

OF THE
CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

A BY-LAW TO ENABLE REMEDIAL ACTION.

WHEREAS section 446 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended from time to time, permits municipal Councils to enact by-laws that provide that where the municipality may lawfully direct or require that a matter or thing be done, the municipality may do such matter or thing at the expense of the person directed or required to do it if that person is in default of such direction or requirement;

AND WHEREAS it is deemed desirable, in the public interest, to enact a by-law enabling Chatham-Kent to exercise the authority granted by section 446;

NOW THEREFORE the Council of the Corporation of the Municipality of Chatham-Kent hereby enacts as follows:

DEFINITIONS

1. In this by-law:

“Costs” includes interest at a rate of up to 15 percent commencing on the date the municipality incurs the costs and ending on the date the costs, including interest, are paid in full;

“Municipality” means the Corporation of the Municipality of Chatham-Kent;

GENERAL

2. Where the municipality has authority by by-law or otherwise to direct or require that a matter or thing be done, the municipality may, in default of it being done by the person directed or required to do it, do such matter or thing at that person’s expense.
3. For the purposes of section 2, the municipality may enter upon land and into structures, other than a structure used as a dwelling at any reasonable time.
4. The municipality may recover the costs of doing a thing or matter under section 1 from the person required to do it and the municipality may recover its costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes.

ADMINISTRATION

5. If any section or sections of this by-law or parts thereof are found by any Court of competent jurisdiction to be illegal or beyond the power of Council to enact, such section or sections or parts thereof shall be deemed to be severable and all other provisions of this by-law shall be deemed to be separate and independent there from and shall continue in full force and effect.
6. By-law 220-2003 of the Corporation of The Municipality of Chatham-Kent is effectively repealed.

7. This by-law shall become effective on the date of the final passing hereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this 7th day of May, 2007.

Original Signed by:

Mayor – Randy R. Hope

Original Signed by:

Clerk – Elinor Mifflin