

**THE CORPORATION OF THE TOWNSHIP OF NORTH GRENVILLE**

**BY-LAW NO. 28-98**

*Being a By-Law to prohibit and regulate the encumbering or injuring of highways and bridges, and a By-Law to enforce the Building Code Act.*

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**WHEREAS** pursuant to the Municipal Act, Chapter M.45, Section 314 (1) and (2), R.S.O. 1990, the Council of a municipality may pass By-Laws to prohibit and regulate the obstructing, encumbering, injuring and fouling of highways and bridges.

**AND WHEREAS** the Building Code Act, Chapter B.13, R.S.O. 1990, subsection 5 (2) (c) empowers Council to enact By-Laws requiring the payment of fees and prescribing the amounts hereof;

**AND WHEREAS** the Council of the Corporation of the Township of North Grenville deems it advisable to enforce the Building Code Act and prohibit the injuring of roads;

**NOW THEREFORE** the Council of the Corporation enacts as follows:

1. That in addition to the building permit fees set out in By-Law No. 14-98 (as amended from time to time), the following additional fees shall apply:
  - a) Each application for a building permit for:
    - i) a new structure where excavation is involved;
    - ii) a major alteration where excavation is involved; or
    - iii) where the value of the work exceeds Five Thousand (\$5,000.00) Dollars; shall be accompanied by a performance deposit fee in the form of cash or certified cheque. A certified letter of authorization approved by the Township may also be acceptable.
  - b) The performance deposit fee required in subsection (a) shall be 2% of the construction value, but not to exceed the amount of One Thousand, Five Hundred (\$1,500.00) Dollars, with the minimum fee being Five Hundred (\$500.00) Dollars.
  - c) As a condition of the issuance of a building permit, the applicant shall enter into a written agreement with the Township concerning the use of the said performance deposit fee. The agreement shall be in the form of Schedule "A" attached hereto.
  - d) A performance deposit fee is not required for the construction or alteration of farm buildings.
  - e) The performance deposit fee may be refunded in whole or in part to the contractor, where the conditions of the written agreement have been adhered to or where a partial occupancy permit has been issued.
  - f) The payment of the performance deposit fee may be waived by resolution of Council, where alternate securities have been provided or where it can be demonstrated that it is clearly not necessary.

2. All former By-Laws contrary or inconsistent with this By-Law are hereby rescinded.
3. That this By-Law shall come into force and take effect upon the day it was passed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED, THIS 1ST DAY OF APRIL, 1998.

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DON CAMERON  
MAYOR

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MARTHA SLADEK  
CLERK/ADMINISTRATOR

Schedule "A" to By-Law 28-98

Agreement providing for the use of a Performance Deposit

I, \_\_\_\_\_, the applicant for a building permit to \_\_\_\_\_ a building on Part Lot \_\_\_\_\_, Concession \_\_\_\_\_, Plan \_\_\_\_\_, Sublot \_\_\_\_\_, hereby agree that as a condition precedent to the validity of any permit issued to me by the Township of North Grenville for the said work, and in consideration of the issuance of a permit for me, hereby deposit with the Township of North Grenville a performance deposit, in the form of cash/certified cheque/certified letter of authorization, in the amount of \$\_\_\_\_\_ as security for:

1. Completion of all work authorized and/or required by the said building permit;
2. Completion or repair of any deficiency noted on any Work Order filed in relation to the property;
3. Repair of any damages to municipal property;
4. Payment for cleaning of municipal streets as provided for by the By-Laws of the Township as may be required at the discretion of the Manager of Public Works or Road Superintendent (to which exercise of discretion I hereby irrevocably submit).

I further agree and consent to the adoption of such procedures as may be necessary by the Township in event of any failure to perform all of my obligations, including unrestricted entry upon my property to complete the said works, repair any damage and/or for cleaning of municipal streets all as set out in the said By-Law of the Township.

All expenses incurred by the Township while carrying out such procedures and all amounts outstanding thirty (30) days from the date of invoicing with respect to lot grade control charges, shall be deducted from the said performance deposit and the balance, if any, will be refunded to me.

I hereby completely release the Township and its agents, employees and workmen from any and all claims for damages or otherwise, which may arise as a result of the procedure herein authorized and taken by them.

DATED AT \_\_\_\_\_, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
APPLICANT