



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 346-2004

To Amend By-laws 143-95 and 380-2003
to Permit the Charging of an Administrative Fee

WHEREAS Section 15.4 (1) of the *Building Code Act, 1992*, R.S.O. c. 23, as amended, permits the City to repair or demolish properties in default of an Order under By-law 104-96 (Property Standards);

AND WHEREAS Section 15.4 (4) of the *Building Code Act, 1992* gives priority lien status for amounts spent for any repair or demolition under Section 15.4 (1);

AND WHEREAS Section 1(3) of the *Municipal Act, 2001* permits the City to collect any fee or charge that has priority lien status in a like manner as taxes;

AND WHEREAS Section 142(1) of the *Municipal Act, 2001* permits the City to prohibit or regulate the placing of fill and the City has enacted By-law 143-95 pursuant to the predecessor section of Section 142(1) of the *Municipal Act, 2001*;

AND WHEREAS, if work required to be done by an Order under By-law 143-95 is not done within the specified period, Section 144(6) of the *Municipal Act, 2001* and Section 22 of By-law 143-95 permit the City to do work at the owner's expense;

AND WHEREAS Sections 144(12) and 144(13) of the *Municipal Act, 2001* permits the City to recover such costs in a like manner as taxes and give such costs lien status;

NOW THEREFORE The Council of the Corporation of the City of Brampton hereby ENACTS as follows:

1. By-law 143-95, as amended, is amended by adding to Schedule B , "Legal Services Department Fees/Charges", following the line reading "Property Standards Compliance":

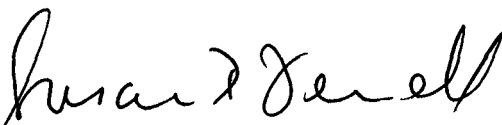
Administrative fee for City repair or demolition of a property not in compliance with Order under By-law 104-96 (Property Standards)	\$100 per hour of staff time, escalating in accordance with the CPI, with a minimum of \$500 per repair or demolition
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2. By-law 143-95, as amended, is amended by replacing Section 23 with the following:

23. Costs incurred by the City pursuant to this by-law are a lien on the land upon the registration in the proper land registry office of a notice of lien. When the City performs work under Section 22, it may impose an administrative fee over and above out of pocket costs. This administrative fee will be calculated at \$100 per hour of staff time, escalating in accordance with the CPI, and with a minimum of \$500 per incident.

READ a FIRST, SECOND and THIRD time and PASSED in OPEN COUNCIL, this 8th day of November, 2004.

THE CORPORATION OF THE CITY OF BRAMPTON

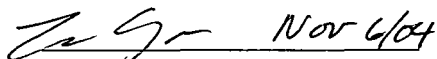


Susan Fennell Mayor



Leonard J. Mikulich Clerk

Approved as to form and content



Ted Yao
Sr. Legal Counsel