

THE CORPORATION OF THE TOWN OF ERIN

By-Law # 05 – 57

Being a By-law to designate the
Town of Erin as an area subject to
demolition control in accordance
with Section 33 of the *Planning Act*, 1990.

WHEREAS the Corporation of the Town of Erin wishes to retain the existing stock of residential units and former residential buildings in the Town of Erin;

AND WHEREAS Section 33 of the *Planning Act*, 1990, enables the municipality to designate an area of demolition control with respect to residential buildings, and buildings designed for residential use, if there is a by-law in force for properties in the same area that prescribes standards of maintenance and occupancy;

AND WHEREAS By-law Number # 98 – 43 being the Property Standards By-law applies to the whole of the Town of Erin;

NOW THEREFORE the Council for the Corporation of the Town of Erin enacts as follows:

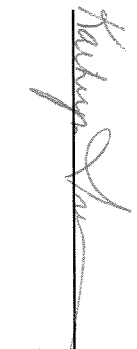
1. That, subject to all provisions of Section 33 of the *Planning Act*, 1990, from and after the date of passing of this by-law, no person shall demolish or otherwise remove the whole or any part of any residential property in the Town of Erin unless that person is the holder of a demolition permit issued for that residential property by the Council for the Corporation of the Town of Erin under Section 33 of the *Planning Act*, 1990.
2. That, for the purposes of this by-law, the term “residential property” shall be defined as “a building that contains one or more dwelling units”. The term does not include subordinate or accessory buildings, the use of which is incidental to the use of the main building.
3. That, for the purpose of this by-law, as used in Section 2 above, the term “dwelling unit” shall be defined as “any property that is used, or designed for use, as a domestic establishment in which one or more person may sleep and prepare and serve meals”.
4. That where a zone change has been granted by the Town of Erin which will require a change in the structure (removal of all or part of a residential building) of an existing residential building, in order to develop the lands in accordance with such approved zoning, the provisions of the Demolition Control By-law will not apply.
5. That every person who demolishes a residential property, as defined in Sections 2 and 3, or any portion thereof, in contravention of Section 1, recognizing the exemptions specified in Section 4 above, is guilty of an offence and on conviction, is liable to a fine of not more than \$20,000.00 for each dwelling unit contained in the residential property demolished and/or to imprisonment for a term of not more than six months.

Read a first and second time this 15th day of November 2005.

Read a third time and finally passed this 15th day of November 2005.



Mayor



Clerk