

THE CORPORATION OF THE TOWNSHIP OF HORTON
Council Meeting
December 5th, 2017
4:00 p.m.

The agenda provides start times for committee meetings. Please note that these times are approximate and serve as a guideline only. We respectfully request all attendees and committee members to be in attendance at least 15 minutes prior to the start time for your respective committee meeting.

1. CALL TO ORDER

2. MEMBERS, STAFF AND THE PUBLIC REQUESTED TO TURN OFF ALL CELL PHONES AND ELECTRONIC DEVICES.

3. DECLARATION OF PECUNIARY INTEREST

4. MINUTES FROM PREVIOUS MEETINGS

- 4.1 November 7th, 2017 Regular Council Meeting **PG.4**
- November 21st, 2017 Public Meeting – Zoning Amendment **PG.10**
- November 23rd, 2017 Special Council Meeting re: Johnston Rd. **PG.11**
- November 23rd, 2017 Special Council meeting re: Rick O'Connor **PG.13**
- November 30th, 2017 Ad Hoc Budget Committee Meeting **PG.15**
- November 30th, 2017 Special Council Meeting re: Johnston Rd. **PG.18**

5. BUSINESS ARISING FROM MINUTES

6. 4:05 TRANSPORTATION / ENVIRONMENTAL SERVICES

Public Works, Waste Management, Lime Stabilization
Chair: D. Bennett
Public Members: M. Humphries, R. Lester, J. Wilson

6.1 Staff Reports

6.1.1

6.2 New Business

6.2.1

6.3 Outstanding Business

6.3.1 Landfill Site – Update re: Poles for signage- Verbal

6.3.2 Status on Tenders for Propane and Fuels - Verbal

6.3.3 Status on Truck Tender - Verbal

6.4 Correspondence

6.4.1

**6.5 Mayor Kingsbury - Questions on Report
- Recommendations**

7. 4:35 PROTECTIVE SERVICES

Fire, Emergency Management
Chair: R. Johnston
Staff Liaison: Chief R. Corbin, Deputy Chief A. Cole, CEMC S. Osipenko (as required)

- 7.1 Staff Reports
 - 7.1.1 Fire Chief's Report
- 7.2 New Business
 - 7.2.1
- 7.3 Outstanding Business
 - 7.3.1
- 7.4 Correspondence
 - 7.4.1
- 7.5 **Mayor Kingsbury - Questions on Report
- Recommendations**

8.	5:00	RECREATION
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	Chair:	R. Johnston
	Public Members:	Sharon Bennett, Barb Dickson, Tina Hunt and Ralph Miller

- 10.1 Staff Reports
 - 10.1.1 Proposal – 2018 – Skating Lessons **PG.20**
 - 10.1.2 Proposal – March Break Day Camp 2018 **PG.23**
 - 10.1.3 Signage for Horton Dances **PG.26**
- 10.2 New Business
 - 10.2.1
- 10.3 Outstanding Business
 - 10.3.1
- 10.4 Correspondence
 - 10.4.1
- 10.5 **Mayor Kingsbury - Questions on Report
- Recommendations**

THERE WILL BE NO SUPPER BREAK

9.	6:00	DELEGATIONS &/or PUBLIC MEETINGS or Protective Services if no delegations
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6:00 N/A

10. COUNCIL CORRESPONDENCE SUMMARY

- 11.1 Information Correspondence
 - 11.1.1 CAO/Clerk Information Memo **PG.28**
- 11.2 Action Correspondence - None

11. OUTSTANDING COMMITTEE ISSUES

From Previous Meeting(s)

- 12.1 Renfrew & Area Seniors Home Support – 2017 Call for Proposals **PG.29**
Letter of Support RE: *Seniors Active Living Centre's Program Expansion*

12. BY-LAWS

13.1 2017-68 – By-Law to Amend 2016-46 – Property Standards **PG.30**

2017-69– Authorize Agreement – Jp2g Consulting – Thompsonhill **PG.60**

2017-70 – Adopt Concussion Policy **PG.69**

13. NOTICE TO FILE MOTION FOR NEXT COUNCIL MEETING

14. COUNCIL MEMBERS CONCERNS

15. MOTION FOR RECONSIDERATION (debate on motion to reconsider only)

16. IN CAMERA (Closed) SESSION

17. NEXT MEETING

17.1 Council Meeting Date: [December 19th, 2017 at 4:00 p.m.](#)

18. CONFIRMING BY-LAW 2017-71

19. ADJOURNMENT

NOTE: Submissions received from the public, either orally or in writing may become part of the public record.

THE CORPORATION OF THE TOWNSHIP OF HORTON

Regular Council Meeting
November 7th, 2017

There was a Regular Meeting of Council held in the Horton Community Centre Upstairs Hall on Tuesday November 7th, 2017. Present were Mayor Robert Kingsbury, Deputy Mayor Robert A. Johnston, Councillor Dave Bennett, Councillor Glen Campbell and Councillor Jamey Larone. Staff present was Suzanne Klatt, CAO/Clerk, Treasurer Jennifer Barr, Public Works Manager Charles McDonald and Hope Dillabough, Deputy Clerk-Recording Secretary.

1. CALL TO ORDER

Mayor Kingsbury called the meeting to order at 4:00 p.m.

2. REQUEST TO TURN OFF ELECTRONIC DEVICES

Mayor Kingsbury asked Council, Staff and the Public to turn off all electronic devices.

3. DECLARATION OF PECUNIARY INTEREST

Councillor Bennett declared Pecuniary Interest on Item # 9 – Delegation – Judy Ewart from Senior's Home Support.

4. MINUTES

4.1 October 3rd, 2017 Regular Council Meeting

Moved by Councillor Campbell

RESOLUTION NO. 2017-355

Seconded by Deputy Mayor Johnston

THAT Council approves the following Council Meeting Minutes:

- October 3rd, 2017 Regular Council Meeting

Carried

5. BUSINESS ARISING FROM MINUTES

There was no business arising from the Minutes.

6. TRANSPORTATION / ENVIRONMENTAL SERVICES

Present was Public Advisory Member Rick Lester.

Public Advisory Members John Wilson and Murray Humphries were absent.

Councillor Bennett, Chair of the Transportation/Environmental Services Committee, presented the following items for consideration and recommendation.

6.1 Staff Reports

6.1.1 Thompsonhill Roads Assessment

Public Works Manager Charles McDonald reviewed his report and the proposals that were received by McIntosh Perry Consulting Engineers and Jp2g Consultants and provided his recommendation to Council to accept the proposal from McIntosh Perry. Chair Bennett felt that the scope of work provided in the proposals didn't provide enough detail and didn't think it was as thorough as originally intended of Council. Mr. McDonald reviewed that he felt the proposal was sufficient and that it is just the preliminary scope of work and the geotechnical study will detail exactly what will need to be done moving forward. Mayor Kingsbury agreed with the Chair and wanted the proposal to be expanded to ensure all is encompassed, as it currently doesn't involve any underground infrastructure for example. Mr. McDonald understood the initial direction from Council was to assess the roadway, not the infrastructure (sewer lines) as the plan was to do that portion of it themselves with a camera and flush the lines. Chair Bennett and Mayor Kingsbury reiterated that it was Council's intention that the scope of work was to include items such as underground infrastructure and alignment issues, although had not verbalized it in detail. CAO/Clerk Suzanne Klatt offered that if there was a change in the scope of work, there would have to be revisions and a new Request for Proposal be sent out. She

added that the initial Council request did not state underground detail as part of the scope but Council had agreed to the need and that the Public Works Manager should camera the line. Mayor Kingsbury felt Mr. McDonald now understands Council's intention and he can move forward.

6.1.2 "Free" Bag Tags

Mr. McDonald reviewed his report. Councillor Larone felt there hasn't been a lot of background work done by the Committee such as data collection to justify the change in the amount of bag tags; therefore he would like to remain as status quo. Mayor Kingsbury also wanted to see more data and the effect it would have on property owners if they were to remove the 'free' bag tags. There was Council consensus to leave it as is for 2018.

6.1.3 Johnston Road Rehabilitation

Mr. McDonald reviewed his report and reviewed Greenview Environmental's recommendations. Mayor Kingsbury felt that the Township is not ready to proceed at this time and the scope of work needs to be reviewed therefore the Tender should not be awarded. Chair Bennett spoke of a contact from the Ministry of Transportation(MTO) he conversed with regarding the specifications implemented in the scope of work, provided by the TAC health and safety guidelines, pertaining to the requirement of a road widening because of the licenced 'A' Pit located on Johnston Road. He felt the Township should be exempt from this and should seek support from the Ministry of Transportation. There was some discussion regarding making contact with the Minister of Transportation and request a meeting. Treasurer Jennifer Barr suggested we vet it through the Township's Municipal Advisor through the Ministry of Municipal Affairs and Housing first. CAO/Clerk Suzanne Klatt agreed to contact the Ministry but requested clarification on the intent of the meeting. It was to ask that MTO confirm that none of our municipal roads nor most county roads are built to the requested standard for this project and the TAC requirement being applied to this project due to the pits on Johnston Road(and most are unopened pits) is prohibitive to the municipality. Mr. McDonald suggested holding a meeting with Greenview Environmental to discuss the possibility of relaxing the TAC guidelines and revisit the geotechnical study that was performed. Mayor Kingsbury agreed and also suggested Mr. McDonald speak with the owners of the pit to determine its life span. Mr. McDonald is to contact Greenview Environmental to schedule a TES Committee meeting.

6.2 NEW BUSINESS - None

6.3 OUTSTANDING BUSINESS - None

6.4 CORRESPONDENCE

6.4.1 Correspondence re: Blue Box Transition – Joe Hall

The correspondence was reviewed.

6.5 Questions on Reports and Recommendations – Mayor Kingsbury

There were no additional questions on the reports

Moved by Councillor Bennett

RESOLUTION NO. 2017-356

Seconded by Deputy Mayor Johnston

THAT Council will not award RFT PW#2017-15 Rehabilitation/Reconstruction of Johnston Road due to the fact that all tenders received exceeds the budgeting and funding allocations for Johnston Road.

AND THAT a change of scope be brought forward for Council consideration to approve a new tender for 2018.

Carried

7. PROTECTIVE SERVICES

Fire Chief Randy Corbin and Deputy Fire Chief Allan Cole were present.

Deputy Mayor Johnston, Chair of the Protective Services Committee presented the following items for consideration and recommendation.

7.1 Staff Reports

7.1.1 Fire Chief's Report

Randy Corbin, Fire Chief reviewed his report. There were six call-outs for October: False alarm x 2, House filled with smoke (chimney plugged) and four callouts for wind, downed trees and sparking hydro wires. He also stated they have received 18 requests for Fire Permits so far. Mayor Kingsbury stated to the Committee that they will be proceeding with a review of the Open Air Burning By-law for 2018 and should pick a date.

Chief Corbin stated there were over 225 kids who came to the Halloween Fire Party at the Fire Hall. Mayor Kingsbury thanked the Fire Department for holding the Halloween evening for the kids and said they did a great job. Deputy Mayor Johnston thought it was such a great opportunity for the kids. Chief Corbin said it's a great and safe place for kids to be on Halloween and they get to learn a little about fire prevention also.

7.2 New Business - None

7.3 Outstanding Business - None

7.4 Correspondence

7.4.1 Eastway Fire & Rescue Vehicles – Correspondence

Deputy Fire Chief Cole quickly reviewed the correspondence and asked for guidance. CAO/Clerk Klatt indicated that due to two companies not meeting the specifications and the other company has withdrawn their proposal, the Fire Department can re-Tender the existing Tender without issue. There were suggestions of posting it through the Ontario Fire Marshal's website as well as the Ontario Fire Chief's forum.

7.5 Questions on Report and Recommendations – Mayor Kingsbury

There were no additional questions on the reports.

Moved by Deputy Mayor Johnston

RESOLUTION NO. 2017-357

Seconded by Councillor Bennett

THAT Council accept the Fire Chief's Report as presented for November 7th, 2017.

Carried

Moved by Councillor Campbell

RESOLUTION NO. 2017-358

Seconded by Councillor Larone

THAT Council approve to not award RFQ Fire 2017-01 based on the basis that required specifications as requested within the Tender were not met;

AND THAT Council approve the Fire Chief to resubmit a Tender and accept only submissions that reflect technical requirements.

Carried

8. **SUPPER BREAK – 5:30 p.m.**
RECONVENED – 6:00 p.m.

9. DELEGATIONS AND OR PUBLIC MEETINGS

Judy Ewart, Executive Director from Renfrew and Area Seniors' Home Support made a presentation to Council to discuss what the service entails and what communities they support. Since 1987, Renfrew and Area Seniors' Home Support has been providing a variety of services to assist seniors and adults with disabilities

to age well at home. Some of the services provided are: Friendly visiting, telephone security checks, grocery delivery, intervention and assistance, frozen meals, transportation as well as home maintenance. She stated throughout the five municipalities they service, they have 36 clients from Horton Township.

Mayor Kingsbury thanked Ms. Ewart for her presentation.

10. RECREATION

Barb Dickson, Public Advisory Member was present. Kathleen Rogers, Recreation Program Manager, was present.

Public Advisory Members absent were Tina Hunt, Sharon Bennett and Ralph Miller.

Deputy Mayor Johnston, Chair of the Recreation Committee presented the following items for consideration and recommendation.

10.1 Staff Reports - None

10.2 New Business

Kathleen Rogers, Recreation Program Manager, reviewed she has provided the CAO/Clerk with a template of a concussion policy that needs to be adopted into our policy framework which is required for future funding opportunities for sports and recreation.

CAO/Clerk Klatt also mentioned that Ms. Rogers did provide a report regarding the upcoming craft fair and the Canada 150 book, of which both will be coming forward to the next Recreation Committee Meeting.

10.3 Outstanding Business

10.4 Correspondence

10.4.1 RPT – Sale of Beach Property Gentry Real Estate Services Limited

CAO/Clerk Klatt reviewed the letter from Fred Crouch of Gentry Real Estate Services Limited. It had been Council's original plan to have someone outside of the Horton/Renfrew area to sell this lot and Ms. Klatt is looking for direction. There was consensus to allow Ms. Klatt to engage a few realtors from outside of the area and have them come to a meeting to discuss with council how they feel they can sell the property.

10.5 Questions on Reports and Recommendations – Mayor Kingsbury

There were no additional questions on the reports

Moved by Deputy Mayor Johnston

RESOLUTION NO. 2017-359

Seconded by Councillor Bennett

THAT Council, upon recommendation of the Recreation Committee, receive the report regarding the expiration of the sale agreement pertaining to the Beach property and provide staff with further direction how to proceed with the sale.

Carried

11. COUNCIL CORRESPONDENCE SUMMARY

Council reviewed and discussed the following correspondence:

11.1 Information Correspondence

11.1.1 CAO/Clerk Information Memo

Council reviewed the Information items.

Moved by Councillor Bennett

RESOLUTION NO. 2017-360

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Seconded by Councillor Campbell

THAT Council accept the Information Correspondence list as per the CAO/Clerk's Information Memo for November 7th, 2017.

Carried

11.2 Action Correspondence

11.2.1 Town of Lakeshore – Provincial Flood Insurance Program

CAO/Clerk reviewed this Resolution sent from the Town of Lakeshore to all municipalities in Ontario.

Moved by Councillor Larone

RESOLUTION NO. 2017-361

Seconded by Councillor Campbell

THAT Council of the Township of Horton support the Town of Lakeshore's resolution passed on October 10th, 2017 pertaining to urging the Government of Ontario to create a Provincial Flood Insurance Program, to cover those individuals, families and businesses who are unable to secure flood insurance for their properties.

AND THAT a copy of this resolution be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Patrick Brown, Leader of the Progressive Conservative Party, and the Honourable Andrea Horwath, Leader of the New Democratic Party.

Carried on Division

Opposed by Councillor Bennett and Deputy Mayor Johnston

12. OUTSTANDING COMMITTEE ISSUES - None

13. BYLAWS

13.1 2017-62 Authorize Contract with Brian Dedo

Moved by Councillor Bennett

RESOLUTION NO. 2017-362

Seconded by Councillor Larone

THAT Council enact By-Laws:

- 2017-62 – By-law to Authorize a Contract with Brian Dedo with respect to the covering, levelling, and compaction of refuse at the Horton Landfill Site.

Carried

14. NOTICE TO FILE MOTION FOR NEXT COUNCIL MEETING

15. COUNCIL MEMBERS CONCERNS

Mayor Kingsbury mentioned that there will be a Grand Opening at Ron and Ray Cobus' new Shop on Garden of Eden Road, Thursday November 9th, 2017 at 4:00 p.m. and all of Council is invited.

Councillor Larone asked Ms. Klatt for an update regarding the irate property owner discussed at the previous Council Meeting. Ms. Klatt had sent a registered letter to the property owner and subsequently that property owner came into the office claiming he had not received anything. Ms. Klatt brought him to her office and explained the letter and situation in detail indicating he was not allowed on municipal property as the township has zero tolerance for harassment and threats made to staff. He was given a complaint form, as per the Township's Complaint Policy, that he could formalize his complaint in writing and submit it via email, fax or mail. Deputy Mayor Johnston and Councillor Bennett both visited the property owner and explained they understand his frustration however his behaviour was unacceptable regardless of the situation. Councillor Bennett asked about the "timeline" for being banned from the municipal office. The CAO/Clerk Suzanne Klatt based her letter with no timeline due to past practice at Horton and precedents that had been established. She suggested it would be prudent for Council to take this opportunity to review the harassment policy. She will bring forward suggestions for policy revisions including recommendations on timelines. She will research if based on severity what other municipalities have in place. She mentioned 1 year or Council

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may want to consider for a length of Council term to not tie the hands of another Council to that decision.

16. MOTION FOR RECONSIDERATION

17. IN CAMERA (CLOSED) SESSION

Moved by Councillor Campbell

RESOLUTION NO. 2017-363

Seconded by Deputy Mayor Johnston

THAT Council went into a Closed Session Meeting at 7:30 p.m. pursuant to Section 239(2) (b) and (c) of the *Municipal Act*;

- Personal Matters about an Identifiable Individual including Municipal Employees – Performance Evaluations Update;
- A Proposed or pending acquisition or disposition of land by the municipality – Tax Sale Property.

Carried

Council came out of Closed Session at 8:48 p.m.

Moved by Councillor Larone

RESOLUTION NO. 2017-364

Seconded by Councillor Bennett

THAT Council accept the CAO/Clerk's report on recreation restructuring as presented and its recommendations as reviewed in closed.

THAT Council direct the CAO/Clerk to implement the strategic realignment as it pertains to the Recreation Department aimed at restructuring its workforce to gain efficiencies, cost savings and realign services to incorporate strategic planning and economic development strategies.

Carried

18. NEXT MEETING

18.1 Council Meeting Date – Tuesday November 21st, 2017 at 4:00 p.m.

19. CONFIRMING BYLAW

Moved by Councillor Campbell

RESOLUTION NO. 2017-365

Seconded by Councillor Bennett

THAT Council enacts By-law 2017-63, a by-law to confirm proceedings of the Council of the Township of Horton at the Regular Council meeting held on November 7th, 2017.

Carried

20. ADJOURNMENT

Mayor Kingsbury declared the meeting adjourned at 8:55 p.m.

MAYOR Robert Kingsbury

CAO/CLERK Suzanne Klatt

THE CORPORATION OF THE TOWNSHIP OF HORTON

Public Meeting
Zoning By-Law Amendments
Brian Thompson
November 21st, 2017

There was a Public Meeting held during the Regular Council Meeting of November 21st, 2017. Present was Mayor Robert Kingsbury, Deputy Mayor Robert A. Johnston, Councillor Dave Bennett, and Councillor Jamey Larone. Staff present was Suzanne Klatt, CAO/Clerk and Hope Dillabough, Deputy Clerk-Recording Secretary.
Regrets: Councillor Glen Campbell

1. CALL TO ORDER

Mayor Kingsbury called the Public Meeting to Order at 6:00 pm.

2. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest by Members of Council or Staff.

3. MAYOR – PURPOSE OF AMENDMENT

Mayor Kingsbury stated the purpose of the amendment is to rezone portions of the severed and retained lands in Consent Files B28/17(1), B29/17(2), B30/17(3) and B31/17(4) to accurately reflect the wetland boundary in the Environmental Protection (EP) Zone. The purpose of the amendment is also to recognize an existing triplex and to permit a reduced lot frontage of 20 metres for the retained lands. The effect of the amendment is to rezone portions of the severed lands from Rural (RU) to Environmental Protection (EP) and from Environmental Protection (EP) to Rural (RU) and to rezone the retained lands from Rural (RU) to Rural-Exception Fifty Two (RU-E52) and Environmental Protection (EP). All other provisions of the Zoning By-Law shall apply.

4. CAO/CLERK'S REPORT ON NOTICE

i) Reading of Written Comments

CAO/Clerk Klatt reported that as required by the Planning Act, all property owners within 120 metres were notified of this meeting. Notice of this meeting was sent to fourteen (14) property owners in addition to ten (10) Provincial and County Agencies. Out of those, the Township did not receive any written or verbal comments or concerns.

ii) PUBLIC PARTICIPATON

a) Questions from Public

There were no questions from the Public.

b) Comments in Support

Brian Thompson, Owner of the property, was present to review the reason for rezoning the property to reflect the proper area of Environmental Protection as well as the reduced road frontage of twenty metres.

c) Comments in Opposition

There were no comments in opposition from the public.

5. INFORMATION ON WHO IS ENTITLED TO APPEAL COUNCIL'S DECISION TO THE ONTARIO MUNICIPAL BOARD UNDER SECTIONS 34(11) AND (19) OF O.Reg 545/06.

The CAO/Clerk read out Sections 34(11) and 34(19) in their entirety.

6. COUNCIL MEMBERS COMMENTS

There were no comments.

7. CLOSE MEETING

Mayor Kingsbury closed the public meeting at 6:07 pm.

THE CORPORATION OF THE TOWNSHIP OF HORTON

Special Council Meeting

November 23, 2017

For the purpose of receiving update from Greenview Environmental Inc. on the next steps for Johnston Road

1. Call to Order

The meeting was called to order by Mayor Kingsbury at 3:00p.m.

2. Declaration of Pecuniary Interest

No pecuniary was declared by council members or staff present.

3. Greenview Environmental Inc.

3.1 Updates to council presenting options for Johnston Road

Mayor Kingsbury directed the chair of Public Works to lead the meeting. Councillor Bennett asked Tyler Peters to give a project tender debrief and his recommendations on how to proceed with Johnston Road. This is following Council's decision to refuse all tenders which were all in excess of budget and direction to Mr. Peters was to come back with options for Council consideration. Mr. Peters elaborated on the possibility of design modification and strategies available to reduce the value of the project while still correcting the site lines and the Mullins Road intersection.

The Public Works Manager advised Council he had spoken to David A. Johnson who is the Regional Operations Officer for the Ministry of Transportation, Eastern Region. Mr. Johnson was advised to not attend this meeting based on the fact that it involves local politics outside of MTO business and to avoid any perception that MTO is supporting or influencing local politics.

The Public Works Manager updated council on the information that he provided him and the CAO/Clerk including the right the municipality has to build the road to the existing standards. He elaborated on the importance of levels of service. Our asset management plan outlines that our level of service is a 6(six). He further added that MTO has no influence on seeking or supporting additional funding to address the budget shortfall due to TAC requirements.

The Public Works Manager informed the members and the consultant of the following details from David A. Johnson from MTO.

- Council has the authority to build the road to a standard that reflects the "as is now".
- The municipality cannot build a road below the existing level of service. Our level of service within the asset management plan is rated a "6"

Mayor Kingsbury asked the Engineer if they would be prepared to bring forward a new detailed design reflecting the road be 3 meters vs. 3.3 meters

which reflects TAC standards as originally brought forward. The following points were brought up and discussed.

- The engineer stated yes, would bring something forward. He stated that the existing proposal was based on determination of the truck traffic, pits on the road and the anticipation of long term use by the gravel trucks is confirmed by a recent email received by the Public Works Manager that there is 20-25yrs in one of the pits. He further added that there is flexibility in design to lower the limit to 3m. and a 6 meter total width. It is suggested to defer painting the center line from Mullins Rd to Storyland land. There was a question if we could paint lines along the shoulder of the road.
- With design reconsideration for the Mullins Rd West to Storyland with a decrease widening by 2 ft it could generate a 10-15% reduction.
- A more in depth geotechnical study should be done to ascertain below & allow flexibility in design.
- The parking at the cemetery and how a change would affect it was asked.

Following discussion, a council member asked what an approximate geotech additional engineering fee would be and it was estimated approximately \$5,000 which would include a day for extra bore holes to be dug in key locations. Some locations were recommended based on the past build and areas where the road had been raised. It may be determined that it requires less gravel.

The following points were approved to move forward.

- That a cost and geotech proposal be brought forward by Tuesday November 28, 2017.
- That the Parking Lot be a separate tender and that the engineer also compile that tender.
- That Castleford to Mullins be paved 6 meters.
- That a review will be done to evaluate the overall horizontal realignment and including a review of ditching and shouldering.
- That the site line concerns, the Mullins intersection work both proceed as per the original tender.
- That the CAO/Clerk advertise a Special Council Meeting following the budget meeting to review a proposal by Greenview Environmental and that it include the geotechnical costs.

5. Confirming By-Law; there was no confirming by-law.

6. Adjournment

Mayor Kingsbury declared the Meeting to be adjourned at 4:00 pm.

MAYOR Robert Kingsbury

CAO/Clerk Suzanne Klatt

THE CORPORATION OF THE TOWNSHIP OF HORTON

Special Council Meeting

November 23rd, 2017

For the purpose of receiving a presentation made by City of Ottawa Clerk and City Solicitor Rick O'Connor

There was a Special Meeting of Council held in the Horton Community Centre Upstairs Hall on Thursday November 23rd, 2017. Present was Mayor Robert Kingsbury, Deputy Mayor Robert A. Johnston, Councillor Dave Bennett, and Councillor Jamey Larone. Staff present was Suzanne Klatt, CAO/Clerk, Jennifer Barr, Treasurer and Hope Dillabough, Deputy Clerk- Recording Secretary.

Regrets: Councillor Glen Campbell

1. Call to Order

The meeting was called to order by Mayor Kingsbury at 6:00p.m.

2. Declaration of Pecuniary Interest

No pecuniary interest was declared by council members or staff present.

3. Presentation by Rick O'Connor

CAO/Clerk Suzanne Klatt introduced Mr. Rick O'Connor, Clerk and Solicitor for the City of Ottawa, and thanked him for coming to make a presentation to Council. She reviewed that she had requested Mr. O'Connor come do a presentation to help Council and Staff understand roles and responsibilities in the municipality from a different independent perspective. Mr. O'Connor presented and discussed 'The 3 R's of Municipal Governance: Roles, Responsibilities and Relationships. Mr. O'Connor stressed that Council acts as a group in regards to power and decision making; that no council member has individual decision-making power. Mr. O'Connor also reviewed the role of the Head of Council and that they are considered the Chief Executive Officer of the Municipality. He also reviewed administrative roles and responsibilities.

Mayor Kingsbury opened up the floor for questions. Councillor Bennett questioned Mr. O'Connor's opinion on the Township's Procedural By-Law. Mr. O'Connor stated that a Procedural By-Law is supposed to be designed to have the meetings run efficiently and effectively. In response, specifically to Horton's By-Law, he disagreed with having Public Advisory Members sitting at the table and found the integration of Committee and Council very confusing. Essentially, he didn't agree with the method and suggested that a lot of smaller municipalities do a Committee of the Whole process. He suggested that when the next term of Council begins, that staff and Council go through the Procedural By-Law line by line and make the appropriate changes to make the Council meetings run more efficiently.

Councillor Bennett expressed that he feels very strongly for the community and feels that Public Advisory Members are vital. He felt that Committee of the Whole may be alright, however he doesn't agree to wait until the next term of Council to discuss changes. Mayor Kingsbury offered that if he is unhappy, he could bring a motion to the table for discussion. Deputy Mayor Johnston agreed with Councillor Bennett.

The CAO/Clerk spoke to the existing use of Public Advisory Members. A report proposing modifications to the Procedural By-Law was not presented to Council as she felt it did not bring an objective view as it pertains to the benefits of the paid Public Member. In its existing format, there is no term of reference for the members, and no comparable was found by the CAO/Clerk, as other townships

do not pay their Public Advisory Members. A report will be forthcoming following this meeting after having received this information.

Councillor Larone spoke of the changes and challenges that Council face daily and that it may be different now than it has been in the past. He mentioned there is a new complement of staff now which means there should be a reflection of less micro-managing as there is better efficiency now than ever before.

Ms. Klatt summarized that these are the first steps in terms of reviewing the Procedural By-Law. Different communities have different structures and staff will be looking at other municipalities' procedures to bring objective information to the table. She reiterated that the Mayor's job as CEO is to maintain morale and ensure there are good working relationships between staff and Council as a whole.

Mayor Kingsbury asked Mr. O'Connor to provide Ms. Klatt with some options that Council could review to enhance the efficiency and effectiveness of their meetings.

Ms. Klatt thanked Mr. O'Connor for coming and making his presentation to Council as there was a lot of important information reviewed.

5. Adjournment

Mayor Kingsbury declared the Meeting to be adjourned at 8:20 pm.

MAYOR Robert Kingsbury

CAO/Clerk Suzanne Klatt

The Corporation of the Township of Horton
AD HOC BUDGET MEETING
MINUTES

Friday November 30, 2017 at 2:00 p.m.

There was a Meeting of the Ad-Hoc Budget Committee held at 1005 Castleford Road for budget deliberations for the 2018 Budget. Present was Chair Jamey Larone, Mayor Robert Kingsbury, Deputy Mayor Robert Johnston, Councillor Dave Bennett . Staff present was Jennifer Barr Treasurer, Suzanne Klatt CAO/Clerk-Recording Secretary, Public Advisory Member Susan Humphries.

Absent: Councillor Glen Campbell

1. CALL TO ORDER

Chair Councillor Larone called the meeting to order at 2:10p.m.

2. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest by Members of the Committee or Staff.

3. MINUTES

None

4. BUSINESS ARISING FROM MINUTES

None

5. DELEGATIONS

None

6. STAFF REPORTS / INFORMATION

6.1 Departmental Summary

The Chair asked the Treasurer to lead the committee members through the powerpoint presentation. The treasurer advised Council that the departmental summary and the changes requested by the committee members at the November 3, 2017 reflect the staff direction of a 3.5%levy increase. All requested changes were reflected and reviewed on the updated departmental summary. Overall the OMPF increase was \$12,000. Following council member questions and concerns, the agreed upon changes included:

- *Increase of \$2,000 towards grader tires(from OMPF \$1,500 + increase in prisoner transport allocation of \$500)*
- *increase to gravel \$8,500.*
- *Increase the Fire Dept budget by \$1,500 to bring the Fire Budget wages to \$32,500- (\$35,000 had been requested) conditional of a business plan being presented to council prior to April 30, 2018 to explain the need & request for the increase. A separate line item will be added to the departmental summary budget for the \$1,500 and the amount will be reallocated to the gravel program if a business plan is not received from the Fire Dept.*

- *Seasonal worker review determined it would remain a 24wk seasonal employee not full time employee.*

The Treasurer elaborated on the OMPF unconditional grant funding and advised that our fiscal index is now at 2.3.

6.2 Proposed 2018 Capital

The Treasurer led the committee members through the capital budget and elaborated on the debenture and internal debt. There were no changes. The treasurer highlighted how through Development charges, Gas tax, 2018 OCIF, infrastructure reserve, that Council can fund up to 1.1 million without any

impact to the ratepayer or debenturing. There was discussion and explanation regarding the impact and advantages of borrowing versus depleting the reserves. The Treasurer elaborated and discussion ensued regarding the allocation of the gravel program monies. The Committee members were reminded that some of the funds from the sale of the gravel pit through resolution were used to fund previously approved projects such as Fraser Rd & Limekiln Rd and that the total of 1.1million for Johnston Rd includes the balance of the funds from the sale of the pit.

The overview included discussion regarding the bar renovations. At the November 3, 2017 the Treasurer was directed to budget \$25,000. Councillor Bennett stated the budget should be *increased* to \$30,000. It was agreed by the committee members \$30,000.

6.3 10 Year Reserve Forecasting

The Treasurer led the committee members through the review. Amended to reflect increase to bar renovation. There was discussion about the Emergency Management and Fire reserve as it pertains to communications as well as roads equipment reserve for future equipment replacement.

6.4 10 Year Capital Forecasting

Amended to reflect increase to bar renovation. Report was reviewed and explained and there were no committee member questions. The Treasurer elaborated on a question from Mayor Kingsbury regarding the possibility of the province instating the previous request from AMO to distribute 1% of HST; based on documentation he received from Renfrew County it showed that Horton's percentage would be \$496,332. Further discussion took place regarding speculations of OMPF funding and OPP costs.

6.5 10 Year Long Term Financial Strategy

The committee members questioned that there is possibly not enough importance placed on increasing the maintenance budgets as it pertains to equipment and that our forecasts should be placing more importance to this in the future. It was stated that possibly the Public Works Manager should be bringing back a report on this matter. There was discussion about the need and previous statements of adding a new bay to the Roads and Fire Department. It was agreed that business plans for all areas not just infrastructure should be developed to be "shovel ready" in every aspect of the municipality and more focus on operational maintenance budget.

6.6 Public Meeting Date for Draft Asset Management Plan, 2018 Budget and 2018 Fees and Charges Amendments – *Tuesday, December 12, 2017 at 5:30 pm*

7. OUTSTANDING BUSINESS

7.1 Reserve Policy

7.2 Debt Policy

The Treasurer advised the committee members that a reserve and debt policy will be forthcoming

7.3 Multiple Asset Management Policies under Proposed Provincial Regulation

The Tangible Capital Asset (TCA) policy will be coming to General Government.

3. CORRESPONDENCE

None

9. OTHER BUSINESS

Councillor Bennett brought up the changes to legislation as it pertains to call out and minimum wage. It was clarified that the budget has incorporated the minimum wage and when hiring employees rate of pay is in accordance with the grid. The call out component of the new legislation states a 3hr minimum for on call. The committee was advised that there is no call out policy and that would have to be the first step. The CAO/Clerk will review some call out policies.

10. NEXT MEETING

December 12, 2017 5:30p.m.

11. ADJOURNMENT

The meeting was adjourned by the chair at 3:45p.m.

CHAIR Jamey Larone

TREASURER Jennifer Barr

THE CORPORATION OF THE TOWNSHIP OF HORTON

Special Council Meeting
November 30, 2017
1005 Castleford Road

For the purpose of receiving the Geo-Tech proposal for Johnston Road

There was a Special Meeting of Council held in the Horton Community Centre Upstairs Hall on Thursday November 30th, 2017. Present was Mayor Robert Kingsbury, Deputy Mayor Robert A. Johnston, Councillor Dave Bennett, and Councillor Jamey Larone. Staff present was Charles McDonald Public Works Manager, Suzanne Klatt, CAO/Clerk- Recording Secretary

Regrets: Councillor Glen Campbell

Members of public: Murray Humphries, John Wilson, Rick Lester

1. Call to Order

The meeting was called to order by Mayor Kingsbury at 4:00p.m.

2. Declaration of Pecuniary Interest

No pecuniary interest was declared by council members or staff present.

3. Greenview Environmental Inc.

3.1 Review of the proposal for supplemental engineering services for the Rehabilitation of Johnston Rd PW 2017-03

The Public Works Manager led Council through the proposal for supplemental engineering services rehabilitation of Johnston Road received from Greenview Environmental Management Inc. He was asked by Councillor Bennett to give background information as to what the change in scope for Johnston Road was and why the need for the supplemental engineering services.

Some of the points included :

- Reduce the scope of work to bring the cost down
- Reduce the road width from 6.6m(TAC guidelines) to 6.0m
- He received unsolicited advice that the municipality has to build the road to the existing standards
- Spoke to representative from Clouthier who confirmed 20-25yr of life in the pit on Johnston Rd. There was direction to determine how many years left as the daily truck traffic was the reason the road build was 6.6m.
- Parking lot would not be included in this tender. It was agreed after discussion that the tender would be prepared by Greenview as well and not the Public Works Manager.

The Public Works Manager was asked by Mr. Humphries why it was necessary to do a supplemental geotechnical review and report. It was explained the previous scope for geo-tech requirements was based on tender requirement to dig, and truck traffic and it was agreed by Council that it could generate cost savings if drilling instead of digging in different areas. It was further added that Council agreed that Greenview Environmental Management Inc. retain a different independent geotechnical consultant for the supplemental review. The statement made by Mr. Humphries that consideration be taken to ask for 6.1m and not 6.0m surface was agreed to.

Moved by Councillor Larone

Resolution No.: 2017-382

Seconded by Councillor Bennett

THAT Council accept the proposal for Supplemental Engineering Services for Rehabilitation for Johnston Rd PW2017-03 for total estimated fees & disbursements of \$24,175 plus applicable taxes as submitted by Greenview Environmental Management Inc.

Carried

4. Confirming By-law

Moved by Deputy Mayor Johnston

Resolution No.: 2017-383

Seconded by Councillor Larone

THAT Council enact By-Law 2017-67 – Confirming By-Law.

Carried

5. Adjournment

Mayor Kingsbury declared the Meeting to be adjourned at 4:35pm.

MAYOR Robert Kingsbury

CAO/Clerk Suzanne Klatt

THE CORPORATION OF THE TOWNSHIP OF HORTON

Horton Township Skating lessons 2018

Proposal

BUSINESS PLAN

Submitted to the Recreation Committee and Council

Prepared by

Tina Hunt

November 30, 2017

PREAMBLE: There is an interest in learn to skate lessons for kids at the Horton Community Centre rink. Having a program like this would see more use for the Horton rink and encourage younger kids to attend and learn to skate.

NEEDS AND PROBLEMS

The program would commence in January and continue as long as weather permits. The program would require two teenage instructors; Fee would be \$20 an hour each.

GOALS AND OBJECTIVES

To maximize the use of the Horton rink and provide quality skating lessons to kids learning how to skate.

SCOPE OF WORK and TIMELINES 2017

Registration Nights: Registration would be done by phone

Program Dates: Sunday's from 11am-noon January-March

Age Groups: 3-7 or any age learning how to skate

Fees: \$80 (8-10 weeks)

15 kids @ \$80= \$1200

Total Income from Registrations \$1200

Budget Breakdown

Expenses:

Instructor Fees: \$20hr X2= \$40 hour

10 weeks = \$40 X 10= \$400

Registration Fees: \$1200

Would leave \$800 to go towards ice fees

Would only run program with a minimum of 10 kids

Committee:

No committee would be required Payton and Alexa Narezny are available and willing to instruct the program.

KEY PERSONNEL

<u>Instructors</u>	Payton and Alexa Narezny
<u>Department Staff</u>	Rink attendant

EVALUATION

The program will only run with a minimum of 10 kids. The maximum number of children with two instructors is 15.

OPERATIONAL ANNUAL MAINTENANCE COSTS

Fees associated with the rink use

PLAN REQUIREMENTS

I have reviewed this Business Plan and proposed budget and I concur.



Jennifer Barr, Treasurer

Nov 30/2017
Date

Respectfully prepared and submitted:

received by email

Tina Hunt, Volunteer Recreation Committee Member

Nov 30/17
Date

THE CORPORATION OF THE TOWNSHIP OF HORTON

March Break Day Camp 2018

Proposal

BUSINESS PLAN

Submitted to the Recreation Committee and Council

Prepared by

Tina Hunt

November 30, 2017

PREAMBLE: There have recently been a lot of requests for Dance lessons, Parents mostly wanting Hip Hop type dance lessons. On Canada Day 2017 we had Luv to Grove Dance Company attend and instruct some lessons. The event was well received and the company personnel received enquiries as to if they would be teaching lessons. Luv to grove has offered to run a March Break Day Camp. They would take care of all the registrations and donate \$500 towards fundraising. As per agreement if it is fundraising there is no fee for the hall use.

NEEDS AND PROBLEMS

Luv to Groove would supply all the materials necessary for the camp. The camp would include Dance as well as other activities and crafts.

GOALS AND OBJECTIVES

Put on a weeklong dance camp for Horton residents and surrounding areas, make use of the community center for the week and raise some much needed fundraising money for 2018.

SCOPE OF WORK and TIMELINES 2018

Registration: Would be taken care of by Luv to Groove

Program Dates: March 12-16, 2018

Age Groups: 6-12

Fees: \$225 for the week can potentially be negotiated

Committee:

No committee is required for this as Luv to Groove will run and organize the camp

KEY PERSONNEL

Organizer: Luv To Groove Dance Company

EVALUATION

OPERATIONAL ANNUAL MAINTENANCE COSTS

The only costs that will be incurred are the cleanup of the Community Centre.

PLAN REQUIREMENTS

I have reviewed this Business Plan and proposed budget and I concur.


Jennifer Barr, Treasurer

Nov 30 / 17
Date

Respectfully prepared and submitted:

received by email sk
Tina Hunt, Volunteer Recreation Committee Member

Nov 30 / 17
Date



Township of Horton COUNCIL / COMMITTEE REPORT

Title: SIGNAGE FOR HORTON DANCES	Date:	November 30, 2017
	Council/Committee:	Committee/Council
	Author:	Suzanne Klatt
	Department:	Recreation

RECOMMENDATION:

THAT the Recreation Committee recommend that Council approve the installation and cost for signage to be installed at 4 of our town entry signs at a cost of \$135.each AND THAT this 2018 expense come from the Country Dance account.

BACKGROUND:

We pay mileage for individuals to go to each sign once a month except July and August to change the bottom of the "Horton Signs" to add the date of the country dances. In an effort to bring efficiencies and cost savings, I am recommending a generic sign be installed. It was discussed at the Recreation Committee meeting and agreed. It was further discussed that in June there is one date that would be different and that could be posted and /or advertised more. They hand out posters at the dances for the upcoming dances as well which would give advance notice of the date change in June.

ALTERNATIVES:

Status Quo- taking into consideration one of the signs would require 2 people to go as it has been identified as a hazard at one of the locations due to the height and slant.

FINANCIAL IMPLICATIONS:

\$540 plus applicable taxes. This cost would be recouped within a year of not paying mileage for changing the signs. This invoice will be a 2018 invoice.

ATTACHMENTS:

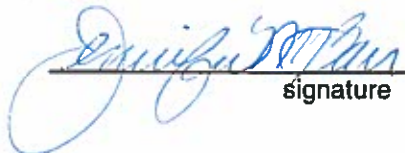
CONSULTATIONS: Recreation Committee November 29, 2017

Author: Suzanne Klatt


signature

Other: _____
signature

Treasurer


signature

C.A.O. 
signature

HORTON DANCES

**EVERY 3RD FRIDAY OF THE MONTH
NO DANCES - July & August**

HORTON COMMUNITY CENTRE 1005 Castleford Rd

TOWNSHIP OF HORTON
MEMO from the CAO/Clerk as of December 1st, 2017

INFORMATION provided **NOT** included in the Regular Council meeting package of
December 5th, 2017

INFORMATION EMAILED

1. Renfrew OPP – Weekly News – November 20th, 2017
2. Renfrew OPP – Update – November 24th, 2017
3. Renfrew OPP – News Release – November 24th, 2017
4. Minister of Infrastructure - Correspondence
5. Rural Mayors' Forum of Eastern Ontario - Correspondence
6. 2017 & 2018 Municipal Calendars

November 29, 2017

Renfrew & Area Seniors Home Support
c/o Golden Age Activity Centre
Fay O'Reilly

To Whom it may concern;

I am pleased to provide this letter in support of the Golden Age Activity Centre's application for the *Seniors Active Living Centre's Program Expansion - call for proposals 2017* under the Renfrew & Area Seniors Home Support.

The Golden Age Activity Centre maintains and introduces programs that many of our residents from the Township of Horton participate in. In the Renfrew area, there is a large senior demographic and without such programming our senior population would have no alternatives in a rural setting to find such services.

The Township of Horton has 33 residents or 7% of the population who are members of the Centre. They attend regularly and enjoy all that the Centre has to offer. I would like to confirm once again our commitment to an annual contribution in the amount of \$1,000 (one thousand). I would like to add that the municipality would further like to add an in-kind donation. Please accept our in-kind contribution including rental of our Horton Community Centre for one of your fundraising events. Our facility has capacity for up to 250 people, ample parking, has full kitchen facilities and an upper reception area. This would allow you to host a larger fundraising activity or presentation. I have attached Schedule F of our Fees and By-Law 2016-21 which shows the cost of a day /evening (including kitchen facilities) rental to be approximately \$500. (225+\$100+150+taxes)

On behalf of Council and the residents of Horton, I urge the review committee to strongly consider granting this application as it benefits seniors throughout the County of Renfrew. It fosters our senior's health, companionship, education and their well-being while ensuring they remain active, engaged contributing members of our communities.

Respectfully Yours,

Suzanne Klatt C.M.O.,Dipl.M.A.
CAO/Clerk

THE TOWNSHIP OF HORTON

BY-LAW NO. 2017-68

BEING a by-law to provide standards for the maintenance and occupancy of Urban and Rural property within the Township of Horton.

WHEREAS the Council of the TOWNSHIP OF HORTON is empowered to enact a by-law pursuant to the provisions of Section 15.1(3) of The Building Code Act, S.O. 1992 c.23 and amendments thereto.

AND WHEREAS pursuant to Section 15.6 of the Building Code, S.O. 1997 c.24, as amended, a by-law passed under section 15.1 shall provide for the establishment of a Property Standards Committee;

AND WHEREAS there are Official Plans in effect in the TOWNSHIP OF HORTON that includes provisions relating to property conditions;

AND WHEREAS under the Tenant Protection Act, S.O. 1997 c.24, as amended, the Council of a local municipality may pass by-laws requiring landlords to provide adequate and suitable vital services to each of the landlord's rental units;

NOW THEREFORE the Council of the TOWNSHIP OF HORTON **HEREBY ENACTS** that all property owners within the Township of Horton are required to comply with the following minimum standards of maintenance occupancy:

PART I DEFINITIONS

In this By-law,

- 1.1 "**Accessory Building**" means a use, building, or structure subordinate, incidental and exclusively devoted to the main use, building or structure located on the same lot therewith and not designed or intended for human habitation, unless specifically permitted by this By-law.
- 1.2 "**Alteration**" means (as applying to a building) a change from one major occupancy class or division to another, or to a structural change such as an addition to the area and height, or the removal of part of a building, or any change to the structure such as the construction, cutting into or removal of any wall, partition, column, beams, joist, floor or other support, or a change of the fixtures and equipment.
- 1.3 "**Approved**" means approved by the Property Standards Officer(s) for the Township of Horton
- 1.4 "**Barrier**" means a structure constructed similarly to a fence and having a height in excess of 2m (6.56 feet) from the ground.
- 1.5 "**Basement**" means a storey or storeys of a building located below the first storey.
- 1.6 "**Building**" means a structure as defined in the Building Code Act S.O. 1992, c.23, Section 1. (1)(a) or part of a structure occupied or capable of being occupied in whole or in part for its intended use and includes a vacant building or structure that could be intended for such use except for its state of disrepair.
- 1.7 "**Cellar**" means that space of a building that is partly or entirely below grade, which has more than half of its height, measured from floor to ceiling below the average exterior finished grade.
- 1.8 "**Commercial Property**" means any property that is used or designed for the purpose of offices or the retail and wholesale buying or selling of commodities

and includes any land or buildings that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces and fences or any fixtures or structures associated with the building or its yard.

- 1.9 "**Committee**" means the Property Standards Committee of the Township of Horton members of which are members of the "Planning Committee".
- 1.10 "**Derelict Vehicle**" means any vehicle boat, trailer or part of any vehicle, boat or trailer, that is in a wrecked, discarded, dismantled or partly dismantled. The aforementioned does not preclude the occupant of any premises from repairing a vehicle for his/her own use and not for commercial purposes.
- 1.11 "**Dwelling**" means a building occupied or capable of being occupied exclusively as a home, residence or sleeping place by one or more persons, and one or more families, but shall not include any motorhome construction trailer, travel trailer, hotels, motels, a home for the aged, nursing home or hospital and includes a building that could be intended for such use except for its state of disrepair.
- 1.12 "**Dwelling Unit**" means a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking, eating, living, sleeping, and sanitary facilities.
- 1.13 "**Excavation**" means the space created by the removal of soil, rock or fill for the purpose of construction.
- 1.14 "**Farm**" means lands, buildings and structures used for the growing of field crops, fruit crops, tree crops, flower gardening, vegetable gardening, nurseries, aviaries, apiaries, for grazing, breeding, raising, boarding or training of livestock, the breeding and raising of poultry, forestry and reforestation but shall not include kennels.
- 1.15 "**Fence**" means a structure constructed of materials such as wire mesh, solid wood or boards, rail lattice, rod iron etc, having a height from the ground of 2m (6.56 feet) or less. The ground shall be measured from the highest grade where there is a discrepancy in heights between adjoining properties.
- 1.16 "**First Storey**" means the storey with its floor closest to grade and having its ceiling more than 1.8 m (5' 11") above grade.
- 1.17 "**Grade**" means the average level of proposed or finished ground adjoining a building at all exterior walls.
- 1.18 "**Guard**" means a protective barrier installed around openings in floor areas or on the open sides of a stairway, a landings, a balcony, a mezzanine, a gallery, a raised walkway and other locations as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through them.
- 1.19 "**Habitable Room**" means a room designed to provide living, dining, sleeping or kitchen accommodation. This definition may include a den, library or enclosed sunroom but shall not include any porch, veranda, unfinished attic, unfinished basement or unfinished cellar.
- 1.20 "**Industrial Property**" means any property that is used for the purpose of manufacturing, assembling, making, preparing, inspecting, ornamenting, finishing, treating, altering, repairing, warehousing, storing or adapting for sale any goods, substance, article or thing, or any part thereof, and the storage of building and construction equipment and materials, as distinguished from the buying and selling of commodities and the supplying of personal services. In addition, includes any land or buildings that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces and fences or any fixtures or structures associated with the building or its yard.

- 1.21 **“Institutional Property”** means any property that is used for a non-commercial purpose by an organized body or society. This definition may include Municipal property, Schools, Hospitals, etc
- 1.22 **"Land(s)"** means grounds and vacant lot(s) exclusive of buildings save and except an accessory building.
- 1.23 **"Maintenance"** means the preservation and keeping in repair of a property.
- 1.24 **"Means of Egress"** means a continuous, unobstructed path of travel provided by a doorway, hallway, corridor, exterior passage way, balcony, lobby, stair, ramp or other exit facility used for the escape of persons from any point within a building, a floor area, a room or a contained open space of a public thoroughfare or an approved area of refuge usually located outside the building.
- 1.25 **“Multiple Use Dwelling”** means a building containing both a dwelling unit and a non-residential property.
- 1.26 **“Multiple Dwelling”** means a building containing three or more dwelling units.
- 1.27 **"Municipality"** means the Township of Horton.
- 1.28 **“Naturalized Gardens”** means an area on a property that promotes ecological restoration and is planted with wildflowers, shrubs, trees, grasses or other plants whether native or non-native and may include other natural elements such as rocks, water or wood, that are consistent with a natural landscape.
- 1.29 **"Non-Habitable Room"** means any room in a dwelling or dwelling unit other than a habitable room, and includes a bathroom, toilet room, laundry, pantry, lobby, communicating corridor, stairway, closet, basement, boiler room or other space for service and maintenance of the dwelling for public use, and for access to, and vertical travel between storeys.
- 1.30 **"Non-Residential Property"** means a building or structure or part of a building or structure not occupied in whole or in part for the purpose of human habitation, and includes the lands and premises appurtenant and all of the outbuildings, fences or erections thereon or therein.
- 1.31 **"Noxious Weed"** means any weeds classed as noxious by the Weed Control Act, R.S.O. 1990, c.W.5.
- 1.32 **"Occupancy"** means the use or intended use of a building or part thereof for the shelter or support of persons, animals, or property.
- 1.33 **"Occupant"** means any person or persons over the age of eighteen in possession of the property.
- 1.34 **"Officer"** means a Property Standards Officer who has been assigned the responsibility of administering and enforcing this By-law by the Municipality.
- 1.35 **“Owner”** includes:
- a) the person(s) who presently manages or receives the rent of: or the person(s) designated on the assessment roll as owning the land or premises whether on his/her own account or as an agent or trustee of any person(s) or the person(s) who would so receive the rent if such land or premises were let.
 - b) lessee or occupant of the property who, under terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of the property.

- 1.36 "**Person**" means an individual, firm, corporation, association or partnership.
- 1.37 "**Property**" means a building or structure or part of a building or structure and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, accessory buildings, fences and erections thereon whether heretofore and hereafter erected, and includes vacant lands.
- 1.38 "**Rental Unit**" means a dwelling unit within a residential rental property that consists of a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking, eating, living, sleeping, and sanitary facilities
- 1.39 "**Repair**" means the provisions of such facilities and the making of additions, or alterations or the taking of such action as may be required so that the property shall conform to the standards established in this By-law.
- 1.40 "**Residential Property**" means any property that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any land or buildings that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces and fences or any fixtures or structures associated with the building or its yard.
- 1.41 "**Residential Rental Property**" means any property that is used or designed for uses as a leased domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any land or buildings that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces and fences or any fixtures or structures associated with the building or its yard.
- 1.42 "**Rural Lands**" means lands situated outside the geographical boundaries of the areas known as Cotieville, Thompsonville, Pleasant View Park, Miller Trailer Park and Horizon Homes, whose boundaries are identified in the Municipality's Zoning By-law and outside all areas of registered plans of subdivision.
- 1.43 "**Site Triangle**" means the triangular space formed by intersecting streets lines and a line drawn from a point in one street line to a point on the other street line, each such point being six metres from the point of intersection of the street lines measured along the street lines. Where the two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the projection of the street lines or the intersection of the tangents to the street lines.
- 1.44 "**Sewage System**" means the municipal sewer system if one is available, and if not, a private sewage disposal system approved under the Building Code Act and regulations.
- 1.45 "**Standards**" means the standards of the physical condition and of occupancy prescribed for property by this By-law.
- 1.46 "**Unsafe Condition**" means the physical state of a property, structure, barrier, fence and/ or building(s), whether vacant or occupied, that in the opinion of the Property Standard Officer is a hazard to the public regarding fire, accident, health or safety.
- 1.47 "**Urban Lands**" means land situated within the geographical boundaries of the areas known as Cotieville, Thompsonville, Pleasant View Park, Miller Trailer Park and Horizon Homes, whose boundaries are identified in the Municipality's Zoning By-law and within all registered plans of subdivision.
- 1.48 "**Vehicle**" includes an automobile, truck, motorcycle, motorized snow vehicle,

bus, trailer, traction engine, road-building machine and any vehicle drawn, propelled or driven by any kind or power, including muscular power, but does not include vehicles running only upon rails or vehicles used in farm operations.

- 1.49 **"Water body"** means any bay, lake, river, canal as well as any floodplain associated with the water body, but excluding a drainage or irrigation channel and any other watercourse.
- 1.50 **"Watercourse"** means any depression one metre or more below the surrounding land serving to give direction to a current of water at least nine months of the year, having a bed and well defined banks, as well as any floodplain associated with the watercourse and includes creeks, streams, municipal drains and other similar watercourses.
- 1.51 **"Waterfront Property"** means a piece of land fronting on a water body.
- 1.52 **"Yard"**
- a) In urban lands means the land around or adjoining to the whole or any part of a residential, commercial, industrial or institutional property and used or capable of being used in connection with the property; and for estate lots, it generally refers to the lawn portion of a property.
 - b) In rural lands means the one acre of land immediately around or adjoining to a residential, commercial, industrial or institutional property and excludes barnyards and land under farm operations.
- 1.53 Any word or term not defined in this by-law shall have the meaning ascribed to it in the Building Act or the Ontario Building Code.

PART II

URBAN LAND

2. GENERAL STANDARDS FOR ALL PROPERTY

All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned. All new construction or repairs shall conform to the Ontario Building Code, Ontario Fire Code and the Fire Prevention and Protection Act where applicable.

2.1 CONDITIONS OF URBAN LANDS

- 2.1.1 All urban lands shall be kept clean and free from rubbish and debris and from objects or conditions such as holes that might create a health, fire or accident hazard, including dilapidated buildings, structures or vegetation such as trees which may be hazardous to the health, safety and welfare of the inhabitants.
- 2.1.2 No person shall excavate and leave said land in an excavated condition unmarked for longer than fourteen (14) days.
- 2.1.3 No derelict vehicle, scrap and/or junk material including, without limiting its generality, wrecked, dismantled, unused, unlicensed or non-restorable vehicles, snowmobiles, trailers, machinery, tools, tires, appliances, equipment or any part thereof shall be parked, stored, moored or left on lands or water front property unenclosed except in an establishment licensed or permitted to conduct and operate such a business, and only then under circumstances that prevent unsafe or unsightly conditions.

2.2. CONDITIONS OF YARDS – URBAN LAND

2.21 Every yard, including vacant lots, shall be kept clean and free from:

- (1) rubbish or debris and objects including, without limiting its generality discarded gas, oil and water tanks, or conditions that may create a health, fire, environmental or accident hazard;
- (2) unused or unserviceable appliances such as refrigerators, stoves and freezers and are not permitted to be used as places of storage;
- (3) wrecked, dismantled, discarded or abandoned machinery, vehicles, trailers or boats unless it is necessary for the operation of a business enterprise lawfully situated on the property;
- (4) dilapidated, collapsed or partially constructed structures which are not currently under construction that poses a safety hazard;
- (5) injurious insects, termites, rodents, vermin or other pests; and
- (6) dead, decayed or damaged trees that poses a safety hazard.

2.22 A minimum distance of 0.76 m (2.5ft) shall be maintained between fire hydrants and all hedges, shrubs, trees, fences and other obstructions.

2.23 No person shall plant, grow, maintain, or permit on his/her property any hedge, shrub, plant or tree where:

- a) its location creates a public safety hazard;
- b) it affects the safety of vehicular traffic or pedestrian traffic;
- c) overhangs or encroaches upon any sidewalk or pavement
- d) or traveled portion of any street or highway posing a safety risk to pedestrians and motorists; or
- e) it is located in a site triangle with a height higher than 0.8 metres (2.62 ft)

2.24 The owner of a residential property shall maintain the residential property or part thereof and land which he/she occupies or controls, in a clean, sanitary and safe condition and shall dispose of garbage and debris in accordance with the Township of Horton's Garbage By-law

2.25 Grass and plants shall be tended and maintained, except on lands in current crop production, pasture land, town land designated as open space and reforested land. Heavy growth and noxious weeds, as defined by the Weed control Act, shall be controlled. Notwithstanding the aforementioned, a naturalized garden that is tended and maintained shall be permitted within this by-law.

2.26 Compost heaps shall be retained on all sides by lumber, concrete blocks, plastic containers, or other materials suitable for such a use.

2.27 Compost heaps shall not be located in any front yard. All compost heaps located within a rear and/or a side yard must meet the accessory structure setbacks set out in the Municipality's Zoning By-law.

2.28 Firewood and building materials shall be neatly piled in rear yard, interior side or car port only. All required yard setbacks prescribed in the zoning by-law shall apply.

2.3 DRAINAGE

2.3.1 Sewage and organic waste shall be discharged into an approved sewage system.

2.3.2. No sewage shall be discharged onto the surface of the ground or into a natural or artificial surface drainage system.

2.3.3. Storm water shall be drained from the yard so as to prevent recurrent or

Excessive ponding or the entrance of water into a basement or cellar.

2.3.4 No roof drain, sump pump drain or sprinkler system shall be directly discharged onto sidewalks, stairs, neighbouring property or into a sanitary sewer system unless the municipality authorizes approval.

2.3.5 All air conditioners located in buildings shall be equipped with proper devices for the prevention of condensation drainage upon public sidewalks or neighbouring properties.

2.4. WALKS, PARKING AREAS, DRIVEWAYS

2.4.1 Steps, walks, driveways, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions, day or night.

2.4.2 All areas used for vehicular traffic and parking shall be kept free of rubbish, garbage and other litter and shall be kept in good repair.

2.5 LIGHTING STANDARDS

2.5.1 All artificial lighting for parking areas shall be maintained in good working order.

2.5.2 Any lights used to illuminate yards or parking areas shall be so arranged to direct the light downward only onto the yard or parking area and away from any adjoining lands or the sky.

2.5.3 Where lawn lamps are deemed as a requirement in a subdivision agreement, such lawn lamps shall be functional and operated in accordance with the requirement in the subdivision agreement.

2.6 DAMAGED MATERIAL

2.6.1 In the event that a building is severely damaged due to a fire, explosion or by natural causes, measures shall be taken as soon as possible to secure the damaged property insofar as permitted by the proper authorities to prevent access and injury.

2.6.2 Damaged or partially burnt material shall be removed forthwith once the investigations are completed and authorization to do so is provided by the appropriate fire authorities.

2.7 FENCES, BARRIERS

2.7.1 Fences, barriers, and retaining walls shall be kept in good repair and shall be free from hazards or risks that may cause accidents, fire or be a danger to health.

2.7.2 No fences, barriers or retaining walls may be built on the property line of an adjoining property that is in close proximity to the neighbouring dwelling unit that might limit emergency access to any buildings on the adjoining property. No fence, barrier or retaining wall over 0.8m (2.6 ft) may be erected, constructed or placed in a site-triangle.

2.7.3 No person shall erect, construct, or place a fence in any residential zone within the Township of Horton with a height in excess of 2m. (6.56ft)

2.7.4 No person shall erect, construct or place a barrier in any residential zone within the Township of Horton unless otherwise specified by a site plan control agreement or any other legislation which would deem a barrier a necessity.

2.7.5. No fencing that contains barbed wire, utilizes an electric current or contains any other dangerous components either on the inside or outside shall form part of a fence in any residential zone

2.7.6. The provisions of sections 2.7.3., 2.7.4. and 2.7.5. do not apply to a barrier erected upon abutting lands that are used for industrial and/or commercial purposes, railway right-of-ways, and hydro, telephone, utility or public works installations that are deemed to be hazardous to the public, or are being used for screening and/or sound barriers.

2.8 ACCESSORY BUILDINGS

2.8.1. Accessory buildings and other structures appurtenant to property shall be maintained in structurally sound condition and in good repair.

2.8.2. Where an accessory building is not maintained in accordance with these standards, it shall be removed from the yard or repaired to the minimum standards prescribed in this by-law.

3. PROPERTY STANDARDS

3.1 STRUCTURAL STANDARDS

3.1.1 Every part of a building or a structure shall be maintained in a structurally sound condition so as to be capable of sustaining its own weight and any additional load for which it was designed. The structural condition of the structure must be in accordance with the structural safety factors required by the Ontario Building Code.

3.2. GENERAL CLEANLINESS

3.2.1. All garbage, rubbish and ashes shall be kept or stored in approved receptacles until disposed of or removed from the property.

3.2.2. Approved Receptacles shall be:

- a) made of metal or plastic
- b) of watertight construction
- c) capable of being tightly closed; and
- d) maintained in a clean state

3.2.3. "Plastic Garbage Bags" are not approved receptacles

3.2.4. Materials of an inflammable nature shall, if they are lawfully on the property, be safely stored in accordance with appropriate legislation.

3.2.5. Containers shall be made available in a prominent position on non-residential property for the disposal of refuse which may be discarded by customers and others, and the land shall be kept free from refuse.

3.2.6. Hallways and stairways in a building shall be kept free from accumulation, storage of garbage, refuse or any other thing or object that may cause a health or accident hazard.

3.2.7. Buildings or structures used for the storage of garbage, rubbish, ashes and other refuse, prior to disposal, shall be deemed to be accessory buildings or structures within the meaning of this by-law and the current Municipal Zoning By-law.

3.2.8. Commercial dumpsters, refuse containers or portable storage containers are permitted for a period of 90 days from the date of installation unless

with the written consent of the Municipality.

3.3. PEST PREVENTION

- 3.3.1. Buildings shall be kept free of rodents, vermin and insects at all times and methods used for exterminating such pests shall be in accordance with provisions of the Pesticide Act, R.S.O. 1990 Chapter P.11 and all regulations passed pursuant thereto.
- 3.3.2. Openings and holes, within a building containing residential units, inclusive of chimneys, windows, doors, vents, holes for pipes and electrical fixtures, cracks and floor drains that might permit the entry of rodents, vermin, insects, birds or other pests, shall be screened or sealed.

3.4. EXTERIOR SURFACE

- 3.4.1 Exterior walls of a building or structure and their components shall be maintained in good repair, free from cracked, broken or loose masonry units and other defects to such attachments as soffits, fascia, cladding, or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage and must be complimentary to the immediate surrounding as determined by the Property Standards officer.
- 3.4.2 Exterior surfaces of a commercial, industrial or an institutional building or structure and their components shall be free of painted slogans, graffiti and similar defacements.
- 3.4.3 Exterior walls of a building or structure and their components shall be constructed of a suitable exterior building material, including but not limited to brick, stone, aluminum, vinyl, PVC and wood composite siding. The use of a tarp or tarps as an exterior wall of a building or structure is not permitted. However, the temporary use of a tarp for construction purposes is permitted for a period of not more than six (6) months.

3.5. WATER PROOFING/ICE & SNOW REMOVAL

- 3.5.1. The roof of a building including the fascia, soffit, cornice and flashing shall be maintained in a watertight condition so as to prevent leakage of water into a building.
- 3.5.2. Dangerous accumulations of snow or ice shall be removed as soon as possible from the roofs of buildings.
- 3.5.3 Where eavestroughing, roof guttering and down piping is provided, it shall be maintained in good repair so as to be watertight and securely fastened to the building at all times.

3.6. STAIRWAYS, PORCHES, DECKS

- 3.6.1. Inside or outside stairways and any porch, deck, balcony, veranda or landing appurtenant to it, shall be maintained so as to be free of holes, cracks and other defects which may present a possible accident hazard. In addition, all coverings, treads or risers that are broken, warped or loose and all supporting structural members that are rotted or deteriorated beyond repair shall be replaced.
- 3.6.2. Handrails, guardrails shall be constructed, installed and maintained in a firm and inflexible condition as prescribed in the Ontario Building Code.
- 3.6.3. Inside or outside stairways must be maintained free from accumulations of items, things or ornaments that may pose a safety or a fire hazard when

entering or exiting a building.

3.7 FLOORS

- 3.7.1. Every floor in a residential rental, commercial, industrial or institutional property shall be maintained so as to be free of broken or rotted boards, protruding objects, damaged or deteriorating surfaces, apertures in the surfaces that might admit rodents into a room and all conditions that may create a safety hazard. All defective floorboards shall be repaired and/or replaced.
- 3.7.2. Where the floor of a residential rental, commercial, industrial or institutional property has been covered with a covering that has become worn or torn to an extent that it is deemed to be a danger to the health and safety of the inhabitants, the covering shall be repaired or replaced.

3.8 WALLS AND CEILING

- 3.8.1. Every wall and ceiling in a residential rental, commercial, industrial or institutional property shall be maintained so as to be free of holes, cracks, loose or torn coverings or other defects that may be a safety hazard.

3.9 DOORS, WINDOWS AND SECURITY

- 3.9.1. Windows, skylights, doors and basement or cellar hatchways in a residential rental property shall be maintained in good repair and weather tight. Rotted or damaged doors, doorframes and their components, screens, window frames, sashes and casings shall be renewed and defective hardware, weather stripping and broken window glass shall be replaced.
- 3.9.2. In a residential rental property, all exterior doors shall have hardware so as to be capable of being locked or otherwise secured from inside the dwelling unit. At least one entrance door in every dwelling unit shall have hardware so as to be capable of being locked from both inside and outside the dwelling unit.
- 3.9.3. In a residential rental property with a security system in place where persons are required to contact the tenant prior to being buzzed into the building, all intercom equipment must be kept free of defects and in good working order at all times.
- 3.9.4. Every window in a residential rental property that is located above the first story of a multiple dwelling shall be equipped with an approved safety device that would prevent any part of the window from opening greater than would permit the passage of a 100 mm diameter (3.9 inches) sphere. Such safety device shall not prevent the window from being fully opened during an emergency situation by an adult without the use of tools.

3.10 WATER SUPPLY

- 3.10.1. Every residential property shall be provided with an adequate supply of potable water supplied by a Municipal waterworks system or an approved well system, which is acceptable to the District Health Unit and is in accordance with the Ontario Building Code.
- 3.10.2. Each washbasin, bathtub or shower, and kitchen sink in a rental unit within a residential rental property shall have an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 45 degrees Celsius (113 degrees F) as prescribed in the Ontario Building Code.
- 3.10.3. Every rental unit within a residential rental property containing a

pressurized water system shall have a sufficient quantity of cold water provided to enable the flushing of toilets.

3.10.4 All items listed in 3.10.2 and 3.10.3 shall be maintained in good working order.

3.10.5 All water pipes and appurtenances thereto shall be protected from freezing.

3.11 PLUMBING SYSTEM

3.11.1 All inhabited buildings shall have sanitary facilities connected to a municipal sewage system or to an approved private septic system or an approved outdoor toilet facility and maintained at a standard acceptable to the District Health Unit.

3.11.2 Plumbing, drain pipes, water pipes and plumbing fixtures contained within every building and every connection line to the sewage or septic system, shall be free from leaks and defects and in the event remedies are required, they shall conform to the Ontario Building Code.

3.11.3 All plumbing fixtures contained within every building shall be connected to a sewage system through water seal traps.

3.12 TOILET AND BATHROOM FACILITIES

3.12.1. Every dwelling unit containing a pressurized water system shall contain bathroom-plumbing fixtures consisting of at least one toilet, one wash basin and one bathtub or shower.

3.12.2. Every dwelling unit containing a pressurized water system shall have all bathrooms and toilet rooms located and accessible within the dwelling unit.

3.12.3. All outdoor toilet facilities shall be maintained in a manner acceptable to the District Health Unit, the Ministry of the Environment and the Ontario Building Code.

3.13 KITCHENS

3.13.1. Every self-contained rental unit within a residential rental property shall have a kitchen area equipped with cupboards or shelving for storing food, a counter top work area, space for a stove and refrigerator, and a sink that has a source for hot and cold water. Kitchen area counter top, cupboards and sink shall be maintained in good working order.

3.13.2. Every kitchen within a rental unit within a residential rental property shall be provided with an adequate and approved source for gas, electricity or other types of fuel that are required for cooking purposes.

3.14. HEATING SYSTEMS

3.14.1 All heating systems installed in non-residential buildings, where people are employed, shall be capable of safely maintaining a temperature as prescribed by the Ontario Building Code, unless the approved non-residential use requires an alternate temperature.

3.14.2. No room heater or any other heating apparatus shall be so placed as to cause a fire hazard to walls or to impede the free movement of persons within the room where the heater or heating apparatus is located.

3.14.3. Every dwelling and dwelling unit shall be provided with a heating system capable of safely maintaining a temperature as prescribed in the Ontario Building Code and shall be maintained in good working order.

- 3.14.4. All heating apparatus or equipment involving combustion shall be properly connected to a chimney or flue by a sealed connection.
- 3.14.5. All cooking apparatus or equipment involving combustion shall be connected to a chimney or a flue by a sealed connection.
- 3.14.6. All fuel source connections to such apparatus or equipment that burn gaseous or liquid fuel shall be maintained in good repair.
- 3.14.7. In buildings having more than one non-residential unit or a combination of non-residential and residential units and are equipped with a central heating system, shall have the heating system located in a separate room whose walls, ceiling and doors are constructed of materials that have a fire rating as prescribed by the Ontario Building Code and amendments thereto.
- 3.14.8. A space that contains a heating unit shall have natural or mechanical means of supplying air as prescribed by the Ontario Building Code.
- 3.14.9. Where a heating system, or part of it, or any auxiliary heating system burns solid or liquid fuel, it shall be provided, maintained and properly constructed so as to be free from fire hazards. A minimum of 1.53 metres (5 ft) clearance is required between fuel oil storage tanks and burners and only approved type storage tanks shall be used as regulated by the Fire Code Act and amendments thereto.
- 3.14.10. Any mechanism or structure used in the process of burning fuel or combustible material shall be properly vented to a duct leading to an approved chimney, in accordance with the Fire Code Act.
- 3.14.11. Every chimney, smoke pipe, flue and gas vent, actually in use or available for use shall be kept clear of obstruction, all open joints shall be sealed, and all broken and loose masonry shall be repaired.
- 3.14.12. Every chimney, smoke pipe, flue, and gas vent shall be installed and maintained so that under all conditions of use, the temperature of any combustible material adjacent thereto, insulated therefrom or in contact therewith, does not exceed a safe temperature as per CAN/CSA B365 requirements and amendments thereto.
- 3.14.13. Fireplaces and similar installations used or intended to be used for burning fuels in open fires shall be connected and installed as per CAN/CSA B365 requirements and amendments thereto.
- 3.15. **ELECTRICAL SERVICE**
- 3.15.1. The electrical wiring and all electrical fixtures located or used in a building, shall be installed and maintained in good working order and free of defects in accordance with regulations set by the Electricity Act, 1998 S.O. 1998 c.15 and amendments thereto.
- 3.15.2. Every dwelling unit that is wired for electricity and lighting equipment shall be installed throughout to provide sufficient illumination to avoid health or accident hazards during normal use, provided that the lighting shall not be positioned so as to cause any impairment of the use or enjoyment of neighbouring properties.
- 3.15.3. All electrical outlets shall conform to requirements set out in the Power Corporation Act and amendments thereto (Ontario Hydro Code).
- 3.15.4. Fuses or overload devices shall not exceed limits set by the Ontario Hydro Code.

3.15.5. All electrical appliances shall be maintained in a safe mechanical and electrical condition.

3.16. **LIGHTING**

3.16.1. In non-residential buildings, sufficient windows, skylights and electrical lighting fixtures shall be provided and maintained in order to provide proper illumination in all passageways when the building is in use and for stairways in case of a fire or other emergencies.

3.16.2. Every habitable room of a dwelling, except a kitchen, bathroom, toilet room and basement where electricity is available, that faces directly to the outside shall have a window or windows, skylights or translucent panels at least 0.15 metres (6 inches) above the adjoining finished grade, with an unobstructed light transmitting area not less than ten (10) per cent of the floor area of such rooms as prescribed by the Ontario Building Code. The glass area of a sash door may be considered as a portion of the required window area.

3.16.3. An adequate and safe illuminating device shall be installed in every bathroom, toilet room, laundry room, furnace room and kitchen.

3.16.4. All halls and stairways in dwellings shall be sufficiently lighted to provide a safe passageway. In residential rental, commercial, industrial or institutional property standby lighting shall be provided in accordance to the Ontario Building Code

3.16.5. In multiple dwellings and non-residential buildings every exit door to the outside shall have an illuminated exit light and illumination must be provided for all exterior stairways from top floor levels to grade.

3.17. **VENTILATION**

3.17.1. Every habitable room shall be provided with either a natural ventilation system such as a window or a door, or mechanical ventilation system in accordance with the Ontario Building Code.

3.17.2. Every bathroom or toilet room shall be provided with either natural ventilation or a mechanical ventilation system in accordance with the Ontario Building Code.

3.17.3. All systems of mechanical ventilation shall be maintained in good working order.

3.17.4. All enclosed spaces including basements, cellars, attics or roof space and crawl spaces shall be adequately vented to the outside air.

3.18 **FIRE PREVENTION EQUIPMENT**

3.18.1. Fire prevention equipment such as smoke alarms or other fire detection devices and carbon monoxide detection equipment shall be installed as prescribed in the Ontario Building Code and the Ontario Fire Code and shall be maintained in good working order so as to effectively perform their intended function.

3.18.2. Buildings using a fire escape as a secondary means of egress shall have the escape in good condition, free from obstructions and easily reached through a window opening or door.

3.19 **EGRESS**

3.19.1 All buildings shall be provided with an adequate egress from every floor area in accordance with the Ontario Building Code and the Ontario Fire Code.

3.19.2 Every dwelling and every dwelling unit shall have an adequate means of egress capable of providing safe, continuous and unobstructed exit from the interior of the building to the exterior at street or grade level in accordance with the Ontario Building Code and the Ontario Fire Code.

3.20 **OCCUPANCY STANDARDS**

3.20.1 No person shall use or permit the use of a non-habitable room in a dwelling for a habitable room purpose.

3.20.2. Where the area of a habitable room space, within a dwelling unit, is combined with a kitchen and a dining area, the habitable room space alone in a dwelling unit that contains sleeping accommodations for not more than two persons, shall be not less than 11 square metres (118 square feet) as prescribed by the Ontario Building Code.

3.20.3 For the purpose of computing the habitable room space in Subsection 3.21.2, any child under one year of age shall be deemed one-half person as prescribed by the Ontario Building Code.

3.20.4 For the purpose of computing the habitable room space in Subsection 3.21.2, the floor area under a ceiling which is less than 2.1 metres (6 ft) high shall not be counted as prescribed by the Ontario Building Code.

3.20.5 Every room used for sleeping purposes in a dwelling or a dwelling unit shall provide a minimum floor area of at least 6 square metres (65 square feet) with not less than 4.6 square metres (50 square feet) for each additional occupant, provided that for the purpose of this Subsection, two children under the age of six years may be counted as one person as prescribed by the Ontario Building Code.

4. VACANT BUILDINGS

4.1 VACANT BUILDINGS

4.1.1 The owner of a vacant building shall secure and/or board up the building to the satisfaction of the Property Standards Officer by covering all openings through which entry can be achieved.

4.1.2. No partially or completely vacant building shall remain boarded up for a period longer than two (2) years. After the said two (2) years or an alternate time period set by the Property Standards Officer, the owner or agent or other person responsible, shall forthwith make the necessary repairs to make it fit for a dwelling or other authorized uses in accordance with the TOWNSHIP OF HORTON Zoning By-law.

4.1.3 Vacant buildings shall be kept cleared of all garbage, rubbish and debris and shall have all water, electrical and gas services turned off except for those services that are required for the security and maintenance of the property.

4.1.4. Where a vacant building is not maintained or fixed in accordance with this By-law, it shall be remedied. Vacant buildings deemed by the Chief Building Official as a health and safety issue or are unsightly and that have not been remedied to the satisfaction of the Property Standards Officer shall be removed from the property and the land or waterfront property

shall be left in a graded level condition.

PART III

RURAL LANDS

GENERAL STANDARDS FOR ALL PROPERTY

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

5.1 CONDITIONS OF LANDS – RURAL LAND

- 5.1.1 All rural lands shall be kept clean and free from objects or conditions that might create a health, fire or safety hazard or are unsightly.
- 5.1.2 No person shall excavate and leave said land in an excavated condition unmarked for longer than fourteen (14) days.
- 5.1.3 No derelict vehicle scrap and/or junk material including without limiting its generality, wrecked, dismantled, unused, unlicensed or non-restorable vehicles, snowmobiles, trailers, machinery, tools, tires, appliances, equipment or any part thereof shall be parked, stored, moored or left on lands or water front property unenclosed except in an establishment licensed or permitted to conduct and operate such a business, and only then under circumstances that prevent unsafe or unsightly conditions.
- 5.1.4 Where vehicles (farm operation vehicles excluded), trailers, boats, barges or mechanical equipment are stored, they shall be screened from the street and public by a fence/barrier or suitable planting and shall be in conformance with the applicable municipal zoning requirements for that location.
- 5.1.5 All municipal lands will be maintained in accordance with municipal policy.

5.2 CONDITIONS OF YARDS – RURAL LAND

- 5.2.1 Every yard shall be kept clean and free from:
- (1) Rubbish, debris and objects including, without limiting its generality discarded gas, oil and water tanks, or conditions that may create a health, fire, environmental or accident hazard or are unsightly;
 - (2) Discarded or unserviceable appliances such as refrigerators, stoves and freezers and are not permitted to be used as places of storage;
 - (3) wrecked, dismantled, discarded or abandoned machinery, vehicles, trailers or boats unless it is necessary for the operation of a business enterprise lawfully situated on the property;
 - (4) dilapidated, collapsed or partially constructed structures which are not currently under construction that poses a safety hazard;
 - (5) injurious insects, termites, rodents, vermin or other pests; and
 - (6) dead, decayed or damaged trees that poses a safety hazard.
- 5.2.2. The owner of a residential property shall maintain the residential property, which he/she occupies or controls, in a clean, sanitary and safe condition and shall dispose of garbage and debris in accordance with the Township of Horton's Garbage By-law.
- 5.2.3. Grass and plants shall be tended and maintained, except on lands in current

crop production, pasture land, town land designated as open space and reforested land. Heavy growth and noxious weeds, as defined by the Weed Control Act, shall be controlled. Notwithstanding the aforementioned, a naturalized garden that is tended and maintained shall be permitted within this by-law.

5.3 DRAINAGE

5.3.1 Sewage and human waste shall be discharged into an approved sewage system.

5.3.2. No sewage shall be discharged onto the surface of the ground or into a natural or artificial surface drainage system.

5.3.3. Storm water shall be drained from the yard so as to prevent recurrent or excessive ponding or the entrance of water into a basement or cellar.

5.4 WALKS, PARKING AREAS, DRIVEWAYS

5.4.1. Steps, walks, driveways, parking spaces and other similar areas on residential rental, commercial, industrial or institutional property shall be maintained so as to afford safe passage under normal use and weather conditions, day or night.

5.4.2. All areas on residential rental, commercial, industrial or institutional property used for vehicular traffic and parking shall be kept free of rubbish, garbage and other litter and shall be kept in good repair.

5.5 LIGHTING STANDARDS

5.5.1. All artificial lighting for parking areas on residential rental, commercial, industrial or institutional property shall be maintained in good working order.

5.5.2. Any lights used to illuminate yards or parking areas on residential rental, commercial, industrial or institutional property shall be so arranged to direct the light downward only onto the yard or parking area and away from any adjoining lands or the sky.

5.6 DAMAGED MATERIAL

5.6.1. In the event that a building is severely damaged due to a fire, explosion or by natural causes, measures shall be taken as soon as possible to secure the damaged property insofar as permitted by the proper authorities to prevent access and injury.

5.6.2. Damaged or partially burnt material shall be removed forthwith once the investigations are completed and authorization to do so is provided by the appropriate fire authorities.

5.7 FENCES, BARRIERS

5.7.1. Fences, barriers, and retaining walls on residential, commercial, industrial or institutional property shall be kept in good repair and shall be free from hazards or risks that may cause accidents, fire or be a danger to health.

5.7.2. No fences, barriers or retaining walls may be built on the property line of an adjoining commercial, industrial or institutional property that is in close proximity to the neighbouring property that might limit emergency access to any buildings on the adjoining property. No fence, barrier or retaining wall over 0.8m (2.6 ft) may be erected, constructed or placed in a site-triangle.

5.7.3. The provisions of this section do not apply to a barrier erected upon abutting lands that are used for industrial and/or commercial purposes, railway right-

of-ways, and hydro, telephone, utility or public works installations that are deemed to be hazardous to the public, or are being used for screening and/or sound barriers.

6. PROPERTY STANDARDS

6.1 STRUCTURAL STANDARDS

6.1.1. Every part of a building or a structure shall be maintained in a structurally sound condition so as to be capable of sustaining its own weight and any additional load for which it was designed. The structural condition of the structure must be in accordance with the structural safety factors required by the Ontario Building Code.

6.2. GENERAL CLEANLINESS

6.2.1. All rubbish, garbage and ashes shall be kept or stored in approved receptacles until disposed of or removed from the property.

6.2.2. Approved Receptacles shall be:

- a) made of metal or plastic
- a) of watertight construction
- b) capable of being tightly closed; and
- c) maintained in a clean state.

6.2.3. "Plastic Garbage Bags" are not approved receptacles.

6.2.4. Materials of an inflammable nature shall, if they are lawfully on the property, be safely stored in accordance with appropriate legislation.

6.2.5. Containers shall be made available in a prominent position on residential rental, commercial, industrial or institutional property for the disposal of refuse which may be discarded by customers and others, and the land shall be kept free from refuse.

6.2.6. Hallways and stairways in a residential rental, commercial, industrial or institutional property shall be kept free from accumulation, storage of garbage, refuse or any other thing or object that may cause a health or accident hazard.

6.2.7. Buildings, dumpsters or structures used for the storage of garbage, rubbish, ashes and other refuse, prior to disposal, shall be deemed to be accessory buildings or structures within the meaning of this by-law and the current Municipal Zoning By-law.

6.2.8. Commercial dumpsters, refuse containers or portable storage units are permitted for a period of 90 consecutive days from the date of installation unless with the written consent of the Municipality.

6.3. PEST PREVENTION

6.3.1. Residential rental, commercial, industrial or institutional property shall be kept free of rodents, vermin and insects at all times and methods used for exterminating such pests shall be in accordance with provisions of the Pesticide Act, R.S.O. 1990 Chapter P.11 and all regulations passed pursuant thereto.

6.3.2. Openings and holes, within a building containing rental units, inclusive of chimneys, windows, doors, vents, holes for pipes and electrical fixtures, cracks and floor drains that might permit the entry of rodents, vermin, insects, birds or other pests, shall be screened or sealed.

6.4. EXTERIOR SURFACE

6.4.1. Exterior surfaces of a residential, residential rental, commercial, industrial or institutional property and their components shall be maintained in good repair, free from cracked, broken or loose masonry units and other defects to such attachments as soffits, fascia, cladding, or trim. Paint or some other suitable preservative, coating or covering must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.

6.4.2. Exterior surfaces of a commercial, industrial or institutional building or structure and their components shall be free of painted slogans, graffiti and similar defacements.

6.5. WATER PROOFING/ICE & SNOW REMOVAL

6.5.1. The roof of a residential, residential rental, commercial, industrial or institutional property including the fascia, soffit, cornice and flashing shall be maintained in a watertight condition so as to prevent leakage of water into a building.

6.5.2. Dangerous accumulations of snow or ice on a residential rental, commercial, industrial or institutional property shall be removed as soon as possible from the roofs of buildings.

6.5.3. Where eavestroughing, roof guttering and down piping is provided, it shall be maintained in good repair so as to be watertight and securely fastened to the building at all times.

6.6. STAIRWAYS, PORCHES, DECKS

6.6.1. Inside or outside stairways on residential rental property and any porch, deck, balcony, veranda or landing appurtenant to it, shall be maintained so as to be free of holes, cracks and other defects which may present a possible accident hazard. In addition, all coverings, treads or risers that are broken, warped or loose and all supporting structural members that are rotted or deteriorated beyond repair shall be replaced.

6.6.2. A handrail shall be installed and maintained in good repair on the open side of any stairway or ramp containing three (3) or more risers including the landing or a height of 600 mm (24") between adjacent levels. A handrail shall be installed and maintained in good repair in all stairwells. Guardrails shall be installed and maintained in good repair around all landings, porches, balconies, and decks. Guardrails, balustrades and handrails shall be constructed and maintained in a firm and inflexible condition as prescribed in the Ontario Building Code.

6.6.3. Inside or outside stairways on residential rental property must be maintained free from accumulations of items, things or ornaments that may pose a safety or a fire hazard when entering or exiting a building.

6.7 FLOORS

6.7.1. Every floor in a residential rental, commercial, industrial or institutional property shall be maintained so as to be free of broken or rotted boards, protruding objects, damaged or deteriorating surfaces, apertures in the surfaces that might admit rodents into a room and all conditions that may create a safety hazard. All defective floorboards shall be repaired and/or replaced.

6.7.2. Where the floor of a residential rental, commercial, industrial or institutional property has been covered with a covering that has become worn or torn to an extent that it is deemed to be a danger to the health and safety of the inhabitants, the covering shall be repaired or replaced.

6.8. WALLS AND CEILING

6.8.1. Every wall and ceiling in a residential rental, commercial, industrial or institutional property shall be maintained so as to be free of holes, cracks, loose or torn coverings or other defects that may be a safety hazard.

6.9. DOORS, WINDOWS AND SECURITY

6.9.1. Windows, skylights, doors and basement or cellar hatchways in a residential rental property shall be maintained in good repair and weather tight. Rotted or damaged doors, doorframes and their components, screens, window frames, sashes and casings shall be renewed and defective hardware, weather stripping and broken window glass shall be replaced.

6.9.2. In a residential rental property all exterior doors shall have hardware so as to be capable of being locked or otherwise secured from inside the dwelling unit. At least one entrance door in every dwelling unit shall have hardware so as to be capable of being locked from both inside and outside the dwelling unit.

6.9.3. In a residential rental property with a security system in place where persons are required to contact the tenant prior to being buzzed into the building, all intercom equipment must be kept free of defects and in good working order at all times.

6.9.4. Every window in a residential rental property that is located above the story of a multiple dwelling shall be equipped with an approved safety device that would prevent any part of the window from opening greater than would permit the passage of a 100 mm diameter (3.9 inches) sphere. Such safety device shall not prevent the window from being fully opened during an emergency situation by an adult without the use of tools.

6.10. WATER SUPPLY

6.10.1. Every residential property shall be provided with an adequate supply of potable water supplied by a Municipal Waterworks System, where possible or an approved well system that is acceptable to the District Health Unit and Ontario Building Code.

6.10.2. Each washbasin, bathtub or shower, and kitchen sink in a rental unit within a residential rental property shall have an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 45 degrees Celsius (113 degrees F) as prescribed by the Ontario Building Code.

6.10.3. Every rental unit within a residential rental property containing a pressurized water system shall have a sufficient quantity of cold water provided to enable the flushing of toilets.

6.10.4. All items listed in 6.10.2 and 6.10.3 shall be maintained in good working order.

6.10.5. All water pipes and appurtenances thereto shall be protected from freezing.

6.11. PLUMBING SYSTEM

6.11.1. All inhabited buildings shall have sanitary facilities connected to a municipal sewage system or to an approved private septic system or an approved outdoor toilet facility and maintained at a standard acceptable to the District Health Unit.

6.11.2. Plumbing, drain pipes, water pipes and plumbing fixtures contained within

every residential, commercial, industrial or institutional property and every connection line to the sewage or septic system, shall be free from leaks and defects and in the event remedies are required, they shall conform to the Ontario Building Code.

- 6.11.3. All plumbing fixtures contained within every residential, commercial, industrial or institutional property shall be connected to a sewage system through water seal traps.

6.12 TOILET AND BATHROOM FACILITIES

- 6.12.1. Every residential, commercial, industrial or institutional property containing a pressurized water system shall contain bathroom-plumbing fixtures consisting of at least one toilet, one wash basin and one bathtub or shower.

- 6.12.2. Every residential, commercial, industrial and institutional property containing a pressurized water system shall have all bathrooms and toilet rooms located and accessible within the building.

- 6.12.3. All outdoor toilet facilities shall be maintained in a manner acceptable to the District Health Unit, Ministry of the Environment and the Ontario Building Code.

6.13 KITCHENS

- 6.13.1. Every self contained rental unit within a residential rental property shall have a kitchen area equipped with cupboards or shelving for storing food, a counter top work area, space for a stove and refrigerator, and a sink that has a source for hot and cold water. Kitchen area counter top, cupboards and sink shall be maintained in good working order.

- 6.13.2. Every kitchen within a rental unit within a residential rental property shall be provided with an adequate and approved source for gas, electricity or other types of fuel that are required for cooking purposes.

6.14. HEATING SYSTEMS

- 6.14.1 All heating systems installed in commercial, industrial or institutional property where people are employed, shall be capable of safely maintaining a temperature as prescribed by the Ontario Building Code, unless the approved non-residential use requires an alternate temperature.

- 6.14.2. No room heater or any other heating apparatus shall be so placed as to cause a fire hazard to walls or to impede the free movement of persons within the room where the heater or heating apparatus is located.

- 6.14.3. Every dwelling and dwelling unit shall be provided with a heating system capable of safely maintaining a temperature as prescribed in the Ontario Building Code and shall be maintained in good working order.

- 6.14.4. All heating and cooking apparatuses or equipment involving combustion shall be properly connected to a chimney or flue by a sealed connection.

- 6.14.5. All fuel source connections to such apparatus or equipment that burn gaseous or liquid fuel shall be maintained in good repair.

- 6.14.6. In buildings having more than one non-residential unit or a combination of non-residential and residential units and are equipped with a central heating system, shall have the heating system located in a separate room whose walls, ceiling and doors are constructed of materials that have a fire rating, as prescribed by the Ontario Building Code and amendments thereto.

- 6.14.7. A space that contains a heating unit shall have natural or mechanical means of supplying air in accordance with the Ontario Building Code.
- 6.14.8. Where a heating system, or part of it, or any auxiliary heating system burns solid or liquid fuel, it shall be provided, maintained and properly constructed so as to be free from fire hazards. A minimum of 1.53 metres (5 ft) clearance is required between fuel oil storage tanks and burners and only approved type storage tanks shall be used as regulated by the Fire Code Act and amendments thereto.
- 6.14.9 . Any mechanism or structure used in the process of burning fuel or combustible material shall be properly vented to a duct leading to an approved chimney, in accordance with the Fire Code Act.
- 6.14.10 Every chimney, smoke pipe, flue and gas vent, actually in use or available for use shall be kept clear of obstruction, all open joints shall be sealed, and all broken and loose masonry shall be repaired.
- 6.14.11. Every chimney, smoke pipe, flue, and gas vent shall be installed and maintained so that under all conditions of use, the temperature of any combustible material adjacent thereto, insulated therefrom or in contact therewith, does not exceed a safe temperature as per CAN/CSA B365 requirements and amendments thereto.
- 6.14.12. Fireplaces and similar installations used or intended to be used for burning fuels in open fires shall be connected and installed as per CAN/CSA B365 requirements and amendments thereto.

6.15. ELECTRICAL SERVICE

- 6.15.1. The electrical wiring and all electrical fixtures located or used in a building, shall be installed and maintained in good working order and free of defects in accordance with regulations set by the Electricity Act, 1998 S.O. 1998 c.15 and amendments thereto.
- 6.15.2. Every dwelling unit that is wired for electricity and lighting equipment shall be installed throughout to provide sufficient illumination to avoid health or accident hazards during normal use, provided that the lighting shall not be positioned so as to cause any impairment of the use or enjoyment of neighbouring properties.
- 6.15.3. All electrical outlets shall conform to requirements set out in the Power Corporation Act and amendments thereto (the Hydro Code).
- 6.15.4. Fuses or overload devices shall not exceed limits set by the Hydro Code.
- 6.15.5. All electrical appliances shall be maintained in a safe mechanical and electrical condition.

6.16. LIGHTING

- 6.16.1 In commercial, industrial or institutional property, sufficient windows, skylights and electrical lighting fixtures shall be provided and maintained in order to provide proper illumination in all passageways when the building is in use and for stairways in case of a fire or other emergencies.
- 6.16.2 Every habitable room within a residential property, except a kitchen, bathroom, toilet room and basement where electricity is available, that faces directly to the outside shall have a window or windows, skylights or translucent panels at least 0.15 metres (6 inches) above the adjoining finished grade, with an unobstructed light transmitting area not less than ten (10) per cent of the floor area of such rooms as prescribed by the Ontario Building

Code. The glass area of a sash door may be considered as a portion of the required window area.

- 6.16.3 An adequate and safe illuminating device shall be installed in every bathroom, toilet room, laundry room, furnace room and kitchen.
- 6.16.4 All halls and stairways in residential rental, commercial, industrial or institutional property shall be sufficiently lighted to provide a safe passageway. Standby lighting shall be provided in accordance with the Ontario Building Code.
- 6.16.5 In multiple residential dwellings and in commercial, industrial or institutional property, every exit door to the outside shall have an illuminated exit light and illumination must be provided for all exterior stairways from top floor levels to grade.

6.17. VENTILATION

- 6.17.1. Every habitable room shall be provided with either a natural ventilation system such as a window or a door, or mechanical ventilation system in accordance with the Ontario Building Code.
- 6.17.2. Every bathroom or toilet room shall be provided with either natural ventilation or a mechanical ventilation system in accordance with the Ontario Building Code.
- 6.17.3. All systems of mechanical ventilation shall be maintained in good working order.
- 6.17.4. All enclosed spaces including basements, cellars, attics or roof space and crawl spaces shall be adequately vented to the outside air.

6.18 FIRE PREVENTION EQUIPMENT

- 6.18.1 Fire prevention equipment such as smoke alarms or other fire detection devices and carbon monoxide detection equipment shall be installed as prescribed in the Ontario Building Code and the Ontario Fire Code and shall be maintained in good working order so as to effectively perform their intended function.
- 6.18.2 Buildings using a fire escape as a secondary means of egress shall have the escape in good condition, free from obstructions and easily reached through a window opening or door.

6.19 EGRESS

- 6.19.1 All residential rental, commercial, industrial or institutional buildings shall be provided with an adequate egress from every floor area in accordance with the Ontario Building Code, the Ontario Fire Code and the Ontario Farm Building Code.
- 6.19.2. Every dwelling and every dwelling unit shall have an adequate means of egress capable of providing safe, continuous and unobstructed exit from the interior of the building to the exterior at street or grade level in accordance with the Ontario Building Code and the Ontario Fire Code.

6.21 OCCUPANCY STANDARDS

- 6.21.1 No person shall use or permit the use of a non-habitable room in a dwelling for a habitable room purpose.
- 6.21.2 Where the area of a habitable room space, within a dwelling unit, is combined

with a kitchen and a dining area, the habitable room space alone in a dwelling unit that contains sleeping accommodations for not more than two persons, shall be not less than 11 square metres (118 square feet) as prescribed by the Ontario Building Code.

- 6.21.3 For the purpose of computing the habitable room space in Subsection 6.21.2, any child under one year of age shall be deemed one-half person as prescribed by the Ontario Building Code.
- 6.21.4 For the purpose of computing the habitable room space in Subsection 6.21.2, the floor area under a ceiling, which is less than 2.1 metres high shall not be counted as prescribed by the Ontario Building Code.
- 6.21.5 Every room used for sleeping purposes in a dwelling or a dwelling unit shall provide a minimum floor area of at least 6 square metres (65 square feet) with not less than 4.6 square metres (50 square feet) for each additional occupant, provided that for the purpose of this Subsection, two children under the age of six years may be counted as one person as prescribed by the Ontario Building Code.

7.1 VACANT BUILDINGS

- 7.1.1 The owner of a vacant residential, commercial, industrial or institutional building, excluding agricultural buildings and structures, shall secure and/or board up the building to the satisfaction of the Property Standards Officer by covering all openings through which entry can be achieved.
- 7.1.2. No partially or completely vacant residential, commercial, industrial or institutional building shall remain boarded up for a period longer than two (2) years. After the said two (2) years or an alternate time period set by the Property Standards Officer, the owner or agent or other persons responsible, shall forthwith make the necessary repairs to make it fit for a dwelling or other authorized uses in accordance with the Township of Horton Zoning By-law.
- 7.1.3. Residential, commercial, industrial or institutional vacant buildings shall be kept cleared of all garbage, rubbish and debris and shall have all water, electrical and gas services turned off except for those services that are required for the security and maintenance of the property.
- 7.1.4. Where a residential, commercial, industrial and institutional vacant building is not maintained or fixed in accordance with this By-law, it shall be remedied. Vacant buildings deemed by the Chief Building Official as a health and safety issue and that have not been remedied to the satisfaction of the Property Standards Officer shall be removed from the property and the land or waterfront property shall be left in a graded level condition.

PART IV

8. ADMINISTRATION AND ENFORCEMENT

8.1 ADMINISTRATION

- 8.1.1 This By-law applies to all properties within the Township of Horton.
- 8.1.2 The Township shall administer and enforce this By-Law as prescribed by the *Ontario Building Code Act; S.O. 1992, c.23 Section 15* as amended
- 8.1.3 The Officer may prohibit the occupancy or use of any property that does not conform to the standards prescribed in this By-Law.

- 8.1.4 The Officer may utilize various reports and forms in the administration and enforcement of this By-law which can be revised as deemed required by the Officer, including but not limited to
- An inspection report;
 - Re-inspection report;
 - Order to Remedy Violation;
 - Order to Comply;
 - Notice to Appeal;
 - Decision Following Appeal; or
 - Other such report or form

8.2 OFFICERS AND INSPECTORS

- 8.2.1 The person(s) appointed as By-law Enforcement Officer(s) or Property Standards Officer(s) for the TOWNSHIP OF HORTON shall be responsible for the administration and enforcement of this By-law.
- 8.2.2 Any building inspector, plumbing inspector, electrical inspector, public health inspector, fire prevention officer or by-law enforcement officer of the Town is hereby authorized and directed to act from time to time as an assistant to the Officer.
- 8.2.3 The Property Standards Officer, or any person acting under his direction, may at all reasonable times, upon producing proper identification, enter and inspect any property. The Officer or his designate shall not enter any room or place actually used as a dwelling without the consent of the Occupant except under the authority of a search warrant issued under Section 21 of the *Building Code Act*
- 8.2.4 No person shall obstruct or attempt to obstruct an Officer or a person acting under the Officer's instruction, in the exercise of his duties.

8.3 PROPERTY STANDARDS COMMITTEE

- 8.3.1 Every person who initiates an appeal of an Order made under Section 15.2(2) of the Ontario Building Code Act, S.O. 1992, c23, shall submit a Notice of Appeal in the time frame and manner as prescribed in section 15.3(1) of the Act. All Notices of Appeal shall be accompanied by a non-refundable payment of one hundred (\$100.00) dollars.
- 8.3.2 A Property Standards Committee shall be established and shall consist of the members of the Planning Committee.
- 8.3.3 The members of the Committee shall abide by the Rules of Procedure, attached as Appendix "A" to this by-law.

8.4 POWERS OF THE CORPORATION TO REPAIR OR DEMOLISH (

- 8.4.1 If the Owner or Occupant of a property fails to repair or to demolish the property in accordance with an Order, the Township of Horton may cause the property to be repaired or demolished accordingly.
- 8.4.2 For the purposes of Subsection 8.4.1 employees or agents of the Township of Horton may enter the property at any reasonable time without a warrant in order to repair or demolish the property.
- 8.4.3 The Town will not be liable to compensate an Owner, Occupant or any other person having an interest in the property by reason of any action performed by or on behalf of the Township of Horton under the provisions of this By-Law.

- 8.4.4 The Town shall have a lien on the land for the amount spent on the repair or demolition under Subsection 8.4.1, and the amount shall be deemed to be municipal real property taxes and may be added by the Township of Horton Clerk to the collector's roll and collected in the same manner and with the same priorities as municipal real property taxes

8.5 EMERGENCY POWERS

- 8.5.1 Notwithstanding any other provisions in this By-Law, if upon inspection of a property, the Officer is satisfied that there is a non-conformity with the standards prescribed in the By-Law to such extent as to pose an immediate danger to the health or safety of any person, the Officer may make an Order containing particulars of the non-conformity and requiring immediate remedial repairs or other work to be carried out forthwith to terminate the danger.
- 8.5.2 After making an Order under Section 8.5.1, the Officer may, either before or after the Order is served, take or cause to be taken any measures considered necessary to terminate the danger; and for this purpose, the Town has the right, through its employees or agents, to enter upon the property at any reasonable time.
- 8.5.3 The Officer, Township of Horton or anyone acting on behalf of the Township of Horton is not liable to compensate the Owner, Occupant, or any other person by reason of anything done by or on behalf of the Township of Horton in the reasonable exercise of its power under Section 8.5.1.

8.6 SEVERABILITY

- 8.6.1 Should any part, section, subsection or portion of this by-law be repealed or declared by a court of competent jurisdiction to be illegal, the same shall not affect the validity of the by-law as a whole or in part thereof, except for that which was declared to be invalid.
- 8.6.2 Where a provision of this By-law conflicts with the provisions of another By-law in force in the Municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public prevails.
- 8.6.3 This By-law shall come into force and take effect upon its passing.
- 8.6.4 That By-law 2016-46 of the Township of Horton any other by-law inconsistent with the provisions contained herein are hereby repealed in their entirety.

8.7 TRANSITIONAL RULES

After the date of the passing of this by-law, the By-law 2016-46 shall apply only to those properties in which an Order to Comply has been issued prior to the date of passing of this by-law, and then only to such properties until such time as the work required by such Order has been completed or any enforcement proceedings with respect to such Order, including any demolition, clearance, or repair carried out by the municipality shall have been concluded.

9. SHORT TITLE

- 9.1 This By-law shall be sited as the "Property Standards By-law."

BY-LAW READ a first and second time this 5th day of December 2017

BY-LAW READ a third time and passed this 5th day of December 2017

APPENDIX “A”

Rules of Procedure For the Property Standards Committee

WHEREAS as set out in the Property Standards By-law 2012-24, section 8.3.3., a Property Standards Committee be established that consists of the members of the Planning Committee as appointed by Council. . Under subsection 55(1) of the *Municipal Act* every local board shall adopt Rules of Procedures for governing the calling, place and proceedings of meetings;

AND WHEREAS under subsection 15.3 of the *Building Code Act, 1992*, the Property Standards Committee hears appeals from Orders to Comply with property standards and under 15.6(8), may, subject to subsection 15.6(9) respecting notice, adopt its own rules of procedure and any member may administer oaths; and

AND WHEREAS the *Statutory Powers Procedures Act* sets out rules of procedures that also apply to proceedings of the Property Standards Committee and under section 32 the provisions of this Act prevail in the case of a conflict with provisions of another Act unless it is expressly provided otherwise in that Act.

THEREFORE The Property Standards Committee of the Township of Horton enacts as follows:

1. Definitions

1.1 As used in these Rules of Procedures, the following terms shall have the meanings indicated:

“Committee” means the Property Standards Committee of the Township of Horton.

“Council” means the Council of the Township of Horton.

“Inaugural Meeting” means the first meeting of the Committee after its members have been appointed by Council.

2. Application

2.1 The rules in this Rules of Procedures shall be observed in all meetings of the Committee

3. Matters not dealt with in the rules of procedures

3.1. If these rules do not provide for a matter of procedure that arises during a meeting, the practice shall be determined by the Committee.

3.2. If these rules do not provide for a matter of procedure that arises during a hearing, the Committee may do whatever is necessary and permitted by law to enable it to effectively and completely adjudicate on the matter before it.

4. Meetings

4.1. The Committee shall hold its inaugural meeting on a date and time to be determined by the Town Clerk following the appointment by Council of the Committee members for the present term or balance of the present term of council.

4.2. The Committee shall meet at the request of the Chair or when requested to do so by a majority of the members and the Chair shall summon a meeting of the committee.

4.3. When the Chair is absent from the Town, or is absent through illness, or refuses to act, or when the office of the Chair is vacant, a meeting of the Committee may be summoned by the Town Clerk on 24 hours’ notice when requested to do so in writing by a majority of the members.

- 4.4. Meetings of the Committee shall be held at Municipal Offices or such other location, as the Town Clerk deems advisable.
- 4.5. A majority of the members of the committee constitutes a quorum at meetings.
- 4.6. Before a meeting, if the Secretary determines that there will not be a quorum of members, the Chair or the Secretary will reschedule the meeting.
- 4.7. If no quorum is present 30 minutes after the time appointed for the commencement of the meeting, the Secretary shall re-schedule the meeting.

5. Committee Chair

- 5.1. The Chair of the Property Standards Committee will be the Chair of the Planning Committee.
- 5.2. When the Chair of the Committee is absent through illness or otherwise, the Committee may appoint another member as Acting Chair.
- 5.3. If the Chair of the Committee resigns as a member of the Committee or resigns as the Chair of the Planning Committee, the Committee shall appoint another member as Chair for the balance of the term appointed or until a successor is appointed.
- 5.4. The Chair is the liaison between the members and the Town Clerk on matters of policy and process.

6. Committee Secretary

- 6.1. The Town Clerk is appointed as the Secretary of the Committee and may delegate administrative responsibilities to a Deputy Secretary.

7. Schedule of meetings

- 7.1. The Committee shall meet on an as-needed basis.
- 7.2. A meeting date may be added, cancelled or rescheduled by the Secretary.
- 7.3. Each meeting shall commence at the time specified on the agenda and continue until the agenda is completed.

8. Agenda

- 8.1. The Secretary shall provide an agenda before the meeting to each member of the Committee.
- 8.2. The business of the Committee shall be conducted in the order outlined on the agenda.

9. Committee procedures

9.1. Opening statement

The Chair reads an opening statement outlining the procedure and format of the Committee hearing process.

9.2. Statements

The Chair will entertain any statements from Committee Members at this time.

9.3. Motions

The Committee will hear motions with respect to any business properly before the Committee at this time.

9.4. Hearing of appeals

Subject to any motions previously adopted by the Committee, the Chair will indicate that the Committee will now hear the first appeal listed on the agenda.

9.5. Introduction and recording of parties to an appeal

The Chair will request that if anyone wishes to speak to the appeal to identify her or himself, including any other interested persons who intend to give evidence on behalf of either party to the appeal.

9.6. Presentation of order to comply

- (1) The Officer is requested to present the order to comply and related evidence.
- (2) The Officer may be questioned by the Committee Members through the Chair to clarify any evidence presented.
- (3) If the Appellant is represented by legal counsel, legal counsel may cross-examine the Officer at this time.
- (4) No legal counsel:
 - a) If the Appellant is not represented by legal counsel, any questions the Appellant, including any Appellant's agent, may wish to ask the Officer shall be directed to the Committee through the Committee Chair.
 - b) The Committee may allow the question to be put to the Officer or rule that the question is improper or out of order.
- (5) Every opportunity will be given to the Appellant to view any evidence submitted by the Officer.

9.7. Other persons in support of the order

- (1) After any cross-examination of the Officer, the Committee may hear from anyone else who supports the confirmation of the order to comply.
- (2) Preference in the order of hearing will be given to those who identified themselves as an "other interested person" at the beginning of the hearing.
- (3) The Committee, through the Chair, may question the persons giving evidence to clarify any evidence presented.
- (4) Legal counsel may cross-examine the persons and an Appellant not represented by legal counsel may cross-examine the persons in the manner provided under Subsection 9.6(4).

9.8. Presentation of an appeal

- (1) The Appellant or the Appellant's legal counsel is requested to present evidence with respect to the appeal of the order to comply.
- (2) The Committee may, through the Chair, ask questions of the Appellant to clarify any evidence presented.
- (3) The Committee will allow the Appellant or the Appellant's legal counsel to complete their presentation before asking any questions, unless clarification is required before the presentation is completed. If evidence is to be given by anyone other than the Appellant or a witness called by the Appellant, preference of hearing order will be given to those who identified themselves as "other interested persons" at the beginning of the hearing.
- (4) Persons giving evidence under Subsection 9.8(4) are subject to questions by the Committee, the Appellant and the Appellant's counsel as described in Subsection 9.7.(3) and (4).

9.9. Other representations: recall of Officer

- (1) After the Appellant's presentation, the Committee will hear from anyone else who wishes to make representations before the Committee pertaining to the matter.
- (2) Persons giving evidence under Subsection 9.9(1) are subject to questions by the Committee, the Appellant and the Appellant's counsel as described in Subsection 9.7(3) and (4).
- (3) The Officer may also be recalled at this time.

9.10. Committee inspection

- (1) The Committee will as a general practice rely on pictures and other diagrams to describe the property.
- (2) When, after hearing all the evidence, the Committee determines that pictures and diagrams are not sufficient and that it wishes to inspect the property, the hearing will be adjourned to a date and time mutually agreed upon.

9.11. Committee decision

- (1) The Committee will give an oral decision or may reserve its decision.
- (2) If the decision is reserved the Committee Chair will advise the Appellant that the Appellant will be notified by registered mail of the Committee's decision.

9.12. Notice of Decision

The Secretary will forward notice of the Committee's decision to all those notified of the hearing and to everyone who appears before the Committee.

10. Grant exceptions from procedures

10.1 A Committee may grant all necessary exceptions from the procedures in Section 9, as it considers appropriate to ensure that the real questions in issue are determined in a just manner.

11. Voting; equality of vote

11.1. The Committee Chair may vote on all motions and other questions submitted at a Committee meeting.

11.2. In the case of a tie vote, the motion or question shall be deemed to have been lost.

12. Minutes

12.1. The Secretary shall prepare minutes and hearings of the meetings of the Committee.

12.2. The Committee shall review and adopt the minutes of its previous meeting before beginning the current agenda.

Read a first and second time this 5th day of December 2017

Read a third time and passed this 5th day of December 2017

MAYOR Robert Kingsbury

CAO/Clerk Suzanne Klatt

**TOWNSHIP OF HORTON
SCHEDULE "A"**

PROPERTY STANDARDS BY-LAW# 2017- 68

Set Fines Under Part I of the Provincial Offences Act

Ontario Building Code Act 1992, S.O. 1992, c. 23

ITEM	SHORT FORM WORDING	PROVISION CREATING or DEFINING OFFENCE	SET FINE
1	Failure to comply with S. 15.9(4) Order to Remedy Unsafe Building dated ...	S. 36(1)(b)	\$250.
2	Fail to comply with S. 15.2(2) Order to Comply dated ...	S. 36(1)(b)	\$125.

The penalty provision for the offences indicated above is Section 36 of the Building Code Act, 1992, Chapter 23, as amended.

THE CORPORATION OF THE TOWNSHIP OF HORTON

BY-LAW NO. 2017-67

Being a by-law to authorize an Agreement between

Jp2g CONSULTING INC.

AND

THE CORPORATION OF THE TOWNSHIP OF HORTON

WHEREAS Council wishes to enter into an Agreement with Jp2g Consulting Inc.

AND WHEREAS this Agreement pertains to the Engineering Services for the Thompsonhill Preliminary Engineering;

AND WHEREAS the Township awarded Proposal PW-2017-19 to Jp2g Consulting Inc. by Resolution No.: 2017-378 at the November 21st, 2017 Regular Council Meeting.

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

1. That the Mayor and CAO/Clerk be authorized to execute the Agreement attached hereto as 'Appendix 1' and forming a part of this by-law with Jp2g Consulting Inc.
2. That this by-law shall come into effect upon the passing thereof.

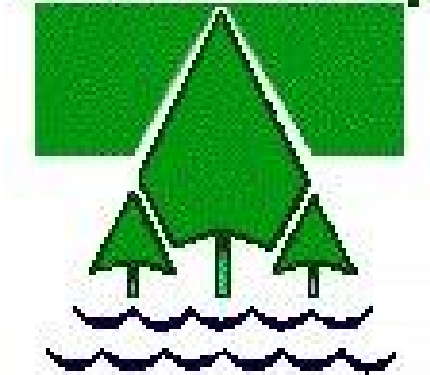
Read a First and Second Time this 5th day of December, 2017.

Read a Third Time and Passed this 5th day of December, 2017.

MAYOR Robert Kingsbury

CAO/CLERK Suzanne Klatt

Horton Township



Public Works Department

**Engineering Services for
Thomsonhill Preliminary Engineering**

Consultants Agreement

**AGREEMENT
FOR
PROFESSIONAL CONSULTING SERVICES**

AGREEMENT dated the ____ day of _____, 2017

-BETWEEN-

THE CORPORATION OF THE TOWNSHIP OF HORTON

Hereinafter called the 'Client'

THE PARTY OF THE FIRST PART

-AND-

Jp2G CONSULTING INC.

Hereinafter called the 'Consultant'

THE PARTY OF THE SECOND PART

WHEREAS the Client intends to

Provide preliminary engineering services for the assessment of the roads and stormwater sewer in Thomsonhill.

hereinafter called the 'Project' and has requested the Consultant to furnish professional services in connection therewith;

NOW THEREFORE WITNESSETH that in consideration of the covenants contained herein, the Client and the Consultant mutually agree as follows:

ARTICLE 1 - GENERAL CONDITIONS

1.01 Retainer

The Client hereby retains the services of the Consultant in connection with the Project and the Consultant hereby agrees to provide the services described herein under the general direction and control of the Client.

In this Agreement the word Consultant shall mean professionals and other specialists engaged by the Client directly and whose names are party to this Agreement.

1.02 Services

The services to be provided by the Consultant and by the Client for the Project are set forth in Article 2 and such services as changed, altered or added to under Section 1.08 are hereinafter called the 'Services'.

1.03 Compensation

The Client shall pay the Consultant in accordance with the provisions set forth in Article 3.

1.04 Staff and Methods

The Consultant shall perform the services under this agreement with that degree of care, skill and diligence normally provided in the performance of such services as contemplated by the agreement at the time such services are rendered and as required by the Professional Engineers Act (RSO 1990, Chapter P. 28) and regulations therein. The Consultant shall employ only competent staff who will be under the supervision of a senior member of the Consultant's staff.

1.05 Drawings and Documents

Drawings and documents or copies thereof required for the Project shall be exchanged between the parties on a reciprocal basis. Documents prepared by the Consultant for the Client, including record drawings, may be used by the Client, for the Project herein described. All documents and drawings, pertaining to this assignment becomes the property of the Township.

1.06 Intellectual Property

All concepts, products or processes produced by or resulting from the Services rendered by the Consultant in connection with the Project, or which are otherwise developed or first reduced to practice by the Consultant in the performance of his Services, and which are patentable, capable of trademark or otherwise, shall be considered as Intellectual Property and remain the property of the Consultant.

The Client shall have permanent non-exclusive royalty-free license to use any concept, product or process, which is patentable, capable of trademark or otherwise produced by or resulting from the Services rendered by the Consultant in connection with the Project.

1.07 Records and Audit

- (a) In order to provide data for the calculation of fees on a time basis, the Consultant shall keep a detailed record of the hours worked by and salaries paid to staff employed for the Project.
- (b) The Client may inspect timesheets and record of expenses and disbursements of the Consultant during regular office hours with respect to any item which the Client is required to pay on a time scale or disbursement basis as a result of this Agreement.
- (c) The Consultant, when requested by the Client, shall provide copies of receipts with respect to any disbursement for which the Consultant claims payment under this Agreement.

1.08 Changes and Alterations and Additional Services

With the consent of the Consultant the Client may in writing at any time after the execution of the Agreement or the commencement of the Services delete, extend, increase, vary or otherwise alter the Services forming the subject of the Agreement, and if such action by the Client necessitates additional staff or services, the Consultant shall be paid in accordance with Article 3 for such additional staff employed directly thereon, together with such expenses and disbursements as allowed under Article 3.

1.09 Suspension or Termination

The Client may at any time by notice in writing to the Consultant, suspend or terminate the Services or any portion thereof at any stage of the project. Upon receipt of such written notice, the Consultant shall perform no further Services other than those reasonably necessary to close out his Services. In such an event, the Consultant shall be entitled to payment in accordance with Article 3 for any of the Consultant's staff employed directly thereon together with such expenses and disbursements allowed under Article 3.

If the Consultant is practicing as an individual and dies before his Services have been completed, this Agreement shall terminate as of the date of his death, and the Client shall pay for the Services rendered and disbursements incurred by the Consultant to the date of such termination.

1.10 Indemnification

The Consultant shall indemnify and save harmless the Client from and against all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever which the Client, his employees, officers or agents may suffer, as a result of the negligent acts of the Consultant, his employees, officers or agents in the performance of this Agreement.

The Client agrees to hold harmless, indemnify and defend the Consultant from and against any and all claim, losses, damages, liability and costs of defense arising out of or in any way connected with the presence, discharge, release or escape of contaminants of any kind, excluding only such liability as may arise out of the negligent acts of the Consultant in the performance of consulting services to the Client within this project.

1.11 Insurance

The Client will accept the insurance coverage amount specified in this clause section (a) as the aggregate limit of liability of the Consultant and its employees for the Client's damages.

a) Comprehensive General Liability

The Consultant shall maintain sufficient General Liability insurance and shall provide to the Township proof of such insurance in the form of a Certificate of Insurance and providing as a minimum requirement the following:

- i) \$2,000,000 in General Liability Insurance policy covering public liability and property damage and contain a "Cross Liability" clause or endorsement.
- ii) Certificates to name the Corporation of the Township of Horton as additional insured with respect to work performed.
- iii) Such coverage must be maintained and in effect continuously while the work is in progress, and renewal certificates must be provided prior to the policy expiry.

b) Automobile Insurance

Automobile liability insurance in respect of licensed vehicle shall have limits of not less than \$2,000,000.00 inclusive per occurrence for bodily injury, death and damage to property, in the following forms:

- i) standard non-owned automobile policy including standard contractual liability endorsement, and
- ii) standard owner's form automobile policy providing third party liability and accident benefits insurance and covering licensed vehicles owned or operated by the Contractor.

c) Professional Liability Insurance

The Insurance Coverage shall be in the amount of \$2,000,000 per claim and in the aggregate. When requested, the Consultant shall provide to the Client proof of Professional Liability Insurance carried by the Consultant, and in accordance with the Professional Engineers Act (RSO 1990, Chapter P. 28) and regulations therein.

c) Change in Coverage

If the Client requests to have the amount of coverage increased or to obtain other special insurance for this Project then the Consultant shall endeavour forthwith to obtain such increased or special insurance at the Client's expense as a disbursement allowed under Article 3.

It is understood and agreed that the coverage provided by these policies will not be changed or amended in any way nor cancelled by the Consultant until thirty (30) days after written notice of such change or cancellations has been personally delivered to the Client.

1.12 Contracting for Construction

Neither the Consultant nor any person, firm or corporation associated or affiliated with or subsidiary to the Consultant shall tender for the construction of the Project, or have an interest either directly or indirectly in the construction of the Project.

1.13 Assignment

Neither party may assign this Agreement without the prior consent in writing of the other.

1.14 Previous Agreements

This Agreement supersedes all previous agreements, arrangements or understandings between the parties whether written or oral in connection with or incidental to the Project.

1.15 Approval by Other Authorities

Unless otherwise provided in this Agreement, where the work of the Consultant is subject to the approval or review of an authority, department of government, or agency other than the Client, such applications for approval or review shall be the responsibility of the Consultant, but shall be submitted through the offices of the Client and unless authorized by the Client in writing, such applications for approval or review shall not be obtained by direct contact by the Consultant with such other authority, department of government or agency.

1.16 Principals and Executives

The use of Principals and Executives on a time basis by the Consultant, will be in accordance with Section 1.23.1 (c).

1.17 Sub-Consultants

The Consultant may engage others as sub-consultants for specialized services provided that prior approval is obtained, in writing, from the Client and may add a mark-up of not more than 5% of the cost of such services to cover office administration costs when claiming reimbursement from the Client.

1.18 Inspection

The client, or persons authorized by the Client, shall have the right, at all reasonable times, to inspect or otherwise review the Services performed, or being performed, under the Project and the premises where they are being performed.

1.19 Publication

The Consultant agrees to obtain the consent in writing of the Client before publishing or issuing any information regarding the Project.

1.20 Confidential Data

The Consultant shall not divulge any specific information identified as confidential, communicated to or acquired by him, or disclosed by the client in the course of carrying out the Services provided for herein. No such information shall be used by the Consultant on any other project without the approval in writing of the client.

1.21 Dispute Resolution

- (a) If requested in writing by either the Client or the Consultant, the Client and the Consultant shall attempt to resolve any dispute between them arising out of or in connection with this Agreement by entering into structured non-binding negotiations with the assistance of a mediator on a without prejudice basis. The mediator shall be appointed by agreement of the parties. If a dispute cannot be settled within a period of ninety (90) calendar days with the mediator, the dispute shall be referred to and finally resolved by arbitration under the rules of the province having jurisdiction or by an arbitrator appointed by the agreement of the parties.
- (b) No person shall be appointed to act as mediator or arbitrator who is in any way interested, financially or otherwise, in the conduct of the work on the Project or in the business or other affairs of either the Client or the Consultant.
- (c) The award of the arbitrator shall be final and binding upon the parties.
- (d) The provisions of The Arbitration's Act, R.S.O., 1991, Chapter 17, as amended shall apply.

1.22 Time

The Consultant shall perform the Services expeditiously to meet the requirements of the Client and shall complete any portion or portions of the Services in such order as the Client may require.

The Client shall give due consideration to all designs, drawings, plans, specifications, reports, tenders, proposals and other information submitted by the Consultant, and shall make any decisions which he is required to make in connection therewith within a reasonable time so as not to delay the work of the Consultant.

1.23 Estimates, Schedules and Staff List

1.23.1 Preparation of Estimate of Fees, Schedule of Progress and Staff List

The Consultant shall within fourteen days of the execution of this Agreement provide, for approval by the Client:

- (a) An estimate of the total fees to be paid for the Services.
- (b) A Schedule showing an estimate of the portion of the Services to be completed in each month and an estimate of the portion of the fee which will be payable for each such month.
- (c) A Staff list showing the number, classifications and hourly rate ranges for staff, Principals and Executives, for which the Consultant will seek payment on a time basis. The Consultant shall relate such information to the particular type of work that such staff is to perform, while employed on the Project. Such list shall designate the member of the Consultant's staff who is to be the liaison person between the Consultant and the Client.

1.23.2 Subsequent Changes in the Estimate of Fees, Schedule of Progress and Staff List

The Consultant will require prior written approval, from the Client for any of the following changes:

- (a) Any increase in the estimated fees beyond those approved under Subsection 1.23.1 (a).
- (b) Any change in the schedule at progress which results in a longer period than provided in Subsection 1.23.1 (b).
- (c) Any change in the number, classification and hourly rate ranges of the staff provided under Subsection 1.23.1 (c).

1.23.3 Monthly Reporting of Progress

When requested by the Client, the Consultant shall provide the Client with a written report showing the portion of the Services completed in the preceding month.

ARTICLE 2 - SERVICES

Services are to be provided in accordance with the proposal/quotation titled "Proposal for Preliminary Design Report" and contained as **Appendix I**. Going forward, the Consultant is asked to refer to contract no. PW 2017-19 on all correspondence, reporting, invoices, etc.

ARTICLE 3 - FEES AND DISBURSEMENTS

3.1 Fees Calculated on a Time Basis

The Client shall pay the Consultant a fee, based on a lump sum price, for that part of the Services described in Article 2 and the detailed proposal included in **Appendix I**.

The fees shall be determined based on the lump sum prices identified in **Appendix I**.

3.1.1 Time Expended

All time expended on the assignment, whether in the Consultant's office, at the Client's premises, or elsewhere, and including travel time, shall be considered part of the lump sum prices identified in **Appendix I**. This also includes, but is not limited to, stenographic and clerical staff engaged in the preparation of documents such as reports and specifications.

3.2 Reimbursable Expenses

Reimbursable expenses are considered part of the lump sum prices identified in **Appendix I**.

3.3 Compensation

The total amount of compensation paid to the Consultant shall not exceed **\$34,600.00 (not including HST)** without the prior written approval of the Client as provided in Subsection 1.23.2.

3.3 Payment

The Consultant shall submit an invoice to the Client when all services are completed. Interest at the annual rate of ____ percent (____ percent monthly) will be paid on the total outstanding unpaid balance commencing 30 days after the Client has received the Consultant's invoice.

IN WITNESS THEREOF the parties hereto have caused to be executed those presents by their officers properly authorized in that behalf on the day and year first above written.

SIGNED, SEALED AND DELIVERED

in the presence of:) _____
) _____
) _____
) _____

CONSULTANT (Jp2G CONSULTING INC.)

(Signature)

(Name)

(Title)

THE CORPORATION OF THE TOWNSHIP OF HORTON

MAYOR Robert Kingsbury

CAO/CLERK Suzanne Klatt

CORPORATION OF THE TOWNSHIP OF HORTON

BY-LAW NO. 2017-70

**BEING A BY-LAW TO ADOPT CORPORATE POLICY G-07
CONCUSSION POLICY**

WHEREAS The Council for the Corporation of the Township of Horton deems it expedient to establish policies;

WHEREAS The Municipal Act S.O. 2001, c 25, Section 5(3), as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law;

AND WHEREAS Council desires to adopt a Concussion Policy G-07 for the prevention and management thereof;

NOW THEREFORE the Council of the Corporation of the Township of Horton hereby **ENACTS AS FOLLOWS:**

1. **THAT** the Council of the Corporation of the Township of Horton adopt the Concussion Policy G-07 hereto attached as Appendix "A".
2. **THAT** this By-Law shall come into force and take effect immediately upon the passing thereof.
3. **THAT** this By-law shall not be interpreted to contradict or violate any statute or regulation of the Province of Ontario.
4. **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 and second time this 5TH day of December, 2017

READ a third time and passed this 5TH day of December, 2017

MAYOR Robert Kingsbury

CAO/CLERK Suzanne Klatt

Schedule "A" to By-Law No. 2017-70

Horton Township



Parks & Recreation Concussion Policy

November 28, 2017

Approved:

Revised:

PARKS AND RECREATION DEPARTMENT

CONCUSSION POLICY

Document reflects Town of Petawawa policy

POLICY STATEMENT

Horton Township is committed to the health and well-being of all employees and participants in sport and recreation programming. This policy will provide awareness and training on how to properly assess and manage a concussion incident as well as how to help minimize these incidents from occurring.

All Horton Township Parks and Recreation Department employees, directly involved in sport and recreation programming, will be made aware of common symptoms and signs of a concussion and trained to properly manage a potential concussion incident.

PURPOSE

The Ministries of Education, Health and Long Term Care and Tourism, Culture and Sport are working together to increase awareness of head injury prevention.

Horton Township Parks and Recreation Department has developed a concussion policy to provide concussion awareness to all individuals and organizations involved in Horton Township recreation programming and the use of Horton Township recreational facilities throughout the municipality. Horton Township will inform individual participants and community organizations that a concussion policy has been implemented and that resources will be available for their information. Organizations that have developed and implemented their own concussion policies and procedures and/or are following policies or procedures established by their sport governing bodies are encouraged to review this municipal policy and direct any questions or concerns to Parks and Recreation Department staff.

Horton Township, all participants, coaches, volunteers, parks and recreation staff, trainers, safety personnel, fitness trainers, parents, etc. have a role to play to ensure the safety of those participating in physical activity. This includes encouraging and motivating participants to assume responsibility for their own safety and the safety of others. Horton Township will ensure that concussion resource information is available to all residents and visitors at town facilities.

ACTION STEPS

There is a myriad of available information and policies and procedures regarding concussions in sport and recreation. While the information can be sport specific, most concussion in sports laws, regulations, guidelines and policies and procedures generally involve three action steps:

- ① Educate staff, volunteers, instructors, supervisors, coaches, parents & athletes.**
- ② Remove the athlete/ participant from play.**
- ③ Obtain permission to return to play.**

ACTION STEP # 1 - EDUCATE STAFF, VOLUNTEERS, INSTRUCTORS, SUPERVISORS, COACHES, PARENTS AND ATHLETES.

Definition of a Concussion:

A concussion is a type of traumatic brain injury, or TBI, that is often described as a "mild" brain injury because concussions are not usually life-threatening. Their effects, however, can be serious, especially if the brain is not given adequate time to heal before returning to sports or activities. Preventing concussion, recognizing symptoms, seeking medical evaluation and following concussion guidelines are all vital for full recovery and the prevention of more serious effects.

Concussions are caused by a fall or blow to the body that causes the head and brain to move rapidly back and forth, causing impact on the brain. Athletes/ participants experiencing any of the signs and symptoms below after a blow to the head or body should be kept out of play the day of the injury and until a health care professional skilled in evaluating concussion says they are symptom-free and able to return to play.

Observed Signs Include:

- Appears dazed or stunned
- Confused about assignment or position
- Forgets an instruction
- Is unsure of game, score or appointment
- Moves clumsily
- Answers questions slowly
- Loses consciousness (even briefly)
- Exhibits mood, behavior or personality changes
- Can't recall events prior to hit or fall

Symptoms Reported by Athlete/ Participant Include:

- Headache or pressure in head
- Nausea or vomiting
- Balance problems or dizziness
- Double or blurry vision
- Sensitivity to light
- Sensitivity to noise
- Feeling sluggish, hazy, foggy or groggy
- Concentration or memory problems
- Confusion
- Just does not "feel right"

Rest is essential after a concussion to allow the brain adequate time to heal. If a repeat concussion occurs before the brain has recovered, there is an increased risk for a more serious brain injury with long-term effects. Young children and teens are more likely to get a concussion and can take longer to recover than adults. Recognizing and responding properly to concussions when they first occur can help prevent further injury

or even death. It is essential that staff, instructors, supervisors, coaches, parents and athletes are all educated on the importance of following strict concussion guidelines.

ACTION STEP # 2 - REMOVE THE ATHLETE/ PARTICIPANT FROM PLAY.

Critical Step: All participants should consult a physician when a concussion is suspected. Coaches, municipal staff, volunteers, trainers and safety personnel, players or participants and parents should not attempt to treat a concussion without a physician's involvement.

RESPONSE TO LOSS OF CONSCIOUSNESS BY PLAYER/ PARTICIPANT:

- If there is a loss of consciousness – initiate Emergency Response Plan/First Aid Protocol and call 911 for ambulance response. Assume possible neck injury – do not move the participant. Continue to monitor ABCs - airway, breathing and circulation.
- Do not leave participant alone.
- Do not move the participant or remove any athletic equipment. Wait for 911 Medical Response to arrive.
- Follow Standard First Aid practices in response to an unconscious person.
- Contact parent/guardian of the participant. If not onsite call parent/guardian emergency telephone number provided during registration.
- Advise Facility Operator of incident to ensure easy access to participant by 911 Medical Responders.
- Complete an incident report (Parks & Recreation staff see POLICY G-02 ACCIDENT REPORT Incident/accident reporting) including all details of what, when, where, how, who. Include summary of actions taken in response to the incident.
- Physician's approval is required for participant to return to physical activity.

RESPONSE TO A CONSCIOUS PLAYER/ PARTICIPANT:

- Remove the participant from the current game/practice/programming.
- Do not leave the participant alone; monitor symptoms and signs following Standard First Aid Practices.
- Do not administer medication.
- Inform the Coach/Recreation Staff, parent/guardian about the injury.
- The participant must not return to play in that game/practice/activity.
- The participant should be evaluated by a medical physician as soon as possible.
- Complete an incident report (Parks & Recreation staff see POLICY G-02 Incident/accident reporting) including all details of what, when, where, how, who. Include summary of actions taken in response to the incident.
- Physician's approval is required for participant to return to physical activity.

ACTION STEP # 3 – OBTAIN PERMISSION TO RETURN TO PLAY

Returning to play is comprised of six (6) steps. It is important to note:

- The return to play process is gradual, and begins **after a physician has given the participant clearance to return to activity**. If any symptoms/signs return during this process, the participant must be re-evaluated by a physician. If any symptoms or signs persist there is no return to play. Remember, symptoms may return later that day or the next, not necessarily when active!
- A player who returns to active play before full recovery from the first concussion is at high risk of sustaining another concussion, with symptoms that may be increased and prolonged.

Step 1

No activity, only complete rest. Proceed to step 2 only when all symptoms and are gone. This includes avoiding both mental and physical stress.

Step 2

Light aerobic exercise, such as walking or stationary cycling. Monitor for symptoms and signs. No resistance training or weight lifting.

Step 3

Sport/activity specific activities and training (e.g. skating/running).

Step 4

Drills without body contact. May add light resistance training and progress to heavier weights. The time needed to progress from non-contact to contact exercise will vary with severity of the concussion and the participant. Go to step 5 only after medical clearance has been granted (reassessment and medical note clearing participant for contact play).

Step 5

Begin drills with body contact.

Step 6

Game play.

Note: Participants should proceed through return to play steps only when they do not experience symptoms or signs and a physician has given clearance. Each step should be a minimum of one day. If symptoms or signs return the participant should return to the step 1, and be re-evaluated by a physician.

The earliest a concussed participant should return to play is one week. Symptoms and signs of a concussion often last for 7-10 days but may last much longer. Having had previous concussions may increase the chance that a person may take longer to heal.

Never return to play if symptoms persist!

PREVENTION

To lower your risk for head injuries and concussion - use your mind to protect your body!
Make safe choices to prevent concussion and traumatic brain injury by:

- Practicing safe techniques and actions on and off the rink/ field/ play area
- Limit contact during sports practices (when appropriate for the sport)
- Condition well to prepare for athletic activities
- Follow the rules of the game and coach recommendations
- Practice good sportsmanship, respect other participants and don't use unnecessary force
- Always use the recommended protective gear, such as properly fitted helmets, pads, and eye and mouth guards
- Check sports equipment often. Check for wear and tear/ condition, proper fitment, proper storage and repair. Follow manufacturer's instructions.
- Protecting from traumatic brain injury and concussion goes beyond sports and recreation; when it comes to vehicle safety, preventing falls and avoiding violence - all leading causes of brain injury
- Inform and educate participants about the risks of concussion.
- When in doubt, sit them out.

RESPONSIBILITY

The following responsibility protocol will be implemented in order to ensure the concussion policy is maintained and updated as required.

- The CAO will support the Concussion Policy and its implementation.
- The Manager of Parks and Recreation or designate will support the Concussion Policy and its implementation.
- The Manager of Parks and Recreation or designate will update this policy should information and knowledge on Concussion Awareness and Management change.
- The Manager of Parks and Recreation or designate will circulate this policy, changes and updates to Parks and Recreation Department staff.
- The Manager of Parks and Recreation or designate will inform sport organizations that utilize municipal facilities.
- Employees shall recognize and be accountable for their responsibilities in the exercise of their duties.
- In the event that an employee(s) or volunteer becomes aware of a suspected concussion, an incident report-Appendix A- will be completed by the employee(s) or volunteer and be submitted to their supervisor.

COMMUNICATION

Horton Township will communicate this policy in the following ways:

- Information brochure to be available at all Horton Township facilities.
- Inclusion in all Facility Rental Agreements.
- Horton Township website.

- Inclusion in the Community Guide.
- Inclusion in the rental terms and conditions for facility rental and program registration.
- Distribution to all sport and recreation community groups who facilitate programming in Horton Township facilities.

ⁱ Get a Heads Up on Concussion in Sports Policies, National Centre for Injury Prevention and Control, www.cdc.gov/Concussion.

ⁱⁱ ThinkFirst – National Injury Prevention Foundation, Concussion Recognition, Management and Prevention, www.thinkfirstfoundation.com.

ⁱⁱⁱ Get a Heads Up on Concussion in Sports Policies, National Centre for Injury Prevention and Control, www.cdc.gov/Concussion.

^{iv} Get a Heads Up on Concussion in Sports Policies, National Centre for Injury Prevention and Control, www.cdc.gov/Concussion.

^v Town of Huntsville, Ontario, Corporate Policies and Procedures Manual, Municipal Concussion Policy.

^{vi} Parachute Canada/ Hockey Canada, Concussion Education and Awareness Program, May 2015.

^{vii} Get a Heads Up on Concussion in Sports Policies, National Centre for Injury Prevention and Control, www.cdc.gov/Concussion.

REFERENCES

1. Consensus Statement on Concussion in Sport. Third International Conference on Concussion in Sport. Robert Primavesi, MDCM, FCFP (EM). Jan 2014.
2. Corporation of the Town of Huntsville, Ontario. Corporate Policies and Procedures Manual. Municipal Concussion Policy. 37 Main Street East Huntsville, ON.
3. Hockey Canada. Policy and Procedures Manual. "Concussions". Amended Jan 2010. www.hockeycanada.ca, Hockey Canada, 151 Canada Olympic Road SW Suite 201, Calgary, Alberta
4. Hockey Canada/ Parachute. Concussion Education and Awareness Program. www.hockeycanada.ca/ www.parachutecanada.org. May 2015. Hockey Canada, 151 Canada Olympic Road SW Suite 201, Calgary, Alberta
5. National Centre for Injury Prevention and Control. Get a Heads Up on Concussion in Sports Policies. www.cdc.gov/Concussion. 1600 Clifton Road Atlanta, GA.
6. National Injury Prevention Foundation. Parachute - ThinkFirst Program. Concussion Recognition, Management and Prevention, www.thinkfirstfoundation.com. 150 Eglinton Ave East Suite 300. Toronto, Ontario.
7. Play Safe Resources – Developing a Concussion Policy, Information for Recreation and Sport Leaders and Organizations, 2014. Play Safe Initiative. Sunnybrook Health Sciences Centre, 2075 Bayview Avenue, Rm H259, Toronto, ON. www.playsafeinitiative.ca.



EMPLOYEE INCIDENT/ACCIDENT REPORT

Policy #G-02

TO B E C O M P L E T E D B Y T H E E M P L O Y E E	EMPLOYEE INFORMATION										
	Last Name		First Name		Sex	Marital Status	Telephone No. () -	Date of Birth YYYY MM DD			
	Address (Box, Street, Apt.)			City/Town		Province	Postal Code		Social Insurance No. / /		
	Occupation at time of injury			Department		Hire Date YYYY MM DD		Years of Experience in that Occupation			
	INCIDENT/ACCIDENT INFORMATION										
	Date Of Incident YYYY MM DD		Time a.m./p.m.		Date Incident Reported YYYY MM DD		Time a.m./p.m.		<input type="checkbox"/> Injury-WSIB Form 7 Completed <input type="checkbox"/> Non-injury		
	Name of person incident was reported to:										
	STATE EXACTLY – What was the sequence of events leading up to the incident? Where did the incident occur? What were you doing? What was the size, weight and type of equipment or materials involved?						Type of Incident (please check appropriate box)				
							<input type="checkbox"/> Struck or contact by				
							<input type="checkbox"/> Struck against/contact with				
						<input type="checkbox"/> Caught in, on or between					
						<input type="checkbox"/> Fall					
						<input type="checkbox"/> Over exertion/strain					
						<input type="checkbox"/> Exposure					
						<input type="checkbox"/> Other _____					
Names of persons who witnessed or have knowledge of the incident:											
1.				2.							
DESCRIPTION OF INJURY						CIRCLE AREA INJURED ON DIAGRAM					
Describe injury (part of body involved – please specify left or right side):						<div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> FRONT </div> <div style="text-align: center;"> BACK </div> </div>					
Was First Aid administered? <input type="checkbox"/> Yes <input type="checkbox"/> No											
Signature of Employee				Today's Date							

CORPORATION OF THE TOWNSHIP OF HORTON

BY-LAW NO. 2017-71

A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE TOWNSHIP OF HORTON AT THE REGULAR COUNCIL MEETING HELD DECEMBER 5TH, 2017

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

AND WHEREAS Subsection 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 and desirable that the proceedings of the Council of the Corporation of the Horton at this meeting be confirmed and adopted by by-law;

THEREFORE the Council of the Township of Horton enacts as follows:

1. That the actions of the Council at the meeting held on the 5th day of December, 2017 and in respect of each motion, resolution and other action passed and taken by the Council at its said meetings, is, except where the prior approval of the Ontario Municipal Board or other body is required, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this by-law.
2. That the Head of Council and proper officers of the Corporation of the Township of Horton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain appropriate approvals where required, except where otherwise provided, and to affix the Corporate Seal of the Corporation of the Township of Horton to all such documents.
3. That this By-Law shall come into force and take effect upon the passing thereof.

READ a first and second time this 5TH day of December, 2017

READ a third time and passed this 5TH day of December, 2017

MAYOR Robert Kingsbury

CAO/CLERK Suzanne Klatt