

## BY-LAW 25-2008

### A BY-LAW OF THE CORPORATION OF THE TOWN OF CARLETON PLACE TO REGULATE THE CONDITION OF YARDS WITHIN THE CORPORATION OF THE TOWN OF CARLETON PLACE

**WHEREAS** Section 130 of the Municipal Act S.O. 2001 permits a municipality to adopt a by-law to regulate matters not specifically provided for by the said Act, for the purposes related to the health, safety and well-being of the inhabitants of the municipality;

**AND WHEREAS** there is in effect in the Town of Carleton Place an Official Plan which includes provisions relating to standards for the maintenance of property;

**NOW THEREFORE** the Council of the Corporation of the Town of Carleton Place hereby enacts as follows:

1. This By-law may be cited as “The Yard Maintenance By-law”.
2. In this By-law, a “**Yard**” shall be defined as any property located within 40m (131.23 ft) of an occupied residential dwelling unit and shall include the portion of any adjacent road allowance between the edge of the roadway and the property line.
3. Property owners shall be responsible for the maintenance of the portion of any adjacent road allowance between the edge of the roadway and the property line with the following exceptions

Street	Side	Between
Hooper	both	Lake Ave E to Coleman Street
McNeely	both	Townline Road East to Hwy. 7
Lake Avenue East	both	McNeely Avenue to Maple Lane
Stonewater Bay	both	McNeely Avenue to Crampton Drive
Mississippi Road	west	Lake Avenue West to Blair Street
Franktown Road	west	Antrim Street to Hwy. 7
Coleman Street	both	Queen Street to McNeely Avenue
Maple Lane	west	Lake Avenue East to River
Industrial Park North	both	Townline Road and 8 <sup>th</sup> Concession

4. Grass and weeds, in any yard, must not exceed a height of 200mm.
5. Each yard shall be kept in a condition such that brush, heavy undergrowth and noxious weeds, such as ragweed, poison ivy, poison sumach and other noxious plants shall be eliminated from all yards, as detailed in the **Weed Control Act, R.S.O. 1990 Chapter 5** and amendments thereto.
6. If, upon inspection of a yard, the designated municipal employee and/or By-law Enforcement Officer determines that a yard does not conform to the above clauses (4) and/or (5) the said employee and/or By-law Enforcement Officer shall:
  - (a) contact the registered owner or owners of the said property and formally advise the same that their property does not conform to section (4) and/or (5) of this By-law
  - (b) and deliver by hand or registered mail, a Notice as appended hereto as Schedule ‘A’.

7. The property owner has seven days from the date the Notice was sent to conform to the above noted (4) and/or (5) if they reside in Town, and ten days to confirm to the above notes clauses (4) and/or (5) or if they reside out of Town.

If after the above noted period the property still does not conform to the above noted clauses (4) and/or (5), the designated municipal employee and/or By-law Enforcement Officer shall:

Arrange to have the noxious plants eliminated and/or the grass cut to a reasonable length so that the property conforms to the above clauses (4) and (5). This work may be performed by either municipal staff or by a private contractor and invoice the owner, or owners, for the cost to perform all work along with a \$45.00 administrative fee for compensation for all work and time incurred to remedy the violation.

8. That By-law 39-2005 and any amendments thereto are hereby repealed in their entirety.

READ A FIRST TIME, A SECOND TIME, AND A THIRD TIME AND FINALLY PASSED THIS 22<sup>ND</sup> DAY OF APRIL 2008.

\_\_\_\_\_  
Paul Dulmage, Mayor

\_\_\_\_\_  
Duncan Rogers, Clerk

**SCHEDULE 'A' TO BY-LAW 25-2008**

**NOTICE OF VIOLATION OF STANDARDS FOR YARD MAINTENANCE**

**Property Description:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Property Owner:** \_\_\_\_\_

**Owner's Address:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Property Inspection of \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

By-law 25-2008 of the Town of Carleton Place provides that:

Grass and weeds in any yard must not exceed a height of 200mm.

Each yard shall be kept in a conditions such that brush, heavy undergrowth and noxious weeds, such as ragweed, poison ivy, poison sumach and other noxious plants shall be eliminated from all yards.

**Description of Violation**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTICE**

Your attention is directed to the above violation of By-law No. 25-2008 and you are requested to take immediate action to comply with the By-law requirements.

If no action is taken to correct the violation prior to \_\_\_\_\_, the Municipal Employee and/or By-law Enforcement Officer, shall arrange to have the violation corrected and the cost involved shall be invoiced to the property owner.

No response to this notice shall be deemed to be permission from the property owner to proceed to have the violations corrected and the costs invoiced.

Contact - Municipal Employee and/or By-law Enforcement Officer - 613-257-5688.

\_\_\_\_\_  
Date of Notice

\_\_\_\_\_  
Municipal Employee and/or  
By-law Enforcement Officer