurred, they may make an order requiring the person 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 correct the contravention.

32. An order under s. 31 of this "Open Air Burning By-Law" By-Law 2023-40 shall set out:

- a) Reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
- b) The work to be done to correct the contravention and the date by which the work must be done.

33. An order under s. 31 of this "Open Air Burning By-Law" By-Law 2023-40 may require work to be done even though the facts which constitute the contravention of this by-law were present prior to the date on which this by-law came into force.

34. A person who contravenes an order under s. 31 of this "Open Air Burning By-Law" By-law 2023-40 is guilty of an offence.

REMEDIAL ACTION

35. If a person fails to do a matter or thing, including comply with an order under this by-law, as directed or required by this by-law, the Township may, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense.

36. The Township may recover the costs of doing a matter or thing from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

37. The costs s. 35 of this "Open Air Burning By-Law" By-Law 2023-40 shall include interest calculated at a rate of 15 per cent or such lesser rate as may be determined by the Township, calculated for the period commencing on the day the Township incurs the costs and ending on the day the costs, including the interest, are paid in full.

38. The amount of costs, including interest, constitutes a lien on the land upon the registration in the proper land registry office of a notice of lien. The lien is in respect of all costs that are payable at the time the notice is registered plus interest accrued at the rate established under s. 36 "Open Air Burning By-Law" By-Law 2023-40 to the date the payment is made. Upon receiving the payment of all costs payable plus interest accrued to the date of payment, the Township shall register a discharge of the lien in the proper land registry office.

ENFORCEMENT

39. This by-law may be enforced by A Police Officer, Municipal Law Enforcement Officer, Fire Chief or designate.

OBSTRUCTION

40. No person shall hinder or obstruct a Municipal Law Enforcement Officer, Fire Chief or person appointed by the Council, who is lawfully carrying out enforcement of performing a duty under this by-law.

41. No person shall fail to identify themselves to the Municipal Law Enforcement Officer, Fire Chief or person appointed by the Council, if they have been alleged to have contravened any of the provisions of this by-law.

PENALTIES

42. Any person who contravenes a designated provision of this By-law is guilty of an offence, and, when given a Penalty Notice, in accordance with the Administrative Monetary Penalty System (herein after, "AMPS By-law"), be liable to pay to the Township an administrative penalty as set out in the schedules attached to the AMPS By-law (as amended from time to time).

43. Any person who contravenes any of the provisions of this By-law, except a designated provision, is guilty of an offence and upon conviction is liable to a penalty as provided for in the *Provincial Offences Act, R.S.O. 1990, c.p. 33* (as amended from time to time) or any successor thereof.

SCHEDULES

44. Provisions of this By-law that allow for financial penalties shall be updated and attached to the schedules of the administrative penalties found in the AMPS By-law (as amended from time to time).

45. Schedule "A" is attached and forms part of this by-law.

SEVERABILITY

46. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

47. That By-Law 2004-32 is hereby repealed in its entirety.

48. That this By-law shall come into force and take effect upon the passing thereof.

READ a first, second and third time and be finally passed this 24th day of May 2023.

MAYOR

CAO-CLERK

SCHEDULE "A"

**SET FINES
OPEN AIR BURNING BY-LAW 2023-40**

Item	Column 1	Column 2	Column 3
	Short Form Wording	Provision creating or defining offence	Set fine
1	Set or maintain fire/Permit a fire to burn without a permit	Section 3.	\$125
2	Burn/Permit a fire to burn with prohibited materials	Section 6.	\$125
3	Set or maintain fire/Permit a fire to burn outside of permitted hours	Section 7.	\$125
4	Failure to supervise burning	Section 8.	\$125
5	Set or maintain or permit fire which causes nuisance to residents	Section 11.	\$125
6	Burn or Permit burning during a fire ban or Restricted Fire Zone.	Section 12.	\$200
7	Failure to follow permit conditions	Section 14.	\$125
8	Permit a fire to burn within 30 meters (100 feet) of any building, structure, grass, wood lot or other	Section 21. (a)	\$125
9	Open air fire- exceed size allowance	Section 21. (b)	\$125
10	Open air fire - exceed height allowance	Section 21. (c)	\$125
11	Set open air fire - winds greater than 16 kph (10 mph)	Section 21. (d)	\$125
12	Set open air fire - fail to notify Municipal Law Enforcement Officer or Fire Chief	Section 21. (e)	\$125
13	Burning without adequate extinguishment equipment.	Section 21. (f)	\$125
14	Incinerator- fail to comply with specifications	Section 21. (i)	\$125
15	Burn grass and leaves - exceed size allowance	Section 21. (j)	\$125
16	Recreational fire- exceed size allowance	Section 22. (c)	\$125
17	Recreational fire - exceed height allowance	Section 22. (d)	\$125
18	Recreational fire - winds greater than 16 kph (10 mph)	Section 22. (h)	\$125
19	Recreational fire - Burning without adequate extinguishment equipment.	Section 22. (i)	\$125
20	Set/maintain Chimenea fire - winds greater than 16 kph (10 mph)	Section 23. (a)	\$125
21	Set/maintain Chimenea fire without adequate extinguishment equipment.	Section 23. (b)	\$125
22	Agricultural/industrial fire- exceed size allowance	Section 24. (c)	\$125
23	Agricultural/industrial fire - Burning without adequate extinguishment equipment.	Section 24. (g)	\$125
24	Agricultural/industrial fire - winds greater than 16 kph (10 mph)	Section 24. (h)	\$125
25	Agricultural/industrial fire - fail to notify Municipal Law Enforcement Officer or Fire Chief	Section 24. (i)	\$125
26	Hinder or obstruct an Officer/appointed person lawfully carrying out duties	Section 40	\$300
27	Failure to identify themselves to an Officer/appointed person while in contravention of this By-law	Section 41	\$200

Schedule "A", SET FINES, is considered part of this By-law. Set fines take effect on the date of ORDER attached to this By-law.



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P. O. Box 367, 23 rue des Pins,
 Dubreuilville, Ontario, P0S 1B0
 Telephone: (705) 884-2340 Fax: (705) 884-2626

\$25.00

Open Air Burning Application and Permit

Under the Municipal Act, the Corporation of the Township of Dubreuilville By-Law No. 2023-40, Section 5 of Ontario Regulation No. 207/96 of the Forest Fires Prevention Act, and the Ontario Fire Code, Part 2, Article 2.6.3.4, and subject to the limitations thereof and to the terms and conditions herein, this permit is issued to:

Date Stamp:

Permit Number:

APPLICANT'S INFORMATION

FULL NAME / BUSINESS NAME		EMAIL ADDRESS	
HOME ADDRESS / BUSINESS ADDRESS		BOX NUMBER	PHONE NUMBER
BUSINESS CONTACT NAME		BUSINESS CONTACT PHONE NUMBER	
ADDRESS AND LOCATION OF "OPEN AIR BURN" (Please provide specific address and location on property)			
FOR THE PURPOSES OF BURNING (Please check applicable box).			
<input type="checkbox"/> Incinerator	<input type="checkbox"/> Fire Pit	<input type="checkbox"/> Campfire	
<input type="checkbox"/> Brush Piles	<input type="checkbox"/> Fire Bowl	<input type="checkbox"/> Cut-Off Barrel	
<input type="checkbox"/> Grass/Leaves	<input type="checkbox"/> Chiminea	<input type="checkbox"/> Other _____	
START DATE:		END DATE:	

The application is subject to the following general terms and condition, in conjunction with the terms outlined in the Corporation of the Township of Dubreuilville By-Law 2023-40.

1. Permittee shall keep this permit at the site of the burning operation conducted under this permit.
2. Permittee shall ensure that a fire ban is not in effect.
3. Permittee agrees to all rules and regulations in the "Open Air Burning" By-Law No. 2023-40 and which are not limited to only those which appear on this permit.
4. Only clean dry wood may be burned. No materials such as "household waste", petroleum products, tires or any other products which may be harmful to the environment may be burned.
5. "Open Air Burn" must not be conducted in winds 15 km/hr or more, when conditions prevent ready dispersion of smoke.

