

Authority: Item ,
Report
CM:
Ward: City Wide

Bill No.

CITY OF HAMILTON

BY-LAW NO.

To Amend Property Standards By-law No. 10-221 with Respect to Incomplete and Unrepairable Buildings

WHEREAS Council has enacted Property Standards By-law No. 10-221 to prescribe standards for the maintenance and occupancy of property; and,

WHEREAS Council deems that incomplete and unrepairable buildings are not consistent with the standards for the maintenance and occupancy property prescribed and should be demolished, completed or repaired within a reasonable time.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The Property Standards By-law No. 10-221 is amended by adding the following after section 5:

INCOMPLETE CONSTRUCTION OR DEMOLITION

5.1(1) Where, in the opinion of an officer, there has been no substantial progress on the construction or demolition of a building, structure or portion thereof for a period of more than one year, such building, structure, or portion thereof shall be:

- (a) demolished in accordance with all applicable statutes, regulations and by-laws; or,
- (b) completed within a reasonable time as specified by the officer, in accordance with all applicable statutes, regulations and by-laws, including this By-law.

5.1.(2) A statement certified by the Chief Building Official or an officer that a permit issued under the *Building Code Act, 1992* was revoked under clause 8(10)(c) of the *Building Code Act, 1992* is receivable in evidence as proof, in the absence of evidence to the contrary, that there has been no substantial progress on the construction or demolition of the building, structure, or portion thereof that was the subject of the permit for a period of more than one year.

2. Section 6 of the By-law is amended by adding the following subsection:

6(8) Where any building is vacant or is damaged by accident, storm, fire, neglect or otherwise, and in the opinion of an officer or the Chief Building Official or an inspector appointed under the *Building Code Act, 1992* it is not feasible to repair the building to the standards prescribed by this By-law without first demolishing the building or a portion of it, the owner shall demolish the building or portion of it that it is not feasible to repair within one year of it becoming so.

3. Subsection 5(1) of the By-law is amended by striking out "6" and substituting "5.1".

4. This By-law comes into force on the date it is passed.

PASSED this _____ day of _____, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk