



BY-LAW NO. 1993-019

“A BY-LAW FOR PERMITTING AN OWNER OR OCCUPANT OF ANY BUILDING, FENCE OR OTHER STRUCTURE TO ENTER UPON ADJOINING LANDS FOR THE PURPOSE OF MAKING REPAIRS, ALTERATIONS OR IMPROVEMENTS”

Originally Passed and Enacted February 22, 1993

Amended By By-law:	Passed On:
Not Amended	

Consolidated Version
Revised and Verified January 28, 2014

Consolidated for Convenience Only

This is a consolidation copy of a City of Owen Sound By-law for convenience and information. While every effort is made to ensure the accuracies of these by-laws, they are not official versions or legal documents. The original by-laws should be consulted for all interpretations and applications on this subject. For more information or original signed copies of by-laws please contact the City Clerk’s Department.

BY-LAW NO. 1993 - 019

THE CORPORATION OF THE CITY OF OWEN SOUND

A BY-LAW FOR PERMITTING AN OWNER OR OCCUPANT OF ANY BUILDING, FENCE OR OTHER STRUCTURE TO ENTER UPON ADJOINING LANDS FOR THE PURPOSE OF MAKING REPAIRS, ALTERATIONS OR IMPROVEMENTS

WHEREAS the Municipal Act, R.S.O. 1990, Chapter M.45, Section 210, Paragraph 64 empowers City Council to enact a By-law for permitting an owner or occupant of any building, fence or other structure or the agent or employee of such owner or occupant to enter upon any adjoining land for the purpose of making repairs, alterations or improvements to such building, fence or other structure but only to the extent necessary to effect such repairs, alterations or improvements, and every such By-law shall provide that the adjoining land shall be left in the same condition it was in prior to such entry; and

WHEREAS City Council desires to enact such a By-law for the express purpose of providing a means for an owner or occupant of any building, fence or other structure or the agent or employee of such owner or occupant of any building, fence or other structure to enter upon adjoining lands for the purpose of making repairs, alterations or improvements thereto; and

WHEREAS it is City Council's intention to not administer or enforce this By-law.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND HEREBY ENACTS AS FOLLOWS:

1. On reasonable notice, an owner or occupant of any building, fence or other structure or the agent or employee of such owner or occupant, may enter upon any adjoining land for the purpose of making repairs, alterations, or improvements to such building, fence or other structure but only to the extent necessary to effect such repairs, alterations or improvements.
2. Notwithstanding Clause 1 hereof, the right of entry upon the adjoining land shall be conditional upon the adjoining land being left in the same condition it was in prior to such entry by the owner or occupant, or his or her agent or employee, of the building, fence or other structure which is the subject of repair.
3. Any person who contravenes the provisions of this By-law is guilty of an offence and upon conviction therefor is subject to the penalty set out in the Provincial Offences Act.
4. This By-law shall come into full force and effect upon the final passing thereof.

PASSED this 22nd day of February, 1993.

1st reading February 22, 1993

2nd reading February 22, 1993

3rd reading February 22, 1993

Signature on file

Mayor

Signature on file

Deputy Clerk