BRANTFORD

THE CORPORATION OF THE CITY OF BRANTFORD
ORDER OF THE PROPERTY STANDARDS OFFICER

(Ontario Building Code Act, S.O. 1992, c.23, Section 15.2(2), as amended)

REGISTERED MAIL
DATE: Wednesday August 10, 2022 **FILE NO.22-1575 /PS Order # 99-22**

TO: **JOSEPH ANTHONY WALKER**
MICHAEL WILFRED WALKER
90 Park Ave
BRANTFORD, ON
N3S 5H6

MUNICIPAL ADDRESS OR LEGAL DESCRIPTION OF PROPERTY:
90 Park Ave Brantford, Ontario

Assessment Roll Number: 2906040008105000000

Legal Description: PLAN BTFD PT LOT 4
W PARK AVE

WHEREAS the property described above is owned by you, or in which you have an interest has been inspected by a Property Standards Officer.

REPAIRS/CLEARANCE
The property described above does not conform with the standards prescribed in Chapter 465 of the City of Brantford Municipal Code. **IT IS HEREBY ORDERED**, pursuant to Section 15.2 (2) of the Ontario Building Code Act, S.O. 1992, C.23, as amended, that the violations set out in the attached **Schedule "A"** be remedied and the property be brought into compliance with the prescribed standards.

TIME TO COMPLY
THE TERMS AND CONDITIONS OF THE ORDER MUST BE COMPLIED WITH ON OR BEFORE AUGUST 29, 2022

NOTICE
Take notice that if such repair or clearance is not carried out within the time specified in this Order, the Municipality may carry out the repair or clearance at the expense of the owner and place all costs on the tax roll for the property as a priority lien, in accordance with section 1 of the Municipal Act, 2001.

APPEAL
When the Owner or Occupant upon whom an Order has been served is not satisfied with the terms or conditions of the Order, the Owner or Occupant may appeal to the Property Standards Committee by sending a Notice to Appeal by registered mail to the Secretary of the Committee within fourteen (14) days after service of the Order. The address of the Committee is: The City of Brantford, City Hall, P.O. Box 818, Brantford, Ontario, N3T 5R7.

THE FINAL DATE FOR GIVING NOTICE OF APPEAL FROM THIS ORDER IS AUGUST 29, 2022

AN ORDER THAT IS NOT APPEALED WITHIN THE TIME SPECIFIED SHALL BE DEEMED TO BE CONFIRMED.

FAILURE TO COMPLY

(a) Every person who contravenes any provision of the Municipal Code, is guilty of an offence and on conviction is liable to a fine, such fine is recovered, under the Provincial Offences Act, R.S.O. 1990.

(b) Every individual Owner who fails to comply with an Order that is final and binding is guilty of an offence and on conviction is liable to a fine of not more than $50,000.00 for a first offence and to a fine of not more than $100,000.00 for a subsequent offence.

(c) Every corporate Owner who fails to comply with an Order that is final and binding is guilty of an offence and on conviction is liable to a fine of not more than $500,000.00 for a first offence and to a fine of not more than $1,500,000.00 for a subsequent offence.

DATED at Brantford this Wednesday August 10, 2022.

Issued by:
Kane Neuhauser
Municipal Law Enforcement /Property Standards Officer
Corporation of the City of Brantford
KN:cc

Wednesday August 10, 2022

REFERENCE NO.22-1575 PS Order #99-22
PROPERTY ADDRESS: 90 Park Ave, Brantford, Ontario

Joseph Anthony Walker
Michael Wilfred Walker
90 Park Ave
Brantford, ON
N3S 5H6

ORDER OF THE PROPERTY STANDARDS OFFICER
– CHAPTER 465 PROPERTY STANDARDS

This Order carries with it a $150.00 administrative fee, which is due and must be paid by you within 30 days of the date of this Order.

If this Order is appealed, and the Order is upheld, a further administrative fee of $150.00 will be charged.

Attendance of a Property Standards Officer at a hearing will also result in a further administrative fee of $150.00

If this Order is not appealed and is not in compliance, a further administrative fee of $150.00 will be assessed.

Where there has been a conviction registered for a breach of the Order a further administrative fee of $500.00 per Property Standards Officer required to attend a hearing in court, will be charged.

If this Order is not complied with in the time specified and the City undertakes to complete the work required you will be charged 100% of the cost of the necessary work, plus a further administrative fee totalling an additional 25% of this cost.

PAYABLE

Fees are payable to:

In person: City of Brantford at City Hall, 58 Dalhousie Street

By mail: The Corporation of the City of Brantford
Attention: Tax Department
PO Box 515
Brantford, ON N3T 6L6

PLEASE MAKE REFERENCE TO THE ADDRESS AND ORDER NO. TO WHICH THE ORDER HAS BEEN APPLIED.

ENCUMBRANCES:

Your Neighbourhood Credit Union Limited
7 Charlotte ST
Brantford ON, N3T 5W7

MINIMUM STANDARD OF HOUSING

Schedule "A"

Location: **90 Park AVE, Brantford, On**
File No.: **PU 22 001575 PSO# 99-22**

Defects and conditions not in compliance with the City of Brantford Municipal Code:

Property is not maintained by bylaw standards.
465.3.2 Repair - maintenance - exception - demolition permit
All owners of property shall repair and maintain such property to comply with the standards prescribed by this Chapter, except where a demolition permit has been issued and remains in effect.
CORRECTION: Maintain property to Bylaw standards.

ENFORCEMENT AND PERMITS
465.29.2 Non-compliance – cleaned – repaired – owner expense
Where any person fails to comply with an order issued pursuant this chapter, the municipality may cause the required work to be done at the cost of the person. The cost of such work may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes. By-law 60-2007, 10 April, 2007.
465.29.3 Permits – compliant with standards
All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship and in accordance with the Ontario Building Code, as amended from time to time, and applicable standards, codes or legislation. It will further be the responsibility of the owner to make application for and be issued any required building permits. All new construction or extensive repairs shall conform to the provisions in the Ontario Building code, where applicable. By-law 3-2012, 23 January, 2012.

Item 1: *Eaves troughs at rear of house not in good repair – separating from fascia / house. Chapter 465, Article 22.*
Item 2: *Downpipes (down spout) disconnected from eaves trough – not in good working order. Chapter 465, Article 22.*
465.22.1 Installed - maintained - requirements
Drainage and plumbing systems on a property shall be provided, installed and maintained:
(a) in compliance with the respective requirements of any applicable Act or by-law;
(b) in good working order and good repair; and
(c) in a safe condition. By-law 102-2003, 26 May, 2003.
465.22.3 Eavestroughs - gutters - maintained - requirements
Where water run-off from roof surface is discharged by way of eavestroughs or roof gutters and downpipes, they shall be installed and maintained in good working order and good repair, and in a safe condition.
465.22.4 Downpipes - sump pump lines - prevent - nuisance
Downpipes and sump pump discharge lines shall be designed, provided and maintained so as to discharge water run-off away from the building and to prevent flooding, erosion and other nuisance to neighbouring properties.
Items 1 and 2 Correction: *Repair or replace all defective materials (eaves troughs and down pipes).*

Item 3: *Roof covering of house in disrepair – shingles are curling / loose and falling off. Chapter 465, Article 15.*
465.15.1 Maintained - good repair - safe - structurally sound
Every roof, including chimneys, stacks, masts, lightning arresters, antennas and other roof structures shall be maintained in good repair and in a safe and structurally sound condition.
465.15.2 Maintenance - repair - methods
Without restricting the generality of Section 465.15.1, such maintenance includes:
(a) removal of loose, unsecured objects or materials;
(b) removal of dangerous accumulations of snow or ice; and
(c) keeping roofs and chimneys weathertight and free from leaks.
Item 3 Correction: *Repair or replace roof covering.*