



**PRESCOTT TOWN COUNCIL
AGENDA**

November 1, 2021

6:00 pm

Virtual Meeting

Our Mission:

To provide responsible leadership that celebrates our achievements and invests in our future.

Pages

1. Call to Order

We will begin this meeting of Council by acknowledging that we are meeting on aboriginal land that has been inhabited by Indigenous peoples.

In particular, we acknowledge the traditional territory of the Huron-Wendat, Anishinaabeg, Haudenosaunee, Anishibek, and the Oneida and Haudenosaunee Peoples.

2. Approval of Agenda

Recommendation

That the agenda for the Council meeting of November 1, 2021 be approved as presented.

3. Declarations of Interest

4. Presentations

4.1. KPMG - 2020 Audit

1

Recommendation

That Council receive the 2020 Consolidated Financial Statements, as

presented by the Town's Auditor, KPMG.

5. Delegations

6. Minutes of the previous Council meetings

6.1. October 18, 2021

32

Recommendation

That the Council minutes dated October 18, 2021, be accepted as presented.

7. Communications & Petitions

8. Consent Reports

All matters listed under Consent Reports are to be considered routine and will be enacted by one motion. Should a member wish an alternative action from the proposed recommendation, the member shall request that the item be moved to the applicable section of the agenda.

Recommendation

That all items listed under the Consent Reports section of the agenda be accepted as presented.

8.1. Information Package (under separate cover)

9. Committee Reports

10. Mayor

11. Outside Boards, Committees and Commissions

12. Staff

12.1. Staff Report 104-2021 - 2022 Budget Timelines

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Recommendation

That Council endorse the 2022 Budget Process as outlined in report 104-2021.

12.2.	Staff Report 105-2021 - 2022 Council Schedule	45
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Recommendation

That Council approve the 2022 Summer Council meeting dates as follows: July 18 and August 22; and

That the 2022 December Council meetings be held December 5 and 12.

12.3.	Staff Report 106-2021 - Project Updates - November 2021	48
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Recommendation

For information.

13. Resolutions

14. By-laws

14.1.	Vacant Building Registry By-law	51
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Recommendation

That By-Law 46-2021, being a by-law to establish a system of registering and monitoring vacant buildings, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.

14.2.	Property Standards By-law	60
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Recommendation

That By-law 47-2021, being a by-law for prescribing Property Standards within the Town of Prescott, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.

14.3.	Administrative Monetary Penalty System By-law	89
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Recommendation

That By-law 48-2021, being a by-law to establish a system of administrative penalties for non-compliance with by-laws of the Town of Prescott, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.

15. New Business

16. Notices of Motion

17. Mayor's Proclamation

18. Closed Session

19. Rise and Report

20. Confirming By-Law – 49-2021

104

Recommendation

That By-Law 49-2021, being a by-law to confirm the proceedings of the Council meeting held on November 1, 2021, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.

21. Adjournment

Audited Consolidated Financial Statements and
Other Financial Information of

**CORPORATION OF THE TOWN
OF PRESCOTT**

Year ended December 31, 2020

DRAFT

CORPORATION OF THE TOWN OF PRESCOTT

Year ended December 31, 2020

CORPORATION OF THE TOWN OF PRESCOTT

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Management's Responsibility for the Consolidated Financial Statements

Independent Auditors' Report

Audited Financial Statements:

Consolidated Statement of Financial Position	1
Consolidated Statement of Operations and Accumulated Municipal Equity	2
Consolidated Statement of Change in Net Debt	3
Consolidated Statement of Cash Flows	4
Notes to Consolidated Financial Statements	5

Other Supplementary Financial Information:

Schedule A: Business Improvement Area Committee Statement of Revenue and Expenses and Accumulated Surplus	25
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Management's Responsibility for the Consolidated Financial Statements

The accompanying consolidated financial statements of the Corporation of the Town of Prescott (the "Town") are the responsibility of the Town's management and have been prepared in compliance with legislation, and in accordance with Canadian public sector accounting standards. A summary of the significant accounting policies is contained in note 1 to the consolidated financial statements. The preparation of consolidated financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

The Town's management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for preparation of the consolidated financial statements. These systems are monitored and evaluated by management.

Council meets with management and the external auditors to review the consolidated financial statements and discuss any significant financial reporting or internal control matters prior to their approval of the consolidated financial statements.

The consolidated financial statements have been audited by KPMG LLP, independent external auditors appointed by the Town. The accompanying Independent Auditors' Report outlines their responsibilities, the scope of their examination and their opinion on the Town's consolidated financial statements.

Matthew Armstrong, Chief Administrative
Officer and Treasurer, Finance

INDEPENDENT AUDITORS' REPORT

To the Members of Council, Inhabitants and Ratepayers of the Corporation of the Town of Prescott

Opinion

We have audited the consolidated financial statements of the Corporation of the Township of Prescott (the Entity), which comprise:

- the consolidated statement of financial position as at December 31, 2020;
- the consolidated statement of operations and accumulated municipal equity for the year then ended;
- the consolidated statement of changes in net debt for the year then ended;
- the consolidated statement of cash flows for the year then ended; and
- notes to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the “financial statements”).

In our opinion, the accompanying financial statements, present fairly, in all material respects, the financial position of the Entity as at December 31, 2020, and its results of operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the “**Auditors’ Responsibilities for the Audit of the Financial Statements**” section of our auditors’ report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the group entity to express an opinion on the financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

Chartered Professional Accountants, Licensed Public Accountants

Kingston, Canada

November 1, 2021

CORPORATION OF THE TOWN OF PRESCOTT

Consolidated Statement of Financial Position

December 31, 2020, with comparative information for 2019

	2020	2019 (Recast note 19)
Assets		
Financial assets:		
Cash and short-term deposits	\$ 4,433,448	\$ 3,846,693
Taxes receivable	683,615	789,311
User charges receivable	881,558	868,605
Accounts receivable	473,706	467,959
Inventory	8,040	21,003
Investments (note 9)	1,032,827	1,000,000
Investment in Rideau St. Lawrence Holdings Inc. (note 4)	1,987,453	1,907,663
	9,500,647	8,901,234
Liabilities and deferred revenue:		
Accounts payable and accrued liabilities	1,207,548	1,465,723
Employee future benefit obligations (note 5)	32,738	34,677
Deferred revenue (note 6)	1,026,544	640,595
Long-term liabilities (note 7)	11,082,286	7,763,666
Temporary borrowings (note 8)	—	3,696,384
Total liabilities	13,349,116	13,601,045
Net debt	(3,848,469)	(4,699,811)
Non-financial assets:		
Tangible capital assets (note 16)	59,623,995	60,169,560
Inventories	30,270	6,108
Prepaid expenses	199,255	185,594
Total non-financial assets	59,853,520	60,361,262
Contingent liabilities (note 14)		
Commitments (note 15)		
Accumulated municipal equity (note 10)	\$ 56,005,051	\$ 55,661,451

The accompanying notes are an integral part of these consolidated financial statements.

CORPORATION OF THE TOWN OF PRESCOTT

Consolidated Statement of Operations and Accumulated Municipal Equity

Year ended December 31, 2020, with comparative information for 2019

	Budget 2020 (note 18)	Actual 2020	Actual 2019 (Recast note 19)
Revenue:			
Property taxation	\$ 5,536,549	\$ 5,546,317	\$ 5,558,003
Taxation from other governments	345,000	352,704	350,620
User charges	3,091,996	3,013,685	3,032,150
Government grants	2,032,259	2,312,574	2,553,586
Licenses and permits	78,650	69,289	51,735
Investment income	202,993	81,946	94,119
Penalties and interest on taxes	120,000	96,175	110,790
Provincial offenses	31,232	12,653	35,188
Other	412,600	597,948	466,055
Net equity increase in investment in Rideau St. Lawrence Holdings Inc. (note 4)	57,100	79,790	55,167
Total revenue	11,908,379	12,163,081	12,307,413
Expenses (note 17):			
General government	1,162,216	1,180,560	1,215,182
Environmental services	3,116,259	3,071,005	3,408,931
Protection to persons and property	2,095,046	1,990,431	1,978,260
Health services	441,548	393,504	464,148
Social and family services	671,829	662,086	656,613
Transportation services	2,512,846	2,847,194	2,464,526
Recreation and culture services	1,185,518	1,140,573	1,250,591
Planning and development	478,517	549,128	611,589
Total expenses	11,663,779	11,834,481	12,049,840
Annual operating surplus	244,600	328,600	257,573
Other:			
Grants and transfers related to capital:			
Deferred revenues earned	—	—	18,542
Government transfers	—	—	362,657
Other	—	15,000	144,633
	—	15,000	525,832
Annual surplus	244,600	343,600	783,405
Accumulated municipal equity, beginning of year, as previously stated	55,420,943	55,420,943	54,540,063
Correction of errors (note 19)	—	240,508	337,983
Accumulated municipal equity, beginning of year, as restated	55,420,943	55,661,451	54,878,046
Accumulated municipal equity, end of year (note 10)	\$ 55,665,543	\$ 56,005,051	\$ 55,661,451

The accompanying notes are an integral part of these consolidated financial statements.

CORPORATION OF THE TOWN OF PRESCOTT

Consolidated Statement of Change in Net Debt

Year ended December 31, 2020, with comparative information for 2019

	Budget (note 18)	2020	2019 (Recast note 19)
Annual surplus	\$ 244,600	\$ 343,600	\$ 783,405
Acquisition of tangible capital assets	(809,500)	(1,331,216)	(1,668,160)
Amortization of tangible capital assets	1,876,300	1,745,892	1,850,567
Disposal of tangible capital assets	—	130,889	—
Acquisition of prepaid expenses	—	(13,661)	(29,160)
Change in inventories of supplies	—	(24,162)	(401)
Change in net debt	1,311,400	851,342	936,251
Net debt, beginning of year	(4,486,235)	(4,699,811)	(5,636,062)
Net debt, end of year	\$ (3,174,835)	\$ (3,848,469)	\$ (4,699,811)

The accompanying notes are an integral part of these consolidated financial statements.

CORPORATION OF THE TOWN OF PRESCOTT

Consolidated Statement of Cash Flows

Year ended December 31, 2020, with comparative information for 2019

	2020	2019
Operating activities:		
Annual surplus	\$ 343,600	\$ 783,405
Item not involving cash:		
Amortization of tangible capital assets	1,745,892	1,850,567
Unrealized gain on investments	(32,827)	—
Change in non-cash operating working capital:		
Decrease in taxes receivable	105,696	219,599
Increase in user charges receivable	(12,953)	(42,245)
Decrease (increase) in accounts receivable	(5,747)	197,070
Decrease in inventories	12,963	1,709
Decrease in accounts payable and accrued liabilities	(258,175)	(532,987)
Decrease in employee future benefits obligations	(1,939)	(1,021)
Increase in deferred revenue	385,949	531,352
Increase in prepaid expenses	(13,661)	(29,160)
Increase in inventory not for resale	(24,162)	(401)
	187,971	343,916
Net change in cash from operations	2,244,636	2,977,888
Capital activities:		
Acquisition of tangible capital assets	(1,331,216)	(1,668,160)
Proceeds of disposal of tangible capital assets	130,889	—
	(1,200,327)	(1,668,160)
Investing activities:		
Decrease (increase) in investment in Rideau St. Lawrence Holdings Inc.	(79,790)	80
Financing activities:		
Debt principal repayments	(955,780)	(833,728)
Proceeds from debt issuance	578,016	—
Proceeds from temporary borrowings	—	115,160
	(377,764)	(718,568)
Increase in cash and short-term deposits	586,755	591,240
Cash and short-term deposits, beginning of year	3,846,693	3,255,453
Cash and short-term deposits, end of year	\$ 4,433,448	\$ 3,846,693

The accompanying notes are an integral part of these consolidated financial statements.

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements

Year ended December 31, 2020

The Corporation of the Town of Prescott (the "Town") was incorporated in 1834 and assumed its responsibilities as a police village. The Town operates as a single tier government in the United Counties of Leeds and Grenville, in the Province of Ontario, Canada and provides municipal services such as police, fire, public works, planning, parks and recreation, library and other general government operations.

1. Significant accounting policies:

The consolidated financial statements of the Corporation of the Town of Prescott (the "Town") are the representation of management prepared in accordance with Canadian public sector accounting standards. Significant aspects of the accounting policies adopted by the Town are as follows:

(a) Basis of consolidation:

(i) Consolidated entities:

These consolidated financial statements reflect the assets, liabilities, revenue and expenses, reserves, reserve funds and changes in investment in tangible capital assets of the Town. The reporting entity is comprised of all organizations, committees and local boards accountable for the administration of their financial affairs and resources to the Town and which are owned or controlled by the Town. Interdepartmental and inter-organizational transactions and balances between these organizations are eliminated.

These consolidated financial statements include:

Public Library Board
Business Improvement Area Committee
Cemetery Board

(ii) Investment in Rideau St. Lawrence Holdings Inc.:

The investment in Rideau St. Lawrence Holdings Inc. ("RSL") is accounted for on a modified equity basis, consistent with Canadian public sector accounting standards. Under the modified equity basis, the business enterprises accounting principles are not adjusted to conform to those of the Town and inter-organizational transactions and balance are not eliminated. The Town recognizes its equity interest in the annual income or loss of RSL in its consolidated statement of operations with a corresponding increase or decrease in its investment asset account. Any dividends the Town may receive from RSL will be reflected as reductions in the investment asset account.

(iii) Accounting for School Board transactions:

The taxation, other revenue, expenses, assets and liabilities with respect to the operations of the school boards are not reflected in the municipal fund balances of these consolidated financial statements.

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

1. Significant accounting policies (continued):

(b) Basis of accounting:

- (i) The consolidated financial statements are prepared using the accrual basis of accounting. The accrual basis of accounting records revenue as it is earned and measurable. Expenses are recognized as they are incurred and measurable based on receipt of goods and services and/or the creation of a legal obligation to pay.
- (ii) Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year, and are not intended for sale in the ordinary course of operations. The change in non-financial assets during the year, together with the excess of revenue over expenses, provides the change in net financial assets for the year.

(c) Tangible capital assets:

Tangible capital assets are recorded at cost which includes amounts that are directly attributable to acquisition, construction, development or betterment of the asset. The cost, less residual value, of the tangible capital assets are amortized on a straight-line basis over their estimated useful lives as follows:

Asset	Useful Life - Years
Land improvements	40
Buildings	15 to 60
Machinery and equipment	5 to 20
Vehicles	5 to 20
Linear assets:	
Roads	15 to 40
Bridges	15 to 40
Sidewalks	10 to 15
Water distribution	50 to 80
Wastewater collection	80
Storm sewer collection	80

Amortization is charged in the year following the year of acquisition. Assets under construction are not amortized until the asset is available for productive use, at which time they are capitalized.

The Town has a capitalization threshold of \$10,000 for vehicles and equipment and \$10,000 to \$50,000 for linear assets and buildings so that individual capital assets of lesser value are expensed, unless they are pooled because, collectively, they have significant value, or for operational reasons.

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

1. Significant accounting policies (continued):

(c) Tangible capital assets (continued):

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt, and that fair value is also recorded as revenue. Similarly, transfers of assets to third parties are recorded as an expense equal to the net book value of other asset as of the date of transfer.

When tangible capital assets are disposed of, either by way of a sale, destruction or loss, or abandonment of the asset, the asset's net book value, historical cost less accumulated amortization, is written off. Any resulting gain or loss, equal to the proceeds on disposal less the asset's net book value, is reported on the consolidated statement of operations in the year of disposal.

When conditions indicate that a tangible capital asset no longer contributes to the Town's ability to provide services or the value of the future economic benefits associated with the tangible capital asset are less than its net book value, and the decline is expected to be permanent, the cost and accumulated amortization of the asset are reduced to reflect the revised estimate of the value of the asset's remaining service potential. The resulting net adjustment is reported as an expense on the consolidated statement of operations.

(d) Leases:

Leases are classified as capital or operating leases. Leases which transfer substantially all of the benefits and risks incidental to ownership of property are accounted for as capital leases. All other leases are accounted for as operating leases and the related lease payments are charged to expenses as incurred.

(e) Inventories and prepaid expenses:

Inventories and prepaid expenses held for consumption are recorded at the lower of cost or replacement cost.

(f) Pension and employee benefits:

The Town accounts for its participation in the Ontario Municipal Employees Retirement System ("OMERS"), a multi-employer public sector pension fund, as a defined contribution plan. The OMERS plan specifies the retirement benefits to be received by employees based on length of service and pay rates.

Employee benefits include vacation entitlement and sick leave benefits. Vacation entitlements are accrued as entitlements are earned. Sick leave benefits are accrued in accordance with the Town's policy.

(g) Cash and short-term deposits:

The Town considers cash and short-term deposits to be highly liquid investments with original maturities of three months or less.

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

1. Significant accounting policies (continued):

(h) Government transfers:

Government transfers are recognized as revenue in the consolidated financial statements when the transfer is authorized, any eligibility criteria have been met and reasonable estimates of the amounts can be made except when and to the extent that stipulations by the transferor give rise to an obligation that meets the definition of a liability. Government transfers that meet the definition of a liability are recognized as revenue as the liability is extinguished.

(i) Deferred revenue:

The Town receives contributions pursuant to legislation, regulations or agreement that may only be used for certain programs or in the completion of specific work. In addition, certain user charges and fees are collected for which the related services have yet to be performed. These amounts are recognized as revenue in the fiscal year the related expenses are incurred or services performed.

(j) Deferred revenue - obligatory reserve funds:

The Town receives restricted contributions under the authority of provincial legislation and Municipal by-laws. These funds by their nature are restricted in their use, and until applied to applicable expenses, are recorded as deferred revenue. Amounts applied to qualifying costs are recorded as revenue in the fiscal period that they are expended.

(k) Investments:

Investments are recorded at cost plus accrued interest. If the market value of investments become lower than cost and the decline in value is considered to be other than temporary, the investments are written down to market value.

Investment income earned on available current funds and reserve funds (other than obligatory funds) are reported as revenue in the period earned. Investment income earned on obligatory reserve funds is added to the fund balance and forms part of the respective deferred revenue balance.

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

1. Significant accounting policies (continued):

(l) Liability for contaminated sites:

Contaminated sites are a result of contamination being introduced into air, soil, water or sediment of a chemical, organic or radioactive material or live organism that exceeds an environmental standard. The liability is recorded net of any expected recoveries. A liability for remediation of contaminated sites is recognized when a site is not in productive use and all the following criteria are met:

- (i) an environmental standard exists;
- (ii) contamination exceeds the environmental standard;
- (iii) the Town:
 - is directly responsible; or
 - accepts responsibility;
- (iv) it is expected that future economic benefit will be given up; and
- (v) a reasonable estimate of the amount can be made.

The liability is recognized as management's estimate of cost of post-remediation including operation, maintenance and monitoring that are an integral part of the remediation strategy for a contaminated site.

(m) Property taxation:

The Town recognizes property tax revenue using the approved tax rate and the anticipated assessment. Taxes receivable and tax revenue are recognized when they meet the definition of an asset, the tax is authorized and the taxable event has occurred. The standard requires that property tax revenue be reported net of tax concessions. Tax transfers are reported as an expense and taxes levied on behalf of others in a flow through arrangement are not reported in the consolidated statement of operations and accumulated municipal equity.

(n) Use of estimates:

The preparation of consolidated financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the consolidated financial statements and the reported amounts of revenue and expenses during the period. Actual results could differ from these estimates.

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

2. Operations of school boards:

The Town collected and made property tax transfers including payments in lieu of property taxes, to the School Boards as follows:

	2020	2019
Property taxes	\$ 1,099,862	\$ 1,126,593
Amounts requisitioned and paid	\$ 1,099,862	\$ 1,126,593

3. Bank indebtedness:

The Town's financial agreement with its bank provides for an operating credit facility of up to \$1,000,000 to finance expenses, pending receipt of property taxes and other income. Interest on funds drawn is charged at the Bank of Montreal's prime rate. As at December 31, 2020, there was \$Nil (2019 - \$Nil) drawn on the facility.

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

4. Investment in Rideau St. Lawrence Holdings Inc.:

Rideau St. Lawrence Holdings Inc. ("RSL"), a government business enterprise, is accounted for on the modified equity basis by the Town for its proportionate share of ownership. The Town owns approximately 34.53% (2019 - 34.53%) of RSL. The principal business of RSL is to distribute electric power to four communities including the Town.

The following tables present condensed supplementary financial information for the Town's proportionate investment in RSL for the year ended December 31.

	2020	2019
Financial Position		
Current assets	\$ 1,388,472	\$ 1,519,014
Capital assets	2,871,207	2,763,689
Net regulatory assets	208,447	54,137
	4,468,126	4,336,840
Current liabilities	2,196,001	2,172,956
Long-term debt	284,672	256,221
	2,480,673	2,429,177
Net assets	\$ 1,987,453	\$ 1,907,663
Share capital	\$ 1,184,486	\$ 1,184,486
Accumulated earnings	806,923	727,133
Accumulated other comprehensive loss	(3,956)	(3,956)
Investment in Government Business Enterprises	\$ 1,987,453	\$ 1,907,663
	2020	2019
Results of Operations		
Revenue	\$ 6,336,510	\$ 5,653,764
Operating expenses	(6,256,721)	(5,596,065)
Net earnings	79,789	57,699
Dividends paid during the year	—	(55,247)
	79,789	2,452
Accumulated earnings, beginning of year	727,133	724,681
Accumulated earnings, end of year	\$ 806,922	\$ 727,133

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

5. Employee future benefit obligations:

The Town provides life insurance premiums to employees who were previously employed by Prescott Public Utilities Commission. Beginning in 2006, the accrued benefit obligation has been recognized using a present value approach with a discount rate of 3%.

At December 31, 2020 the Town's accrued benefit liability for life insurance benefits is estimated at \$32,738 (2019 - \$34,677).

6. Deferred revenue:

A requirement of the CPA Canada Public Sector Accounting Handbook is that obligatory reserve funds be reported as deferred revenue. This requirement is in place as provincial and municipal legislation restricts how these funds may be used. The balances in the obligatory reserve fund of the Town are:

	2020	2019
Balance, beginning of year	\$ 640,595	\$ 109,243
Revenue:		
Contributions from developers	12,723	1,490
Contributions other	114,600	287,162
Interest on Federal Gas Tax Funding	2,467	—
Federal Gas Tax Funding	256,159	261,242
	385,949	549,894
Utilization:		
Transfers for capital	—	18,542
Balance, end of year	\$ 1,026,544	\$ 640,595

Comprised as follows:

	2020	2019
Development charges	\$ 101,497	\$ 88,774
Federal Gas Tax	519,868	261,242
Other	405,179	290,579
Balance, end of year	\$ 1,026,544	\$ 640,595

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

7. Long-term liabilities:

- (a) The balance of long-term liabilities reported on the consolidated statement of financial position is comprised of the following:

	2020	2019
Fixed rate bank loan with maturity date in 2021 and interest rate of 2.60%	\$ 82,936	\$ 408,808
Ontario Project Infrastructure Corporation		
Maturity date 2023 and interest rate of 4.83%	92,398	126,380
Maturity date 2023 and interest rate of 3.26%	73,617	96,611
Maturity date 2024 and interest rate of 5.61%	194,717	237,031
Maturity date 2025 and interest rate of 4.71%	816,614	958,341
Maturity date 2027 and interest rate of 4.87%	346,833	391,352
Maturity date 2030 and interest rate of 1.51%	274,400	—
Maturity date 2037 and interest rate of 4.75%	3,741,954	3,902,303
Maturity date 2047 and interest rate of 3.70%	1,364,772	1,393,827
Maturity date 2050 and interest rate of 1.97%	3,911,111	—
Royal Bank of Canada, maturity 2022-2025, 0% interest	182,934	249,013
	<u>\$ 11,082,286</u>	<u>\$ 7,763,666</u>

- (b) Principal payments are due as follows:

	Principal	Interest	Total
2021	\$ 806,207	\$ 375,796	\$ 1,182,003
2022	746,915	348,752	1,095,667
2023	718,650	320,930	1,039,580
2024	684,526	293,585	978,111
2025	636,733	266,957	902,690
2026 and thereafter	7,490,255	2,148,804	9,639,059
	<u>\$ 11,082,286</u>	<u>\$ 3,754,824</u>	<u>\$ 14,837,110</u>

- (c) Interest expense on long term liabilities in 2020 amounted to \$377,877 (2019 - \$348,701).
- (d) These payments are within the annual debt repayment limit prescribed by the Ministry of Municipal Affairs and Housing.

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

8. Temporary borrowings:

The Town had construction loans through the Ontario Infrastructure and Lands Corporation ("OILC") to finance the construction of fire hall replacement to a maximum value of \$5,000,000. The monthly interest payments on funds advanced will be based on a floating rate per annum as determined by OILC throughout the term of the loan until they are replaced by a debenture. Repayment terms of principal and interest will be determined upon completion of the capital project. This loan was closed out in 2020 and transferred to a serial debenture with a 30 year term at 1.97%. At December 31, 2020, \$Nil (2019 - \$3,696,384) of the facility was used.

9. Investments:

Investments, which consist primarily of Canadian equities, have a market value of \$1,292,750 at December 31, 2020 (2019 - \$1,213,576).

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

10. Municipal equity:

	2020	2019 (Recast note 19)
Investment in tangible capital assets:		
Tangible capital assets	\$ 59,623,995	\$ 60,169,560
Long-term liabilities	(11,082,287)	(11,460,050)
	48,541,708	48,709,510
Unexpended Capital Financing (Unfinanced Capital) Projects:		
Road infrastructure	(617,253)	(617,253)
Industrial park	(252,568)	(287,568)
Fire hall	—	(291,779)
Public works addition	(237,114)	(237,114)
Streetlights	(657,905)	(617,065)
Arena renovations	—	(80,453)
Dibble Street East Reconstruction	(27,670)	—
New arena	(399,901)	(215,354)
Sidewalk plow	(163,223)	—
	(2,355,634)	(2,346,586)
Reserves set aside for specific purposes by Council:		
For capital expenses:		
Working capital	880,000	880,000
Business improvement	39,642	35,942
Elections	12,023	6,923
	931,665	922,865
For operating expenses:		
Fiscal policy	(81,815)	(42,939)
COVID-19 funding	107,000	—
General government	29,695	18,561
Infrastructure	227,051	164,169
Municipal Modernization	572,483	591,400
Protection services	147,358	150,411
Transportation services	26,537	23,510
Health services	4,170	4,170
Recreation and cultural	127,364	129,583
Library	43,655	35,481
Museum	94,447	81,010
Cemetery	18,654	16,135
Planning and development	172,147	152,990
Water and sewer	5,411,113	5,143,518
	6,899,859	6,467,999
Total reserves	7,831,524	7,390,864
Investment in Government Business Enterprises (note 4)	1,987,453	1,907,663
Total accumulated municipal equity	\$ 56,005,051	\$ 55,661,451

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

11. Pension contributions:

The Town makes contributions to the Ontario Municipal Employees Retirement Fund (OMERS), which is a multi-employer plan, on behalf of 28 members of its staff (2019 - 27). As a result, the Town does not recognize any share of the OMERS pension surplus or deficit. The last available report for the OMERS plan was December 31, 2020. At that time, the plan reported a \$3.2 billion actuarial deficit (2019 - \$3.4 billion actuarial deficit).

The plan is a defined benefit plan, which specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay.

The amount contributed to OMERS for current service in 2020 was \$170,206 (2019 - \$174,635) and is included as an expense on the Consolidated Statement of Operations and Accumulated Municipal Equity.

12. Trust funds:

Trust funds administered by the Town amounting to \$113,660 (2019 - \$112,511) are presented in a separate financial statement of trust fund balances and operations. As such balances are held in trust by the Town for the benefit of others, they are not presented as part of the Town's financial position or financial activities.

13. Provincial Offences Administration (POA):

The United Counties of Leeds and Grenville has assumed the administration of the Provincial Offences office for all County of Leeds and Grenville resident municipalities. The transfer of administration from the Ministry of the Attorney General to the Town was a result of the Provincial Offences Act (POA) 1997, which provides the framework for the transfer of responsibility and administration of POA courts.

The POA is a procedural law for administering and prosecuting provincial offences, including those committed under the Highway Traffic Act, Compulsory Automobile Insurance Act, Trespass to Property Act, Liquor License Act, Municipal Bylaws and minor federal offences. The POA governs all aspects of legal process from serving notice to a defendant, to conducting trials, including sentencing and appeals.

The Town's share of net revenues arising from operation of the POA office has been consolidated with these financial statements. The revenue of the court office consists of fines levied under Parts I and 111 (including delay penalties) for POA charges filed in the County court.

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

13. Provincial Offences Administration (POA) (continued):

If fines are paid at other court offices, the receipt is recorded in the Integrated Courts Operation Network System ("ICON") operated by the Province of Ontario. Revenue is recognized when receipt of funds is recorded by the provincial ICON system regardless of the location where payment is made.

The Corporation of the Town of Prescott shares net POA revenues based on weighted assessment.

14. Contingent liabilities:

- (a) The nature of municipal activities is such that there may be litigation pending or in prospect at any time. With respect to claims at December 31, 2020, management believes that the Town has valid defences and appropriate insurance coverages in place. In the event any claims are successful, the amount of any potential liability is not determinable; therefore, no amount has been accrued in the consolidated financial statements.
- (b) In 1997, the Town assumed ownership of property that was identified as being contaminated. Phase I and Phase II environmental assessments have been carried out with a conclusion that the land was contaminated beyond a minimally acceptable level. A further assessment was carried out, including soil sampling, which revealed that the contamination did not present an immediate risk to human health or the environment. Based upon existing environmental regulations, the Town would be required to remediate this land subject to future development. The cost of such remediation is unknown. As at December 31, 2020, the Town has no plans to develop this land. Due to the uncertainty surrounding the timing and nature of the remediation, no liability has been recognized in the Towns' consolidated financial statements.
- (c) The Town is contingently liable under a letter of credit issued by its bankers in regard to the requirement from the Town's agreement with the Canadian Actors' Equity Association. The aggregate borrowing is up to \$46,500.

As at December 31, 2020, there is no amount outstanding under the facility.

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

15. Commitments:

- (a) The Town has entered into an agreement with Ontario Clean Water Agency to manage the water treatment plant and the sewage treatment plant. The contract provides for a management fee for each plant plus the operating and capital costs of the two plants. The management fee is adjusted for inflation on an annual basis. The contract was renewed effective December 1, 2018. Payments for the water treatment plant were \$355,481 (2019 - \$367,089). Payments for the sewage treatment plant were \$562,272 (2019 - \$601,527).
- (b) The Town has negotiated a long-term contract with the Ontario Provincial Police for the provision of policing services. The contract ends December 31, 2024. Annual charges are determined based on the level of service and are reconciled to actual costs in the following year. During the year, the contract costs were \$1,197,454 (2019 - \$1,159,212).
- (c) The Town has negotiated a contract for waste collection with Limerick Environmental which expired February 2020 but was extended to February 2021. Subsequent to year-end, a new agreement has been signed which expires in February 2025, with an option to extend for an additional two, one year consecutive terms, at the sole discretion of the Town. Fees are based on the residential household count and are adjusted annually for inflation plus the cost to drop the waste materials off at the depot based on tonnage. During the year, the contract costs were \$157,888 (2019 - \$114,428).
- (d) The Town has negotiated a contract for the collection and disposal of recycled materials, with Limerick Environmental, which expired February 2020 but was extended to February 2021. Subsequent to year-end, a new agreement has been signed which expires in February 2025, with an option to extend for an additional two, one year consecutive terms, at the sole discretion of the Town. Fees are based on population count and area adjusted annually for inflation plus the cost to drop off the recyclable matters at the depot based on tonnage. During the year, the contract costs were \$83,331 (2019 - \$70,591).
- (e) The Town has committed funding to the Eastern Ontario Wardens Caucus Broadband Project in the amount of \$13,981 per year for the period 2015 to 2023.
- (f) The estimated commitment to complete construction-in-progress and major equipment purchases at December 31, 2020 is approximately \$Nil (2019 - \$Nil). Subsequent to year-end, the Town signed an agreement with a general contractor in the amount of \$17.3 million to complete construction of a new arena.

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

16. Tangible capital assets (recast – note 19):

Cost	Balance at December 31, 2019	Transfers and additions	Disposals and adjustments	Balance at December 31, 2020
Land	\$ 1,409,596	\$ –	\$ –	\$ 1,409,596
Land improvements	3,285,011	–	–	3,285,011
Buildings	41,460,066	594,844	(85,369)	41,969,541
Machinery and equipment	3,757,376	329,430	(27,550)	4,059,256
Vehicles	2,501,723	274,399	(298,005)	2,478,117
Linear assets	19,532,205	(630,365)	(50,286)	18,851,554
Sewer infrastructure	6,771,408	301,647	(103,799)	6,969,256
Water infrastructure	6,478,807	331,921	(69,159)	6,741,569
Construction-in-progress	1,112,451	129,340	–	1,241,791
Total	\$ 86,308,643	\$ 1,331,216	\$ (634,168)	\$ 87,005,691

Accumulated amortization	Balance at December 31, 2019	Amortization and adjustments	Transfers, and disposals	Balance at December 31, 2020
Land improvements	\$ 268,052	\$ 84,085	\$ –	\$ 352,137
Buildings	10,968,317	1,270,110	(85,369)	12,153,058
Machinery and equipment	2,033,645	46,006	(27,550)	2,052,101
Vehicles	1,655,760	32,524	(298,005)	1,390,279
Linear assets	6,839,324	235,187	(35,490)	7,039,021
Sewer infrastructure	2,196,370	(20,147)	(27,423)	2,148,800
Water infrastructure	2,177,615	98,127	(29,442)	2,246,300
Total	\$ 26,139,083	\$ 1,745,892	\$ (503,279)	\$ 27,381,696

	Net book value December 31, 2019	Net book value December 31, 2020
Land	\$ 1,409,596	\$ 1,409,596
Land improvements	3,016,959	2,932,874
Buildings	30,491,749	29,816,483
Machinery and equipment	1,723,731	2,007,155
Vehicles	845,963	1,087,838
Linear assets	12,692,881	11,812,533
Sewer infrastructure	4,575,038	4,820,456
Water infrastructure	4,301,192	4,495,269
Construction-in-progress	1,112,451	1,241,791
Total	\$ 60,169,560	\$ 59,623,995

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

17. Segmented information:

The Town is a diversified municipal government that provides a wide range of services to its citizens. The services are provided by departments and their activities are reported in the consolidated statement of financial activities.

Departments have been separately disclosed in the segmented information, along with the service they provide, and are set out in the schedule below.

For each reported segment, expenditures represent both amounts that are directly attributable to the segment and amounts that are allocated on a reasonable basis. Therefore, certain allocation methodologies are employed in the preparation of segmented financial information.

The accounting policies used in these segments are consistent with those followed in the preparation of the consolidated financial statements as disclosed in note 1.

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

17. Segmented information (continued):

2020	General Government	Environmental Services	Protection to Persons and Property	Health Services	Social and Family Services	Transportation Services	Recreation and Cultural Services	Planning & Development	Total
Revenue									
Taxation									
Taxation comm and indust	\$ 1,500,370	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,500,370
Taxation other governments	352,704	-	-	-	-	-	-	-	352,704
Taxation residential	4,045,947	-	-	-	-	-	-	-	4,045,947
User charges									
Environmental	-	2,726,814	-	-	-	-	-	-	2,726,814
Marina	-	-	-	-	-	-	219,949	-	219,949
Other	6,724	-	40,937	-	6,000	4,773	871	-	59,305
Recreation and culture	-	-	-	-	-	-	7,617	-	7,617
Government transfers	1,819,199	36,504	29,559	-	123,492	267,026	11,044	25,750	2,312,574
Investment income	2,772	79,174	-	-	-	-	-	-	81,946
Licenses and permits	5,001	-	59,213	-	-	5,075	-	-	69,289
Net income Rideau St. Law rence	79,790	-	-	-	-	-	-	-	79,790
Other	12,093	247,086	52,263	20,683	-	102	152,955	112,766	597,948
Penalties and interest on taxes	96,175	-	-	-	-	-	-	-	96,175
Provincial offenses	-	-	12,653	-	-	-	-	-	12,653
Other									
Capital other	-	-	-	-	-	-	15,000	-	15,000
Total revenue	7,920,775	3,089,578	194,625	20,683	129,492	276,976	407,436	138,516	12,178,081
Expenses									
Salaries and wages	599,330	298,708	308,698	-	73,932	1,063,746	276,589	209,877	2,830,880
Operating materials and services	514,729	2,037,949	1,413,107	263,449	534,631	953,097	607,541	339,251	6,663,754
External transfers to other	-	-	-	85,188	-	-	-	-	85,188
Debenture interest	-	186,805	66,818	-	53,523	19,553	51,177	-	377,876
Loss on disposal	-	-	-	-	-	130,888	-	-	130,888
Amortization	66,501	547,543	201,808	44,867	-	679,910	205,266	-	1,745,895
Total expenses	1,180,560	3,071,005	1,990,431	393,504	662,086	2,847,194	1,140,573	549,128	11,834,481
Annual surplus (deficit)	\$ 6,740,215	\$ 18,573	\$ (1,795,806)	\$ (372,821)	\$ (532,594)	\$ (2,570,218)	\$ (733,137)	\$ (410,612)	\$ 343,600

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

17. Segmented information (continued):

2019	General Government	Environmental Services	Protection to Persons and Property	Health Services	Social and Family Services	Transportation Services	Recreation and Cultural Services	Planning & Development	Total
Revenue									
Taxation									
Taxation comm and indust	\$ 1,510,949	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,510,949
Taxation other governments	350,620	-	-	-	-	-	-	-	350,620
Taxation residential	4,047,054	-	-	-	-	-	-	-	4,047,054
User charges									
Environmental	-	2,732,439	-	-	-	-	-	-	2,732,439
Marina	-	-	-	-	-	-	198,362	-	198,362
Other	3,520	-	49,875	-	12,918	2,619	3,005	-	71,937
Recreation and culture	-	-	-	-	-	-	29,412	-	29,412
Government transfers	2,142,500	36,469	47,928	-	135,057	175,220	12,755	3,657	2,553,586
Investment income	94,119	-	-	-	-	-	-	-	94,119
Licenses and permits	14,080	-	34,175	-	-	3,480	-	-	51,735
Net income Rideau St. Law rence	55,167	-	-	-	-	-	-	-	55,167
Other	35,531	155,843	8,554	35,543	-	60	156,778	73,746	466,055
Penalties and interest on taxes	110,790	-	-	-	-	-	-	-	110,790
Provincial offenses	-	-	35,188	-	-	-	-	-	35,188
Other									
Capital deferred income	-	-	18,542	-	-	-	-	-	18,542
Capital government transfers	-	-	-	-	-	362,657	-	-	362,657
Capital other	-	-	-	-	-	-	144,633	-	144,633
Total revenue	8,364,330	2,924,751	194,262	35,543	147,975	544,036	544,945	77,403	12,833,245
Expenses									
Salaries and wages	578,224	343,319	308,316	-	73,315	1,186,601	383,698	215,334	3,088,807
Operating materials and services	539,001	2,056,426	1,434,074	291,058	521,025	898,587	548,177	396,255	6,684,603
External transfers to other	-	-	-	77,161	-	-	-	-	77,161
Debenture interest	-	212,742	10,689	-	62,273	10,865	52,133	-	348,702
Amortization	97,957	796,444	225,181	95,929	-	368,473	266,583	-	1,850,567
Total expenses	1,215,182	3,408,931	1,978,260	464,148	656,613	2,464,526	1,250,591	611,589	12,049,840
Annual surplus (deficit)	\$ 7,149,148	\$ (484,180)	\$ (1,783,998)	\$ (428,605)	\$ (508,638)	\$ (1,920,490)	\$ (705,646)	\$ (534,186)	\$ 783,405

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

18. Budget figures:

Budget figures reported on the Consolidated Statement of Operations are based on the 2020 municipal and other local board operating budgets as approved by Council on April 23, 2019.

Approved budget figures also include council approved budget estimates for Public Sector Accounting Board ("PSAB") reporting requirements. The chart below reconciles the approved Town operating budgets and PSAB budget estimates to the total consolidated budget figures as reported on the Consolidated Statement of Operations and Accumulated Municipal Equity.

	Budget 2020
Operational budget	
Revenue:	
Cash budget approved by Council	\$ 12,092,300
Less: Transfer from reserves	(30,000)
Less: Library funding consolidation	(153,921)
	\$ 11,908,379
Expenses:	
Cash budget approved by Council	\$ 12,092,300
Less: Transfers to reserves	(1,247,120)
Less: Library funding upon consolidation	(153,921)
Less: Principal payments	(955,780)
Add: Operational Projects	64,000
Add: Amortization expense	1,876,300
Less: Capitalization of books budget	(12,000)
	\$ 11,663,779

CORPORATION OF THE TOWN OF PRESCOTT

Notes to Consolidated Financial Statements (continued)

Year ended December 31, 2020

19. Recast of comparative information:

During the year, management became aware that the Town's tangible capital assets and investments were incorrectly reported in prior years. The impact of the corrections have been recorded retroactively and the cumulative effect up to January 1, 2019 has been recorded as an increase of \$363,804 to tangible capital assets, a decrease of \$25,821 to investments and an increase of \$337,983 to accumulated municipal equity.

	2020	2019
Accumulated municipal equity, beginning of year, as previously reported	\$ 55,420,943	\$ 54,540,063
To correct errors in relation to:		
Understatement of tangible capital assets	454,084	363,804
Overstatement of investments	(213,576)	(25,821)
Accumulated municipal equity, beginning of year, as recast	\$ 55,661,451	\$ 54,878,046
		2019
Annual surplus, as previously reported		\$ 880,880
To correct errors in relation to:		
Overstatement of amortization expense		90,280
Overstatement of investment income		(187,755)
		(97,475)
Annual surplus, as recast		\$ 783,405

20. Impact of COVID-19 pandemic:

On March 11, 2020, the COVID-19 outbreak was declared a pandemic by the World Health Organization. This has resulted in governments worldwide, including the Canadian, Ontario and municipal governments, enacting emergency measures to combat the spread of the virus. The pandemic has had significant operational and financial impacts as a result of social and market disruption.

The Town continues to experience impacts of the pandemic in the 2021 fiscal year.

Impacts have been mitigated by associated funding and other cost saving measures. The outcome and time frame for a recovery from the pandemic is unknown, and therefore it is not practicable to estimate and disclose its financial effect on future operations at this time.

CORPORATION OF THE TOWN OF PRESCOTT

Schedule A: Business Improvement Area Committee

Statement of Revenue and Expenses and Accumulated Surplus

Year ended December 31, 2020, with comparative information for 2019

	2020	2019
Revenue:		
Taxation	\$ 29,000	\$ 29,000
Expenses:		
Downtown	18,106	—
Contracted services	3,700	5,850
Advertising and promotion	2,220	8,684
Supplies	1,275	300
Special events	—	1,000
	25,301	15,834
Excess of revenue over expenses	3,699	13,166
Accumulated surplus, beginning of year	35,943	22,777
Accumulated surplus, end of year	\$ 39,642	\$ 35,943



**PRESCOTT TOWN COUNCIL
MINUTES**

**Monday, October 18, 2021
6:00 p.m.
Virtual Meeting**

Present	Mayor Brett Todd, Councillors Leanne Burton, Teresa Jansman, Lee McConnell, Mike Ostrander, Gauri Shankar, and Ray Young
Staff	Matthew Armstrong, CAO/Treasurer, Lindsey Veltkamp, Director of Administration/Clerk, Nathan Richard, Interim Director of Operations, Kaitlin Mallory, Deputy Clerk, Shawn Merriman, Manager of Building & By-law Services, and Dana Valentyne, Economic Development Officer

1. Call to Order

Mayor Todd acknowledged that we are meeting on aboriginal land that has been inhabited by Indigenous peoples.

In particular, we acknowledge the traditional territory of the Huron-Wendat, Anishinaabeg, Haudenosaunee, Anishibek, and the Oneida and Haudenosaunee Peoples.

He then called the meeting to order at 6:01 p.m.

A moment of silence was observed in honour of the passing of Leo Boivin.

Dana Valentyne, Economic Development Officer, joined the meeting at 6:02 p.m.

2. Approval of Agenda

Motion 236-2021: Ostrander, Burton

That the agenda for the Council meeting of October 18, 2021, be approved as amended.

Carried

The agenda was amended by adding Item #13.1 – Resolution of Support regarding the removal of testing requirements for Canadians at Land Border Crossings.

3. Declarations of Interest – None

4. Presentations – None

5. Delegations – None

6. Minutes of the previous Council meetings

6.1 October 4, 2021

Motion 237-2021: Young, McConnell

That the Council minutes dated October 4, 2021, be accepted as presented.

Carried

7. Communications & Petitions

7.1 Notice of Online Public Open House - UCLG Active Transportation Plan on County Roads

8. Consent Reports

Motion 238-2021: Ostrander, Burton

That all items listed under the Consent Reports section of the agenda be accepted as presented.

Carried

8.1 Information Package (under separate cover)

1. Leeds, Grenville & Lanark District Health Unit Weekly Zoom Call Notes – October 1, 2021 & October 8, 2021
2. Township of Edwardsburgh Cardinal Resolution re: UCLG Aggregate Resources Master Plan for a more economically viable 5-meter maximum amount of overburden
3. Municipality of Shuniah Resolution of Support re: Affordable Internet
4. Municipality of Grey Highlands Resolution of Support re: Lottery Licensing to assist small organizations

8.2 Staff Report 94-2021 - Financial Report - September 2021

Recommendation:
For information.

8.3 Staff Report 95-2021 - Traffic Study and Transportation Plan - Request for Quote Results

Recommendation:
That Council direct staff to engage with Parsons to complete the Traffic Study and Transportation Plan.

Carried

9. Committee Reports – None

10. Mayor

Mayor Todd spoke to his attendance at a BIA meeting held on October 12, a Joint Services Committee of Leeds and Grenville held on October 5, and referenced the number of visitors Centennial Park and the Splash Pad had during the summer months.

11. Outside Boards, Committees and Commissions

Councillor Jansman spoke to her attendance at a BIA meeting held on October 12 and upcoming BIA activities and events.

Councillor McConnell congratulated Mayor Kalivas on his appointment with the City of Brockville.

Councillor Ostrander stated that he had been invited to assist the Legion's audit team in preparation for an upcoming audit.

Councillor Shankar spoke to his attendance at a recent Fundraising Group meeting and referenced the upcoming Laugh's at the Leo event, and the Royal Canadian Legion, Branch 97 suppers had begun.

12. Staff

12.1 Staff Report 96-2021 - Community Services Update

Samantha Joudoin-Miller, Manager of Community Services, spoke to the report. She referenced public bookings at the Leo Boivin Community Centre, the creation of a Facility Booking Package, upcoming events being held at the facility, a progress update on the museum as well as the purposed layout.

Discussion was held regarding the plans for the museum and the involvement of Fraser Laschinger and other volunteers in preparing for the museum's grand opening.

12.2 Staff Report 97-2021 - Fire Department Third Quarter Report

Renny Rayner, Fire Chief, spoke to the report. He referenced the highlights for the months of July, August, and September, training, and inspections.

Samantha Joudoin-Miller left the meeting at 6:38 p.m.

Discussion was held regarding the year-to-date calls compared to calls received in 2020.

12.3 Staff Report 98-2021 - Waste Fees Method Feedback and Recommendation

Motion 239-2021: Burton, Young

That Council direct staff to implement a waste tag system to replace the current garbage sales system once the current inventory of garbage bags has been exhausted.

Carried

Matthew Armstrong, CAO/Treasurer, spoke to the report. He referenced results from the public survey, waste disposal methods from other municipalities, the expected loss of fees from the sale of tags, and the expected timeline for implementing the tag system in 2022.

Discussion was held regarding issues in the past with bag tags and concerns with illegal dumping.

Further discussion was held regarding the expected timeline for the supply of town garbage bags to be exhausted and that the bags would be accepted until that time.

12.4 Staff Report 99-2021 - Winter Maintenance Update

Motion 240-2021: Burton, Ostrander

That Council direct staff to implement the suggested modifications to the Winter Maintenance Policy regarding plowing of sidewalks and walkways, and the removal of snowbanks between the sidewalk and the road.

Carried

Nathan Richard, Interim Director of Operations, spoke to the report. He referenced the results from the public survey, the areas of improvement, the suggested areas in town for blowing snow in order to reduce the amount of snow removal required, and conversations with Student Transportation of Eastern Ontario to ensure bus stop locations are cleared.

Discussion was held regarding drop off locations by St. Mark Catholic School, and the importance of issuing public surveys to ensure public involvement.

12.5 Staff Report 100-2021 - Property Standards By-law, Vacant Buildings Registry By-law, and Administrative Monetary Penalties By-law

Motion 241-2021: Ostrander, Shankar

That Council direct staff to make the recommended changes to the Property Standards By-law, Vacant Buildings Registry By-law, and Administrative Monetary Penalties By-law; and

That the by-laws be brought to the Council Meeting of November 1, 2021, for review and consideration.

Carried

Shawn Merriman, Manager of Building & By-law Services, spoke to the report. He referenced the recommendations submitted by members of Council which included details to unfinished buildings or structures in the Property Standards By-law, additions to the Garage and Carports section and Electrical Services section, and the storage of vehicles.

Mr. Merriman referenced the changes to the Vacant Building Registry By-law which included the requirement of registering a vacant building after 180 days of vacancy and the annual fee.

Mr. Merriman spoke to the concept and purpose of the Administrative Monetary Penalties System By-law and an implementation date of the by-laws on January 1, 2022.

Discussion was held regarding sightlines near intersections, additional problematic areas in town due to overgrowth, and broadening the storage and operation of vehicles on residential property so it does not infringe on neighbouring properties.

12.6 Staff Report 101-2021 - Modernization Initiatives

Motion 242-2021: McConnell, Burton

That Council approve the following projects to be supported by the Modernization funding received from the Province of Ontario in 2019:

1. Water and Wastewater Treatment Plant SCADA Software for \$94,292 plus HST
2. Fire Radio Communications Repeater for \$36,365 plus HST
3. eScribe Internet Publishing Module for \$5,250 plus HST

Carried

Matthew Armstrong, CAO/Treasurer, spoke to the report. He referenced the funding amount remaining, the reasoning behind the purchase of the SCADA Software, the Fire Radio Communications Repeater and the eScribe Internet Publishing Module, and how each item was a good use of the funding.

Discussion was held regarding the SCADA Software being included in the 2022 budget, and the Water and Wastewater reserve fund.

Councillor McConnell left the meeting at 7:26 p.m.

Councillor Shankar left the meeting at 7:29 p.m.

Councillor Shankar joined the meeting at 7:33 p.m.

12.7 Staff Report 102-2021 - Indigenous Peoples Recognition

Motion 243-2021: Burton, Jansman

That Council direct staff to paint 3 metre sections of the east and west ends of the Heritage Trail and the Centennial Park Trail in orange pavement paint and to work with South Grenville District High School to develop stencils that can be painted onto the orange sections to publicly recognize Indigenous Peoples.

Carried

Matthew Armstrong, CAO/Treasurer, spoke to the report. He mentioned the location for the path to be painted, working with South Grenville District High School, and the additional features to be added in 2022 which could include a Wayfinding Wheel.

Discussion was held regarding the painting of the path and the inclusion of a Wayfinding Wheel.

12.8 Staff Report 103-2021 - My Main Street Funding Accelerator Program

Motion 244-2021: Ostrander, Young

That Council direct staff to proceed with applying to the My Main Street Program Accelerator stream for funding support for a Main Street Ambassador to secure local business grants and engage in community market research/analysis activities.

Carried

Dana Valentyne, Economic Development Officer, spoke to the report. She referenced the Accelerator Program Stream, the provision of a dedicated Main Street Ambassador, the non-repayable contributions to support local businesses, and financial implications.

Councillor Shankar left the meeting at 7:43 p.m.

Councillor Shankar joined the meeting at 7:44 p.m.

Discussion was held regarding the Digital Main Street program and that the funding would be used specifically in the Town of Prescott.

13. Resolutions

Mayor Todd introduced the proposed resolution of support regarding the removal of testing requirements for Canadians at Land Border Crossings.

Motion 245-2021: Ostrander, Young

WHEREAS the communities of Prescott and Ogdensburg, New York enjoy a close longstanding history that goes back centuries and includes many ties of friendship and family across the world's longest undefended border; and

WHEREAS the nations of Canada and the United States enjoy bonds and alliances that include a shared history, supporting one another through challenging times, world wars, and the aftermath of 9/11, both here at home when hosting stranded American air travelers in September 2001, and abroad during the shared mission to Afghanistan that cost many Canadian lives; and

WHEREAS Canadian citizens have endured necessary hardships during the Covid-19 pandemic that have included extra difficulties locally due to the unprecedented extended closure of the land border between Canada and the United States; and

WHEREAS many local citizens have strong ties of friendship and family in the United States, thanks to the aforementioned history that has seen us look across the St. Lawrence River for over two hundred years at neighbours, not at the shores of a foreign nation; and

WHEREAS the United States government will be opening the land borders to Canadian travelers as of November 8, 2021, following the opening of our border to American travelers as of August 9, 2021; and

WHEREAS the Canadian government is continuing to insist that Canadian travelers to the United States pay for a costly and difficult to source molecular Covid-19 test in order to return home after crossing the land border; and

WHEREAS this test will make travel into the United States from Canada prohibitive due to its high cost and availability, especially for day travelers who make up the vast majority of local visitors using the Prescott-Ogdensburg International Bridge and the majority of all land travelers crossing between Canada and the United States; and

WHEREAS air travelers traveling between the United States and Canada are still allowed use of the much cheaper, more readily available antigen Covid-19 rapid test.

THEREFORE, BE IT RESOLVED THAT the Corporation of the Town of Prescott requests that the federal government remove the requirement for Canadian travelers to be tested for Covid-19 when using a land crossing into the United States after the November 8, 2021 reopening;

AND THAT copies of this resolution be sent to the Right Honourable Justin Trudeau, Prime Minister of Canada; the Honourable Bill Blair, Minister of Public Safety Emergency Preparedness; the Honourable Michael Barrett, MP Leeds Grenville Thousand Islands and Rideau Lakes; the Honourable Doug Ford, Premier of Ontario; the Honourable Steve Clark, MPP for Leeds Grenville Thousand Islands and Rideau Lakes; all Leeds-Grenville municipalities; the members of the Ontario Border Mayors' Committee (City of Cornwall, Town of Fort Erie, Town of Fort Frances, Town of Gananoque, Township of Leeds and the Thousand Islands, City of Niagara Falls, Town of Niagara on the Lake, Village of Point Edward, Town of Rainy River, City of Sarnia, City of Sault Ste Marie, City of Windsor); Senator Chuck Schumer, New York; Senator Kristen Gillibrand, New York; Representative Elise Stefanik, 21st Congressional District (Northern New York); Representative Brian Higgins, 26th Congressional District (Western New York); New York State Senator Patty Ritchie, 48th District (Northern New York), and the City of Ogdensburg, New York.

Carried

14. By-laws – None

15. New Business

Councillor Burton stated that MacKay Funeral Home would be hosting a private family gathering for the Boivin family and suggested that the Town make a donation or plant a tree in memory of Leo Boivin.

Discussion was held regarding the option of naming a street after Leo Boivin.

Councillor McConnell joined the meeting at 7:57 p.m.

Mayor Todd spoke to the timeline for returning to in person Council meetings potentially in early 2022.

Discussion was held regarding making permanent changes to Council Chambers, the current size of Council Chambers, the redevelopment of the old Council Chambers, and second floor plan changes coming forward to a future meeting.

16. Notices of Motion – None

17. Mayor's Proclamation – None

18. Closed Session – None

19. Rise and Report – None

20. Confirming By-Law – 45-2021

Motion 246-2021: Young, Ostrander

That By-Law 45-2021, being a by-law to confirm the proceedings of the Council meeting held on October 18, 2021, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.

Carried

21. Adjournment

Motion 247-2021: Shankar, McConnell

That the meeting be adjourned to Monday, November 1, 2021.

(Time: 8:06 p.m.)

Carried

Mayor

Clerk



		Date Req'd
Information Purposes		
Policy / Action Req'd	x	Nov. 1 '21
Strategic Plan		

STAFF REPORT TO COUNCIL

Report No. 104-2021

Date: November 1, 2021

From: Matthew Armstrong, Chief Financial Officer and Treasurer

RE: 2022 Operational and Capital Budget Process

Recommendation:

That Council endorse the 2022 Budget Process as outlined in report 104-2021

Background/Analysis:

The following dates are being put forward to develop the 2022 Budget Operating Budget. This year there are some unknowns about what 2022 will bring; however, the picture on facility usage, restrictions, and capacity limits is becoming clearer. The process outlined below envisions Council reviewing smaller portions of the budget over a number of meetings, as opposed to larger chunks in fewer meetings. This will allow for a better understanding of the fiscal and health challenges that the residents and businesses of Prescott will be faced with.

Building on the 2021 Budget process, Council will have an opportunity to align the 2022 Budgets with the 2020-2023 Strategic Plan, Service Delivery Review, and the Joint Land Needs Study and Economic Development Strategic Plan. By aligning the financial resources with the goals of the organization, a supportive relationship can be built.

2022 Operating Budget development Timelines

1. December 6, 2021 – Council reviews the information that is known to date, pertaining to revenue and expenses for the 2022 budget and sets a preliminary target for the property tax rate increase for 2022
2. December 13, 2021 – Council reviews Health Services and the Social Services Budgets at the regular meeting of Council

		Date Req'd
Information Purposes		
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Strategic Plan		

3. January 4, 2022 – Council reviews the Administration, Protective Services, and Planning / Development Budgets at the regular meeting of Council
4. January 17, 2022 – Council reviews the Transportation, Parks, and Recreation Budgets at the regular meeting of Council
5. February 7, 2022 – Council reviews the Environmental and Water and Sewer Budgets at the regular meeting of Council
6. February 22, 2022 – Council reviews the Revenue, Fees, and Property Taxes Budgets at the regular meeting of Council
7. March 7, 2022 – Council reviews the overall 2022 Operating Budget at the regularly scheduled Council Meeting

The 2022 Capital and Operating Project Budget development has been broken down into a number of smaller pieces to allow for an idea's development phase, prioritization phase, and lastly an alignment to the Strategic Plan, Service Delivery Review, and Economic Development Strategic Plan. New for this year, is a pre-approval of larger infrastructure type projects to allow for an end of January release of tenders to ensure possible contractors are aware of the projects as early in the year as possible.

2022 Capital and Operational Project Budget development timelines

1. November 1 – December 15, 2021 – Staff and Council develop and submit capital priorities for 2022
2. January 4, 2022 – Council reviews the initial capital and operational project list. This meeting is expected to illicit comments and questions around the ideas that have been generated thus far
3. January 17, 2022 – Approval of key infrastructure capital projects to allow for tender release
4. February 22, 2022 – Council to prioritize remaining capital and operational projects at the regularly scheduled Council meeting



		Date Req'd
Information Purposes		
Policy / Action Req'd	x	Nov. 1 '21
Strategic Plan		

5. March 7, 2022 – Council to review the overall 2022 Capital and Operating Project Budget and ensure that it aligns with the Strategic Plan and the Service Delivery Review Report at the regularly scheduled Council meeting

Alternatives

Explore other options for the development of the 2022 Budgets.

Financial Implications

None

Attachments:

None

Submitted by:

Matthew Armstrong
Chief Administrative Officer and Treasurer



		Date Req'd
Information Purposes		
Policy / Action Req'd	X	Nov. 1 '21
Strategic Plan		

STAFF REPORT TO COUNCIL

Report No. 105-2021

Date: 11/1/2021

From: Lindsey Veltkamp, Director of Administration/Clerk

RE: 2022 Council Meeting Schedule

Recommendation:

That Council approve the 2022 Summer Council meeting dates as follows: July 18 and August 22; and

That the 2022 December Council meetings be held December 5 and 12.

Background/ Analysis:

As per the Town's Procedural By-law, Council meetings take place on the first and third Monday of each month.

The Procedural By-law states that during the months of July and August, one regular meeting of Council shall be held at 6:00 p.m., on a Monday of the month determined by Council. For 2022, staff is recommending that the Council meetings in July and August be held on July 18 and August 22 to avoid any overlap with the AMO conference in August.

Staff is recommending holding two meetings in a row for the month of December, similarly to the approved 2021 Council Meeting Schedule. For 2022, it is recommended that the Council meetings in December be held on December 5 and 12.

There are significant dates in 2022 pertaining to the municipal election; however, the dates do not interfere with the suggested Council meeting schedule. A separate report will come to Council in early spring outlining the significant periods affecting Council including a potential Lame Duck period.



		Date Req'd
Information Purposes		
Policy / Action Req'd	X	Nov. 1 '21
Strategic Plan		

Alternatives:

Council could choose alternative dates for its summer and December meetings.

Financial Implications:

None

Environmental Implications:

N/A

Attachments:

- Draft 2022 Council Meeting Schedule

Submitted by:

Lindsey Veltkamp
Director of Administration/Clerk



2022 Council Calendar

- Council – 1st and 3rd Monday, 6:00 p.m.
- Conferences*
- Holidays – Town Hall Closed

JANUARY

S	M	T	W	T	F	S
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30	31					

FEBRUARY

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27	28					

MARCH

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APRIL

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MAY

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JUNE

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JULY

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AUGUST

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SEPTEMBER

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OCTOBER

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30	31					

NOVEMBER

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DECEMBER

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*Conferences: Jan. 23-25, 2022 ROMA (Virtual), Feb. 27 – Mar. 2, 2022 OGRA (Toronto), OAPSB – Not yet determined, Aug. 14-17, 2022 AMO (Ottawa), OEMC – Not yet determined

* November 15, 2022 – Inaugural Meeting of Council

		Date Req'd
Information Purposes	X	Nov. 1 '21
Policy / Action Req'd		
Strategic Plan		

REPORT TO COUNCIL

Date November 1, 2021

Report No. 106-2021

From: Matthew Armstrong, Chief Administrative Officer & Treasurer

RE: Project Updates – November 2021

Recommendation:

For information.

Background / Analysis

The intent of this report is to be provided an update to Council on the status of approved projects.

Dibble Street East Reconstruction

Vankoughnet Street to Boundary Street reconstruction is completed. Edwards Street to Vankoughnet Street will be completed in 2022.

Evaluation of Docks to prepare for Replacements

Kehoe has conducted an evaluation of the marina docks and is preparing a report. A Staff Report with recommendations will come to Council in November with the results of the evaluation so to allow for the ordering of the replacement of H Dock and next most pressing dock that needs to be replaced based on the evaluation results.

Marina Parking Lot Expansion and Connection

The two parking lots east of the marina have now been connected to expand the overall parking area. Additional gravel will be added to the older parts of the parking lots to remove the potholes.

		Date Req'd
Information Purposes	X	Nov. 1 '21
Policy / Action Req'd		
Strategic Plan		

Shade Structures in Riverwalk and Centennial Park

Installation of the poles for the shade structures has occurred in RiverWalk and Centennial Parks. The shade sails are scheduled to arrive mid-November for fitting. After the fit has been confirmed to be correct the shade sails will be stored for winter and refitted in the spring for 2022 seasonal use.

Plow for Loader

A plow for the loader has been ordered and will be arriving within the next couple of weeks.

Replacement Fire Gear

The annual replacement of bunker suits and SCBA gear has been ordered and will arrive before the end of the year.

Roofing Structure between Seacans

Due to the unavailability of materials and contractors, this project will be completed in 2022.

Dog Park

Solar Lighting for the dog park had been ordered.

2022 Projects

The following is a list of major projects that have been contemplated or committed to for 2022.

- Dibble Street East reconstruction from Edwards Street to Vankoughnet Street
- Recreation Complex
- Edward Street Bridge Rehabilitation
- Replacement of 2 docks at the marina



		Date Req'd
Information Purposes	X	Nov. 1 '21
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Alternatives:

None

Financial Implications:

None

Attachments:

None

Submitted by:

Matthew Armstrong
Chief Administrative Officer & Treasurer

THE CORPORATION OF THE TOWN OF PRESCOTT

BY-LAW NO. 46-2021

A BY-LAW TO ESTABLISH A SYSTEM OF REGISTERING AND MONITORING VACANT BUILDINGS

Being a by-law to establish a system of registering and monitoring vacant buildings.

WHEREAS Sections 8,9, and 10 of the *Municipal Act, 2001* authorizes the Town of Prescott to pass by-laws necessary or desirable for municipal purposes, and in particular paragraphs 5,6,8, and 10 of subsection 10(2) authorize by-laws respecting the economic, social and environmental well-being of the municipality; the health, safety and well-being of persons, the protections of persons and property; and structures; and

WHEREAS this by-law is to be used in conjunction with other by-laws and all may apply depending on the condition of the property and or buildings upon the property; and

WHEREAS pursuant to Section 391 of the *Municipal Act* may impose fees or charges on persons for services provided on done by or on behalf of it.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Town of Prescott enacts as follows:

DEFINITIONS

1.0 In this By-law

(a) “building” all or part of:

- (i) A structure occupying an area greater than 10 metres squared, consisting of a wall, roof and floor, or any of them, or a structure system serving the function thereof including all plumbing, works, fixtures, and service systems appurtenant thereto;
- (ii) Any structure regardless of area that contains plumbing, including the plumbing appurtenant thereto;
- (iii) Any suite or unit of a building that is meant for separate use and is, has or should be properly fire separated from the rest of the structure.

- (b) “By-law Officer” means an individual appointed and assigned by the Town of Prescott to administer and enforce this By-law.
- (c) “CAO” means the person occupying the office of Town’s Chief Administrative Officer or the person designated as such or successor.
- (d) “Corporation” means Corporation of the Town of Prescott and the geographic area in which it encompasses.
- (e) “Manager of Building and By-law Services” means the person occupying the office of, or the person designated as such, or successor.
- (f) “owner” includes, but is not limited to:
 - (i) the registered owner of the property on which the building is situated;
 - (ii) the person managing or receiving the rent or income for the property on which a building is situated or who would receive the rent or income if the property or building were let regardless of the actual receipt of the said rent or income;
 - (iii) a vendor of a building under an agreement for sale who has paid any municipal taxes on the building after the effective date of the agreement, or who has paid any installments under that agreement.
 - (iv) a lessee or occupant of a property on which a building is situated who under the terms of the lease is required to repair and maintain the building; or
 - (v) an owner as defined by the *Condominium Act, 1988*.
- (g) “person” includes but is not limited to an individual, sole proprietorship, partnership, association or corporation.
- (h) “property” means the land and the building upon which it is situated.
- (i) “unit” means a portion of a building that has been segregated for the purpose of inhabiting, renting, or leasing. Every building counts as at least one unit. For residential and multi-residential buildings, the number of units will be determined by the information that is on file with the Municipal Property Assessment Corporation (MPAC).
- (j) “Town” means Corporation of the Town of Prescott and the geographic area in which it encompasses.

2.0 In this By-law

- (a) A building or unit within the building will be deemed vacant in this by-law except as exempt under section 3, when the building or unit within the building does not appear to be in use and, without limiting this definition is deemed to be a building. The following may be used in determining if a building is vacant.
 - (i) No or limited protection from entry of unauthorized persons.
 - (ii) Entry of rain, snow, vermin or birds into the interior of the building.
 - (iii) No services of one or more in relation to electricity, gas, or water being supplied to the building.
 - (iv) Any of the suites or units of the building have been deemed to have lost occupancy by either the *Building Code Act* or the *Fire Protection and Prevention Act*.
 - (v) If 25% of either windows or doors are found to be broken or boarded up regardless of size of the windows and doors.
 - (vi) Where the Town has good reason to believe that use of the building or unit from an occupancy standpoint has been vacant for 180 days or more.

3.0 Exceptions

- (a) A building will not be deemed vacant where the owner satisfies the Manager of Building and By-law Services (hereinafter referred to as Manager) that one or more of the following is occurring.
 - (i) The structure is being used for a permitted use under the Town's Zoning By-law.
 - (ii) A building permit has been issued by the Town for construction or demolition and the permit is active. An active permit will be defined as either 100 hours of work during each 90 day period or a required building code related inspection has occurred for each 90 day period following the issuance of a permit.
 - (iii) The building is owned by the Corporation of the Town of Prescott.

4.0 Registration

- (a) Every owner of a vacant building or vacant unit shall register the vacancy with

the Manager within 180 days of the building or unit commences to be vacant.

- (b) Every registration will expire and is to be renewed under the following:
 - (i) The annual anniversary of the date of the original registration of vacancy.
 - (ii) Within 30 days after a vacant building or unit is sold or transferred to a new owner.
- (c) To register or renew a registration the owner of the vacant building or unit shall:
 - (i) Complete and submit to the Town an application containing such information as may be required by the Manager.
 - (ii) Submit the registration Fee as provided in "Schedule A".
- (d) To remove a vacant building or unit from the registration list, the owner or new owner shall notify the Manager of any changes that would be a cause to remove the building from the registry. Any fee reimbursements will be limited to within 15 days of the written notification of occupancy regardless of when the change occurred.
- (e) The Manager may refuse a notification of change when the notification contains false or misleading information.

5.0 Regulations

- (a) Every owner of a vacant building or unit shall ensure that the vacant building is registered in accordance with this By-law.
- (b) Ensure that the property complies with all applicable statutes, regulations, and Municipal By-laws.
- (c) Post at minimum at least one sign in all commercial or industrial buildings that bears the words for emergencies, information, or inquiries a contact person or organization containing a name, phone number, and email information. This shall be placed in black letters on a white background. This sign will be at least as large as a ledger sheet (28 cm by 43 cm), with lettering being at least 2.5 cm high and readable. This sign will be placed in an accessible location and will be replaced at the direction of the Manager as needed within 14 days of notice.
- (d) Satisfy the Manager that the property will be attended and or monitored for building condition. The maximum time between visits shall be 14 calendar days unless the Manager by notice requires more frequent visits or if the owner has been granted a longer interval by the Manager for a specific period or reason.

- (e) Every owner shall provide a report from a qualified individual as to the condition of the building, when served notice by the Manager that such a report is required, and will be provided within 30 days of that notice.

6.0 ADMINISTRATION AND ENFORCEMENT

- (a) The Manager is authorized to administer and enforce this By-law including but not limited to prescribing the format and content of any forms or other documents required under this By-law.
- (b) Registration, and other fees under this By-law shall be as approved by Council and amended by Council as required and shall be included in this By-law under Schedule "A".
- (c) A By-law Officer (hereinafter referred to as Officer) may enter on a property at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - (i) This By-law
 - (ii) A direction or order made under this By-law or
 - (iii) An order made under Section 431 of the *Municipal Act, 2001*
 - (iv) Court order
- (d) An Officer may for the purposes of an inspection 6.0 (c):
 - (i) Require the production for inspection documents or things relevant to the inspection.
 - (ii) Inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts.
 - (iii) Require information in writing or otherwise as required by the Officer, from any person concerning a matter related to the inspection; or
 - (iv) Alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- (e) Any costs incurred by the Town in exercising its authority to inspect under section 6.0 (d) including but not limited to the costs of any examination, test or sample, or photograph necessary for the purposes of the inspection shall be paid

by the owner of the property where the inspection took place.

- (f) An Officer, when prevented from inspecting, may issue an order to comply and recoup costs and fees for said action under Section 431 of the *Municipal Act* and listed in “Schedule B” of this By-law.
- (g) An Officer will undertake an inspection pursuant to an order by a provincial judge or justice of the peace under section 438 of the *Municipal Act* where the Officer has been prevented or is likely to be prevented from carrying out an inspection under 6.0 (c) or (d).
- (h) Any orders or penalties set out under this By-law shall contain:
 - (i) Reasonable particulars of the contravention adequate to identify the contravention and the location of the property on which the contravention occurred.
 - (ii) The dates or dates by which there must be compliance with the order.
 - (iii) Orders may be issued once the Officer is satisfied that a contravention of the By-law has or continues to occur.
- (i) Orders in relation to this By-law shall be deemed served after 5 business days from the date of mailing or emailing to the last known address on file by the Officer to the owner of the property where the contravention of this By-law is occurring.
 - (i) Orders may be served upon either others affected by the orders or other owners as determined by the Officer and Town.
 - (ii) Orders may be served and deemed served after 5 business days when the order has been placed in a conspicuous place upon the property and building where the contravention is occurring.
- (j) Where an owner does not comply with an order or direction under this By-law, the Manager with assistance by others as needed, may carry out such direction or order at the owner’s expense.
- (k) The Town will recover any costs incurred under section 6.0 (j) by adding said costs to the property tax roll and collecting them in the same manner as property taxes and such costs will be subject to an interest rate of 1.25% per month commencing on the day the Municipality incurred the costs and ending on the day the costs and interest incurred are paid in full.
- (l) The Manager is authorized to give immediate effect to any direction or order where the costs of carrying out the action does not exceed \$10,000.00. Where the

costs do exceed \$10,000.00 the Chief Administrative Officer (hereinafter referred to as CAO) may authorize.

- (m) Every owner who contravenes any provision of this By-law and every director or Officer of a corporation who knowingly concurs in the owner corporations contravention of the provisions, may be subject to answering to the Administrative Municipal Penalty By-law in regards to fees and costs as outlined in Schedule "B" or subject to Ontario Court proceedings where upon guilty of an offence is liable on first conviction to a fine of not more than \$10,000 and on any subsequent offences conviction to a fine of not more than \$25,000.00. Where the conviction is registered to a Corporation, the maximum fine of an initial offence is \$50,000.00 and subsequent offences convictions is \$100,000.00.

Where a person or an owner corporation has been convicted of an offence, the Municipality will request that the court in addition to any other remedy or penalty imposed by this By-law make an order prohibiting the continuation or repetition of the offence that resulted in the conviction

7.0 GENERAL PROVISIONS

- (a) All measurements in this By-law are in metric.
- (b) If a court or a competent jurisdiction declares any provision or provisions of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force.
- (c) Registration of properties and adherence to this By-law shall commence on the date the By-law comes into effect.

READ AND PASSED, SIGNED AND SEALED THE 1st DAY OF NOVEMBER, 2021.

Mayor

Clerk

Schedule “A”

1. For the purposes of this By-Law, Column 2 in the following table lists the provisions in the By-Law identified in the Schedule, or as amended.
2. Column 3 in the following table sets out the short form wording of the fee of the designated provisions listed in Column 2.
3. Column 4 in the following table sets out the Administrative Fee amount that is payable for the designated provisions listed in Column 2.

Administrative Fees for Vacant Building Registry under By-Law 46-2021

Item	Designated Provisions	Short Form Wording	Amount
1	2	3	4
1	4.0	Monthly fee charged in 6 month increments for registering or renewal of a vacant building or vacant unit within a building to a maximum of three units per building.	\$75.00 per month \$450 per six months

Schedule “B”

1. For the purposes of this By-Law, Column 2 in the following table lists the provisions in the By-Law identified in the Schedule, or as amended.
2. Column 3 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 2.
3. Column 4 in the following table sets out the Administrative Monetary Penalty amount that is payable for contraventions of the designated provisions listed in Column 2.
4. Column 5 and Column 6 in the following table sets out the Administrative Monetary Penalty amount that is payable for each subsequent contravention of the designated provisions listed in Column 2.

Administrative Monetary Penalties for Vacant Building Registry under By-Law 46-2021

Item 1	Designated Provisions 2	Short Form Wording 3	AMP Amount 4	AMP Second Offence (<1 year) 5	AMP Subsequent Offence (< 2 years) 6
1	4.0 (a)	Failure to register as required	\$75.00	\$175.00	\$425.00
2	4.0 (b)	Failure to re-register as required	\$75.00	\$175.00	\$425.00
3	5.0 (c)	Failing to post signage as required	\$75.00	\$175.00	\$425.00
4	5.0 (d)	Failing to monitor property as required.	\$75.00	\$175.00	\$425.00
5	6.0 (c-g)	Failure to allow or preventing inspection as required.	\$150.00	\$375.00	\$775.00
6	6.0 (j)	Failure to comply with an order or direction.	\$150.00	\$375.00	\$775.00

AMP = Administrative Monetary Penalty



The Corporation of the Town of Prescott
Property Standards By-law 47-2021

PROPERTY STANDARDS BY-LAW 47-2021

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THE CORPORATION OF THE TOWN OF PRESCOTT PROPERTY STANDARDS BY- LAW 47-2021

A By-law for Prescribing Property Standards within the Town of Prescott.

WHEREAS the Official Plan for the Town of Prescott includes provisions relating to conditions of maintenance and occupancy of properties.

AND WHEREAS Section 15.1(3) of the *Building Code Act* S.O. 1992,c.23, provides that the Council may pass a by-law with respect to the prescribing standards for the maintenance and occupancy of property;

AND WHEREAS Section 35.3(1) and 45.1(1) of the *Ontario Heritage Act* R.S.O. 1990, c.0.18, as amended provides that a By-law may be passed by the Council of a municipality prescribing minimum standards for the maintenance of the heritage attributes of designated heritage properties within the municipality and requiring that designated heritage properties that do not comply with those standards be repaired and maintained to conform to those standards;

AND WHEREAS section 15.6(1) of the *Building Code Act*, R.S.O. 1992, c. 23, provides for the establishment of a Property Standards Committee;

AND WHEREAS it is deemed necessary and expedient to enact a by-law prescribing minimum standards for the maintenance and occupancy, to adopt a set of administration monetary penalty procedures and to appoint a Property Standards Committee:

NOW THEREFORE the Council of The Corporation of the Town of Prescott enacts as follows:

SECTION 1.0 TITLE

1.1 SHORT TITLE

This By-law shall be known and cited as the "Property Standards By-law"

SECTION 2.0 DEFINITIONS

As used in this by-law, the following terms shall have the meanings indicated:

(a) "acceptable" means

- (i) accepted by the Chief Building Official of the municipality of the Town of Prescott (hereinafter referred to as the Municipality) with respect to matters under the Building Code;

- (ii) accepted by the Chief Fire Official of the Municipality with respect to matters under the Fire Code;
- (iii) accepted by the By-Law Officer with respect to the standards set out in this By-Law.
- (b) "Accessory building" means a detached building or structure, not used for human habitation that is subordinate to the primary use of the same property
- (c) "Administrative Monetary Penalty System" hereinafter referred to as "AMPS" means a fee as recognized under Town of Prescott By-law 48-2021. These fees are set out under Schedule A of By-Law 48-2021.
- (d) "Building Code" means the Building Cod Act, S.O. 1992, c. 23 as amended and any regulations made under that Act. means the regulations made under Section 34 of the *Building Code Act*.
- (e) "Compliance Letter" means a written opinion of property compliance with the standards contained in this By-Law.
- (f) "Corporation" shall mean the Corporation of the Town of Prescott.
- (g) "Council" shall mean the Council of the municipality of the Town of Prescott
- (h) "Debris" means:
 - (i) any waste material of any kind whatsoever and without limiting the generality of the foregoing includes inoperative or unlicensed vehicles, boats, trailers or parts of any of the above-mentioned items.
 - (ii) any furniture, appliances, glassware, plastic items, materials from construction or demolition projects, old clothing, or bedding. It may also include excessive amounts of garden refuse, clippings, trees or tree branches, earth or fill. It may be any item or condition that might create a health, fire, or accident hazard.
- (i) "Dwelling" means a building or structure or part of a building or structure, occupied or capable of being occupied, in whole or in part for the purpose of human habitation.
- (j) "Dwelling unit" means a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking, eating, sleeping and sanitary facilities.
- (k) "Exterior Property Areas" means the property excluding buildings.
- (l) "Fence" means any structure, wall, or barrier, other than a building, erected at grade for the purpose of defining boundaries of property, separating open space,

restricting ingress to or egress from property, providing security or protection to property or acting as a visual or acoustic screen.

- (m) "Garage" means a building or part thereof intended for the storage or parking of motor vehicles.
- (n) "Ground Cover" means organic or non-organic material applied to prevent erosion such as concrete, flagstone, gravel, asphalt, grass, or other equivalent landscaping.
- (o) "Habitable Space" means any room in a dwelling unit used or designated to be used for the purpose of living, sleeping, cooking, personal hygiene, or preparation of food and without limiting the foregoing shall include a den, library, sunroom or recreation room or any combination thereof.
- (p) "Heritage Attributes" are the recognized part of a property, building or structure that contributes to the cultural heritage value or interest that is defined, described or can be reasonably inferred by the various tools and elements of the *Ontario Heritage Act, R.S.O. 1990, c. O.18*. This may include a by-law of designation, a Minister's Order, a by-law regarding a heritage conservation district or a conservation district strategic plan.
- (q) "Maintained" means to carry out any repairs, reconstruction, refinishing, or replacement of any part or parts of a structure or building or appurtenances including mechanical equipment required so they may properly perform the intended function.
- (r) "Means of egress" means a continuous, unobstructed path of travel provided by a doorway, hallway, corridor, exterior passageway, balcony, lobby, stair, ramp or other exit facility used for the escape of persons from any point within a building, a floor area, a room, or a contained open space to a public thoroughfare or an approved area of refuge usually located outside the building.
- (s) "Municipality" means the Corporation of the Town of Prescott.
- (t) "Noxious Weeds" means any vegetation classed as noxious by the *Weed Control Act, R.S.O. 1990, c. W.5* as amended.
- (u) "Nuisance" shall mean an injurious, offensive, or objectionable condition and without limiting the generality of the foregoing shall include a condition which is of offensive or obnoxious by reason of the emission of gas, fumes, dust, sawdust, or objectionable odour, or by the reason of the unsightly storage of goods, wares, merchandise, rubbish, salvage, refuse matter, waste, or any material.
- (v) "Officer" is any person appointed by the municipality through a by-law for the purpose to administer and enforce by-laws within the Town. It shall also apply to any other recognized agency of the Province of Ontario or a person assisting the officer at the officer's request.

- (w) "occupancy" means the use or intended use of a building or part thereof for the shelter or support of persons, animals or property.
- (x) "occupant" means any person or persons, over the age of eighteen, in possession of the property.
- (y) "Owner" may include any and all persons registered upon title and deed of the property, any and all persons who are responsible to manage and or receive rent income from the property or whom would receive if rent was being paid, any and all persons who rent or lease a premise or any and all whom are responsible by contract to maintain or repair a property.
- (z) "Person" means and includes any individual, firm, partnership, corporation, company, association, or organization of any kind.
- (aa) "Property" means a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether theretofore or hereafter erected and includes vacant property.
- (bb) "Town" means the Corporation of the Town of Prescott.
- (bb) "Yard" means the land other than publicly owned land around or appurtenant to the whole or any part of a property that is capable of being used.

SECTION 3.0 GENERAL STANDARDS FOR ALL PROPERTIES AND USES

- (a) No owner or occupant of property shall use, occupy or allow, permit or consent to the use or occupation of the property unless such property conforms to the standards prescribed in this By-law.
- (b) No person, being the owner or occupant of a property, shall fail to maintain the property in conformity with the standards required in this By-law.
- (c) The owner of any property which does not conform to the standards in this By-law shall repair and maintain the property to conform to the standards or shall clear the property of all buildings or structures in disrepair, garbage, rubbish, waste or accumulations of such materials that prevent access to or exit from the property in the case of emergency, or other safety or health hazard and shall leave the property in a graded and levelled condition.
- (d) All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned.

- (e) All new construction or extensive repairs shall conform to the Ontario Building Code, where applicable.

SECTION 4.0 MAINTENANCE OF LANDS

4.1 CONDITION OF LANDS

- (a) All lands shall be kept clean and free of litter, rubbish, waste, salvage, refuse, decaying or damaged trees, branches and limbs, objects or conditions that might create a health, fire, or accident hazard.
- (b) All lands shall be kept clear of long grass (greater than 20 cm), brush, and undergrowth by cutting regularly and removing the cuttings from the lands.
- (c) Yards shall be kept clean and free of any vehicle including a trailer, machinery or parts thereof which is in a wrecked, discarded, dismantled, unlicensed, inoperative, or abandoned condition, except in an establishment licensed or authorized to conduct a salvage, wrecking or repair business and then only if such establishment conforms with all relevant by-laws of the municipality or other Acts.
- (d) All furniture used for exterior use shall be of an exterior grade material that readily repels water. Lands shall be kept clean and free from wrecked, discarded, dismantled, or inoperative recreation equipment and furniture.
- (e) Residential appliances such as refrigerators, stoves, and freezers, shall not be left on the exterior of a building and shall not be used as places of storage.
- (f) All lawns, hedges and shrubs shall be kept trimmed and in a sightly and neat condition so as to prevent undue overgrowth.
- (g) All hedges, trees, and shrubs must be kept trimmed and away from public sidewalks so as to not encroach on the sidewalk area.
- (h) Any hedges, tree, shrub, or planting that is deemed to obstruct or interfere with roadway sight line visibility shall be trimmed if possible or removed if deemed necessary to correct the sight line obstruction.
- (i) Trees, bushes and hedges, including any branches or limbs thereof, which are dead, decayed, or damaged, and brush shall be promptly removed from the property.

- (j) The ground shall be suitably covered so as to prevent erosion of the soil. A suitably maintained covering such as grass, gravel, asphalt, ground cover or plants shall be used.
- (k) Every tenant, occupant or lessee or owner of a residential, commercial, or industrial property shall maintain the property or part thereof and land which he occupies or controls, in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis.
- (l) The occupant of a residential property may provide for a compost heap or bin provided it is no larger than .55 square metres and one (1) metre in height and be retained on all sides by concrete blocks or lumber of the same height as the compost heap, or in a commercial plastic enclosed container designed for composting.
 - (i) Compost heaps or bins shall not be placed in the front yard or side yards, and shall not under any circumstances be located within any drainage swale.
 - (ii) Every compost heap or bin shall be maintained to deter animals.
- (m) Firewood shall be neatly piled in a rear yard only. Garden equipment shall be stored in the rear yard and in a clean and sightly condition.
- (n) No machinery or parts thereof, or other object, or material, not associated with the normal occupancy and use of a property, including among other things, appliances, fixtures, paper, cartons, boxes, or building materials such as lumber, masonry material or glass, other than intended for immediate use on the property, shall be stored or allowed to remain in an exterior property area.
- (o) The warehousing or storage of material or operative equipment that is required for the continuing operation of the industrial or commercial aspect of the property shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard and shall provide unobstructed access for emergency vehicles.
- (p) Use of the sidewalk on King Street in the Core Commercial zone is permitted by commercial establishments for the display of merchandise during hours of operation provided that it does not impede the use of the sidewalk by pedestrians by maintaining at least a one point 1 (1.1) metre wide pathway.

4.2 DRAINAGE

- (a) All sanitary sewage and organic waste shall be discharged into an approved sewage system.
- (b) Sewage of any kind shall not be discharged onto the surface of the ground, whether into a natural or artificial surface draining system or otherwise.

- (c) No roof drainage shall be discharged on sidewalks, stairs, and neighbouring properties, or onto any impervious surface within the road allowance.
- (d) Storm water shall be drained from the lands but shall not be directed to cause recurrent ponding of water on adjacent properties or so as to result in the entry of water into a basement or cellar.
- (e) Snow storage shall be maintained so as not to cause a hazard on the property and be maintained in such a manner and location on the property so as to prevent a hazard, sight line interference, flooding, erosion, and other damage to neighbouring private or public lands.
- (f) No fill shall be allowed to remain in an unlevelled state on any property for longer than fourteen (14) days, unless the property is a construction site for which a building permit is in effect.
- (g) No fill shall be left in an uncovered state (not covered by seed or sod) on any property for longer than thirty (30) days unless the property is a construction site for which a building permit is in effect, or a property being subdivided under subdivision agreement with the Town of Prescott.
- (h) Fill shall not be placed on any lot to alter drainage from any previously approved drainage plan or lot grading certificate. If no plans are available for a property, no owner shall alter any grade at a lot line without receiving approval from the Town. No fill shall be placed temporarily or permanently that creates any adverse drainage condition to an adjacent property.

4.3 WALKS, PARKING AREAS, DRIVEWAYS

- (a) Suitably surfaced walks shall be made available and maintained leading from the main entrance of a building to the street or driveway.
- (b) All steps, walks, driveways, parking spaces, and similar areas shall be maintained to afford passage free from hazards at all times to any person using the same, including the removal of ice and snow.
- (c) All areas used for vehicular traffic and parking shall be covered with asphalt, crushed stone, or gravel surfacing, be graded, drained and free from debris or other litter and kept in good repair at all times.

4.4 DAMAGED MATERIAL

- (a) In the event of fire or explosion, damaged or partially burned material shall be removed from the premises, except that such material may be temporarily stored within the barricaded damaged building or structure, provided that such storage does not exceed ninety (90) days.

- (b) Damaged or partially burnt material shall only be removed from the property once investigations are completed by fire authorities.
- (c) Fire damaged buildings, or portions thereof, shall be repaired to comply with the Ontario Building Code or shall be demolished accordingly.

4.5 LIGHTING STANDARDS

- (a) All artificial lighting standards, fixtures, and connections installed in yards and parking areas shall be kept in a good, safe, rust-free condition, and in good working order.
- (b) Any lights used to illuminate yards or parking areas shall be so arranged or shielded to deflect light away from abutting properties and / or the public right-of-way.

4.6 FENCES

- (a) A fence erected on a property or separating adjoining properties must be consistent with the Fence By-law 07-2000 as amended, and shall be maintained:
 - (i) in good repair (free from loose or insufficiently secured, rotten, warped or broken materials);
 - (ii) in a safe and structurally sound condition so as to be capable of sustaining safely its own weight together with any load to which it might reasonably be subject to;
 - (iii) shall be free of dangerous objects; and
 - (iv) be reasonably plumb, unless specifically designed to be other than vertical.

4.7 RETAINING WALL

- (a) All retaining walls, screen walls, and ornamental walls shall be constructed of durable material and shall be maintained in a structurally sound condition.

4.8 ACCESSORY BUILDINGS

- (a) The foundations, walls, roofs and all parts of accessory buildings and other structures appurtenant to the main building shall be:
 - (i) constructed with suitable materials;
 - (ii) maintained in good repair; and

- (iii) be protected from deterioration by the application of paint or other suitable protective material.

4.9 SWIMMING POOLS

- (a) Swimming pools and the fences and gates surrounding same, shall be constructed in a manner that is consistent with the Fence By-Law 07-2000 and maintained in a safe condition.
- (b) Electrical fixtures and lines supplying same shall be installed or reinstalled in accordance with the Ontario Electrical Code and any amendments thereto, to ensure at all times the safety of the users of the pool.
- (c) Water in the pool shall be properly filtered and purified so as to present no health hazard.

4.10 VEHICLES, RECREATIONAL VEHICLES, BOATS & TRAILERS

- (a) No recreational vehicles, boats, or trailers shall be stored in the front yard of any residential property, save and except for in an approved driveway.
- (b) No derelict or inoperable vehicles, recreational vehicles, boats, or trailers shall be kept in any residential property unless properly housed in a garage.
- (c) No person shall perform repairs or work on vehicles, including recreational vehicles, boats and trailers, in a residential zone, except in the case of work on a vehicle for personal use only and that it shall be completed within a reasonable time frame.
- (d) No storage of such vehicles, boats or trailers nor the completion of repairs or work upon such items shall infringe on the neighbour's enjoyment of their property.

SECTION 5.0 MAINTENANCE OF BUILDINGS

5.1 STRUCTURAL STANDARDS

- (a) Every part of a building or structure shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any additional load for which it was designed having a factor of safety required by the Ontario Building Code.
- (b) Materials which have been damaged or show evidence of dry rot or other deterioration shall be repaired or replaced.

- (c) Walls, roofs and other exterior parts of the building shall be free from loose or improperly secured objects or materials. Such part or material shall be removed, properly secured or replaced.
- (d) The owner shall be responsible for submitting an inspection report prepared, stamped and signed by an engineer qualified in the pertinent field and licensed in the Province of Ontario. Such report shall be submitted for all buildings and structures when the structural capacity of any part of such building or structure is in doubt in the opinion of the Property Standards Officer.

5.2 GENERAL CLEANLINESS

- (a) Every floor, wall, ceiling and parts thereof, shall be maintained in a clean and sanitary condition and buildings shall be kept free from rubbish and debris.
- (b) Hallways and stairways in a building shall be kept free from accumulation, storage of garbage, refuse or any other thing or object that may cause a health or accident hazard.

5.3 GARBAGE STORAGE AND DISPOSAL

- (a) Every building and every dwelling unit shall use sufficient weather resistant receptacles to contain all solid waste, as required by Town of Prescott By-laws, relating to the handling, collecting and disposal of garbage, ashes, and other refuse.
- (b) Solid waste shall be promptly stored in suitable receptacles and removed as required by the said By-law. Such receptacles shall be constructed of watertight material, provided with a tight-fitting cover, and shall be maintained in a clean and odour free condition.
- (c) Suitable garbage receptacles are to be stored in the rear yard if an area is not available in the building.
- (d) Buildings or structures used for the storage of solid waste prior to disposal shall be deemed to be accessory buildings or structures within the meaning of this By-law.

5.4 PEST PREVENTION

- (a) Every property shall be maintained so as to be free from vermin and conditions that may promote an infestation at all times.
- (b) Openings and holes in a building that might permit the entry of rodents, vermin, insects, birds or other pests, shall be screened or sealed.

5.5 FOUNDATION WALLS AND BASEMENT

- (a) All foundation walls and the basement, cellar or crawl space floors shall be maintained in good repair and structurally sound.
- (b) Every basement, cellar and crawl space in a property shall be maintained in a reasonably watertight condition so as to prevent the leakage of water into the building.
- (c) Every building shall be supported by a suitable foundation as prescribed by the Ontario Building Code, as amended.
- (d) Where foundation walls have been painted, they shall be maintained in a clean and sightly condition and free of peeling or flaking paint.

5.6 EXTERIOR SURFACE

- (a) All exterior walls and exposed wooden surfaces not inherently resistant to deterioration shall be periodically treated with a protective coating of paint, or otherwise repaired, coated, sealed or treated to protect them from deterioration or weathering, or by replacing of the surface.
- (b) Concrete, brick, metal and other similar surfaces that have been painted, shall be maintained in a clean and sightly condition and free of peeling or flaking paint.
- (c) Every floor, exterior wall, roof and porch or appurtenance thereto shall be maintained so as to prevent collapse of the same or injury to the occupants of the building or to the public.
- (d) Exterior walls of a building and its components shall be free of unauthorized signs, painted slogans, graffiti, and similar defacements.

5.7 WEATHER PROOFING

- (a) Every roof and all of its components shall be maintained in good repair and in a safe and structurally sound condition.
- (b) Dangerous accumulations of both snow and ice shall be removed as soon as possible from the roofs of buildings.
- (c) Where eavestroughing, roof guttering and down piping is provided, it shall be maintained in good repair so as to be reasonably watertight and securely fastened to the building at all times and the runoff contained within the property and not onto neighboring or public property.

5.8 STAIRWAYS AND PORCHES

- (a) Inside or outside stairways and any porch, deck, balcony, verandah or landing appurtenant to it shall be maintained so as to be free of holes, cracks and other defects which may constitute a possible accident hazard and all coverings, treads or risers that show excessive wear, or are broken, warped or loose and all supporting structural members that are rotted or deteriorated shall be repaired or replaced.
- (b) A handrail and guard shall be installed in a stairwell or open stairway with more than three risers and a guard shall be installed on the open sides of any balcony or landing more than two feet above any adjacent surface. In accordance with the Ontario Building Code, handrails and guards shall be maintained in good repair so as to provide protection against accident or injury.
- (c) Every unenclosed porch or unenclosed balcony, and all interior and exterior stairs, and common corridors shall be kept free of garbage, waste or appliances and shall not be used for storage purposes.

5.9 GARAGES AND CARPORTS

- (a) The construction between an attached or built-in garage and a dwelling unit shall provide and maintain an effective barrier to gas and exhaust fumes.
- (b) The door between an attached or built-in garage and a dwelling unit shall be tight-fitting and weather-stripped to provide and maintain an effective barrier against the passage of gases and exhaust fumes and shall be fitted with a self-closing device.
- (c) Garages and carports, including floors, shall be maintained in good repair and free from hazards.
- (d) Temporary fabric covered structures meant for vehicles shall adhere to the following conditions;
 - (i) limit of one per lot regardless of size,
 - (ii) have a maximum size of 60 metres squared (592 square feet),
 - (iii) meet the requirements of the Town zoning By-law,
 - (iv) are adequately ground anchored,
 - (v) maintained in good condition
 - (vi) taken down during the time that on street parking is allowed overnight

within the Town

5.10 FLOORS

- (a) Every floor shall be smooth and even and maintained so as to be free of all loose, warped, protruding, broken or rotted boards that may create an unsafe condition or surface. Such defective floors shall be repaired or replaced.
- (b) Where a floor covering has become worn or torn so that it may create an unsafe condition, the floor covering shall be repaired or replaced.
- (c) Every bathroom, kitchen, laundry and shower room shall have a floor covering of water-resistant material and readily washable.
- (d) Every floor in a building common element area shall be maintained in a clean sanitary condition.

5.11 WALLS AND CEILINGS

- (a) Every wall and ceiling in a building shall be maintained so as to be a continuous surface, free of holes, cracks, loose, torn or worn coverings or other defects.
- (b) Walls surrounding showers and bathtubs shall be impervious to water. Caulking around the bathtub or shower shall be maintained in good repair.

5.12 DOORS, WINDOWS, AND SECURITY

- (a) Windows, doors and basement or cellar hatchways shall be maintained in good repair, weather tight and reasonably draft-free to prevent heat loss and infiltration by the elements. Rotted or damaged doors, door frames and their components, window frames, sashes and casings shall be renewed and defective hardware; weather-stripping and broken window glass shall be replaced.
- (b) All windows intended to be opened shall be readily operable under normally applied pressure so as to perform their intended function without jamming or binding.
- (c) In a dwelling unit, all windows intended to be opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise secured from inside the dwelling unit. At least one entrance door in every dwelling unit shall have hardware so as to be capable of being locked from both inside and outside the dwelling unit.
- (d) In a building where a security locking-and-release system has been provided, and that system is controlled from each dwelling unit, such system shall be

maintained in good repair and in an operating condition.

- (e) Where mailboxes are supplied for the use of occupants, they shall be maintained in good condition and free of defects at all times. Damaged boxes or defective locks are to be repaired or replaced.

5.13 ROOFS

- (a) The roof of every building or structure shall be structurally sound, weatherproof and free of loose or unsecured objects and materials and excessive accumulations of ice and snow. Improperly secured objects and materials shall be removed, repaired, or replaced.
- (b) All roof flashing, gutters, valleys, eaves troughs and down pipes shall be secured, free of rust and maintained in a serviceable condition.
- (c) All soffit and fascia components of a building shall be secured and maintained in good repair and properly painted or otherwise treated

5.14 CHIMNEYS

- (a) Every chimney, smoke pipe, vent, flue or similar apparatus serving a heating device or system shall be:
 - (i) installed and maintained so as to prevent the escape of smoke or gases into the building;
 - (ii) clear of obstructions;
 - (iii) free from open joints;
 - (iv) free from broken and loose masonry;
 - (v) in good repair, securely anchored and plumb.

5.15 WATER SUPPLY

- (a) Every building required to have a water supply shall be provided with an adequate supply of potable running water from a source approved by the authority having jurisdiction.
- (b) An adequate supply of hot and cold running water shall be supplied to every sink, wash basin and bathtub or shower.
- (c) Hot water as required by 4.13 (b) shall be supplied at a temperature dictated by the Ontario Building Code, as amended.

- (d) Every water closet shall be supplied with an adequate supply of water to flush the toilet.

5.16 PLUMBING SYSTEM

- (a) All buildings shall have the sanitary facilities connected to a sewage system approved by the Town of Prescott.
- (b) Plumbing, drain pipes, water pipes and plumbing fixtures in every building and every connection line to the sewage system, shall be maintained in good working order and free from leaks and defects. All water pipes and appurtenances thereto shall be protected from freezing. Plumbing fixtures and piping shall conform to the Ontario Building Code.
- (c) Waste pipes shall be connected to the sewage system through water seal traps.
- (d) Any connection with the potable water supply that constitutes a cross-connection shall be corrected in a manner as required by the Town of Prescott.
- (e) Plumbing systems on a property shall be provided, installed and maintained in compliance with the respective requirements of any applicable Act or By-law; in good working order and good repair; and in a safe condition.

5.17 TOILET AND BATHROOM FACILITIES

- (a) Every dwelling unit except as otherwise provided shall contain bathroom plumbing fixtures consisting of at least one water closet, one wash basin and one bathtub or shower in accordance with the Ontario Building Code.
- (b) All bathrooms and toilet rooms shall be located within and be accessible from within the dwelling unit.
- (c) All bathrooms and toilet rooms shall be fully enclosed and with a door capable of being closed and locked so as to provide privacy for the occupant.

5.18 KITCHENS

- (a) Every self-contained dwelling unit shall contain a kitchen area equipped with cupboards for storing food, a countertop work area, space for a stove and refrigerator, and a sink supplied with hot and cold running water. Cupboards are to be maintained in good repair at all times.
- (b) Every kitchen shall have provided an adequate and approved gas, electrical or other fuel supply for cooking purposes and be connected to approved and

certified appliances.

- (c) Countertop work areas shall be impervious to moisture and grease, be kept in good repair and free from defects that may harbour germs or impede thorough cleansing.

5.19 HEATING (HVAC) SYSTEMS

- (a) It is the responsibility of the owner that all heating and mechanical systems, and their components be installed, operational and maintained in good working order.
- (b) Only heating equipment approved for use by a recognized standards and testing authority shall be provided.
- (c) No rental residential dwelling unit shall be equipped with portable heating equipment as the primary source of heat.
- (d) Solid fuel burning appliances shall conform to the standards as set out in the Ontario Building Code. Fireplaces and similar construction used or capable of being used for burning fuels in open fires shall be connected to approved chimneys and shall be installed so as not to create a fire hazard to nearby or adjacent combustible materials and structural members.
- (e) If heating equipment burns solid or liquid fuel, a storage place or receptacle for the fuel shall be provided in a safe place and maintained in a safe condition.
- (f) Fuel-burning equipment shall be vented to a flue by means of rigid connections leading to a chimney or a vent or flue. All flues shall be kept clear of obstructions.
- (g) Every chimney, smoke pipe and flue shall be maintained so as to prevent gas from leaking into the building.

5.20 ELECTRICAL SERVICES

- (a) Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system. An adequate supply of electrical power shall be available in all occupied parts of every dwelling, suite or building.
- (b) The connection to the building and the system of circuits and outlets distributing the electrical supply within the building shall provide adequate capacity for the use of the building and such connections, circuits, wiring and outlets along with any fuses, circuit breakers and other appurtenances thereto shall be installed and maintained in good working order.

- (c) Extension cords are not permitted on a permanent basis.
- (d) The use of electrical generators to provide electrical service to a property shall be limited to provide emergency backup power only, for a maximum of three (3) days unless approval for a longer period is obtained from the Town.
- (e) Dwellings that are not connected to an approved permanent electrical system, shall be deemed to be uninhabitable until such time that the connection to an approved permanent electrical source has been established and is operational.

5.21 LIGHTING

- (a) Every stairway, exterior exit and entrance doorway, bathroom, toilet room, kitchen, hall, cellar, basement, laundry, furnace room and non-habitable work room in a suite, dwelling unit or building shall have a permanently installed lighting fixture that shall be maintained in a safe condition and good working order.
- (b) Lighting equipment shall be installed throughout every property to provide adequate illumination for the use of each space so as to provide safe passage.

5.22 VENTILATION

- (a) Every habitable space, bathroom or toilet room shall be provided with either natural ventilation or a mechanical ventilation system in accordance with the Ontario Building Code.
- (b) All systems of mechanical ventilation shall be maintained in good working order.
- (c) All enclosed spaces including basements, cellars, attics or roof space and crawl spaces, shall be adequately ventilated.

5.23 FIRE PREVENTION EQUIPMENT

- (a) Fire prevention equipment shall be maintained in good working order so as to effectively perform their intended function and installed in accordance with the Ontario Building Code and the Ontario Fire Code.

5.24 ELEVATORS

- (a) Elevators and other elevating devices including all mechanical and electrical equipment, lighting fixtures, lamps, control buttons, floor indicators, ventilation fans, and emergency communication systems shall be maintained in a safe

condition and in good working order and in accordance with all governing Provincial Regulations.

5.25 MEANS OF EGRESS

- (a) All means of egress within multiple unit dwellings, converted dwellings or a non-residential property shall be maintained free from all obstructions or impediments, be provided with a clear, unobstructed and readily visible exit sign for every required exit, and be provided with lighting facilities capable of illuminating the means of egress to ensure safe passage of persons exiting the building.
- (b) Every dwelling and every dwelling unit shall have a means of egress capable of providing safe, continuous and unobstructed exit from the interior of the building to the exterior at street or grade level.
- (c) Buildings using a fire escape as a secondary means of egress shall maintain the escape in good condition, free from obstructions and easily reached through an operable window or door.

5.26 OCCUPANCY STANDARDS

- (a) No person shall use or permit the use of a non-habitable space in a dwelling for a habitable space purpose.
- (b) The maximum number of occupants in a dwelling unit shall be based upon two persons per bedroom.
- (c) No room shall be used for sleeping purposes unless the provisions contained in the Ontario Building Code, as amended has deemed it acceptable.
- (d) Every habitable space shall have a minimum ceiling height that is consistent with the Ontario Building Code, as amended.
- (e) No portion of a building shall be occupied if it does not meet the requirements of this By-law.

5.27 UNFINISHED BUILDINGS OR STRUCTURES

- (a) All buildings or structures, or parts thereof that are unfinished shall be finished in an acceptable manner within a six (6) months or, where applicable, in accordance with all relevant legislation.
- (b) The worksite on which unfinished buildings or structures exist shall be maintained in a safe and healthy manner.

5.28 VACANT BUILDINGS AND UNITS

- (a) All vacant buildings and vacant units shall be registered on the vacant building and follow the provisions as set out in the By-law 46-2021 Vacant Building Registry By-law

SECTION 6.0 HERITAGE PROPERTIES

6.1 HERITAGE ATTRIBUTES

- (a) In addition to the minimum standards for the maintenance and occupancy of property set out elsewhere in this by-law, the owner or occupant of a property that has been designated as heritage shall.
 - (i) Maintain, preserve and protect the heritage attributes of the heritage property so as to maintain its heritage character as well as its visual and structural integrity.
 - (ii) Maintain the heritage property in a manner that will ensure the protection and preservation of its heritage value and attributes.

SECTION 7.0 GENERAL PROHIBITION

7.1 PROHIBITION

- (a) No person shall remove a direction and / or order posted by an Officer.
- (b) No person shall fail to comply with a direction and / or order of an Officer.
- (c) No person shall fail to maintain a safe access to a property.
- (d) No person shall fail to maintain a fence.
- (e) No person shall fail to maintain a building.
- (f) No person shall occupy or allow occupancy of a building which fails to meet human habitation and occupancy standards.

SECTION 8.0 ADMINISTRATION AND ENFORCEMENT

8.1 OFFICERS AND INSPECTORS

- (a) The person or persons appointed as By-Law Officers for the Corporation of the Town of Prescott shall be responsible for the administration and enforcement of this By-law.
- (b) Any Building Inspector of the Corporation, any Public Health Inspector of the Leeds, Grenville and Lanark District Health Unit and any inspector of the Fire Department of the Corporation are hereby authorized to act as an assistant to the By-Law Officer from time to time.
- (c) The By-Law Officer and any person acting under his or her instruction may at all reasonable times and upon producing proper identification enter and inspect any property.
- (d) The By-Law Officer and any person acting under his or her instructions shall not enter any room or place actually used as a dwelling without the consent of the occupier except under the authority of a search warrant issued under Section 21 of the Building Code Act.

8.2 ABILITY TO ENTER AND INSPECT

- (a) A By-law officer and any person acting under his or her instruction may at any reasonable time and upon producing proper identification, enter and inspect all properties within the Town of Prescott. However, they will not enter a premise of constant habitation used as a dwelling without the consent of a recognized owner or under the authority of a search warrant issued under section 21 of the Building Code Act.

8.3 NOTICE PROHIBITING USE OF PROPERTY

- (b) The Property Standards Officer may issue a notice prohibiting the use of property that does not conform to the standards of this By-law.
- (c) The Property Standards Officer may cause a placard to be placed on the exterior of any building which does not conform to the standards contained in this By-law. The placard shall state the particulars of the non-conformity and that the use of the property is prohibited until it conforms to the standards set by this By-law. No person shall remove, deface or cover up any such placard.

8.4 ORDERS

- (a) An Officer who finds that a property does not conform to any of the standards may make and serve, or cause to be served upon, or send by prepaid

Registered Mail, or send my email, to such a person an order containing:

- (i) The municipal address or legal description of such property,
 - (ii) Reasonable particulars of the repairs to be effected or a statement that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition,
 - (iii) The period in which there must be a compliance with the terms and conditions of the order and notice that, if such repair or clearance is not done within the time specified in the order, the Municipality may carry out the repair or clearance at the expense of the owner,
 - (iv) The final date for giving notice of appeal from the order.
- (b) A notice or an order under section 8.2 (a) when sent by Registered Mail shall be sent to the last known address of the party or parties involved.
- (c) A notice or an order under section 8.2 (a) when sent by email shall be sent to the last known email address of the party or parties involved.
- (d) If the Officer is unable to effect service under section 8.2 (a) he or she shall place a placard containing the terms of the order in a conspicuous place on the property and placing of the placard shall be deemed to be sufficient service of the order on the owner or other persons.
- (e) An order under section 8.2 (a) may be registered in the proper Land Registry Office and upon such registration any person acquiring any interest in the land subsequent to the registration of the order shall be deemed to have been served with the order on the date on which the order was served under section 8.2 (a) and when the requirements of the order have been satisfied, the Clerk of the Municipality shall forthwith register in the proper Land Registry Office a certificate that such requirements have been satisfied, which shall operate as a discharge of such order.

8.5 EMERGENCY ORDERS

- (a) Notwithstanding any other provisions of this By-law, if upon inspection of a property the Officer is satisfied that there is non-conformity with the standards prescribed in the By-law to such extent as to pose an immediate danger to the health or safety of any person, the Officer may make an order containing particulars of the non-conformity and requiring remedial repairs or other work to be carried out immediately to terminate the danger.
- (b) The order under section 8.4 (a) shall be served on the owner of the property and such other persons affected thereby as the Officer determines and a copy shall be posted on the property.

- (c) After making an order under section 8.4 (a), the Officer may, either before or after the order is served, take any measures necessary to terminate the danger and, for this purpose, the municipality may, through its employees and agents, at any time enter upon the property in respect of which the order was made without a warrant.
- (d) The Officer, Municipality or person acting on its behalf is not liable to compensate the owner, occupant or any other person by reason of anything done by or on behalf of the Municipality in the reasonable exercise of its power under section 8.4 (c).

8.6 PROPERTY STANDARDS COMMITTEE

- (a) The Council of the Town of Prescott has establish a Property Standards Appeals Committee that:
 - (i) subject to the Building Code Act, hears all appeals of orders issued under this by-law;
 - (ii) consists of no fewer than three (3) citizen members;
 - (iii) has its members appointed for a term equivalent to Council's term of office;
 - (iv) has an assigned staff member from the Town of Prescott to serve the role of secretary to the committee, performing the duties and obligations required by the Building Code Act; and
 - (v) has the power and duties prescribed by the Building Code Act.
- (b) An owner or occupant who has been served with an order made under section 8.3 (a) and who is not satisfied with the terms or conditions of the order may appeal to the committee by sending a notice of appeal by registered mail to the secretary of the committee within 14 days after being served with the order.
- (c) An order that is not appealed within the time referred to in section 8.5 (a) shall be deemed to be confirmed.
- (d) The committee shall hear the appeal.
- (e) On an appeal, the committee has all the powers and functions of the Officer who made the order and the committee may do any of the following things if, in the committee's opinion, doing so would maintain the general intent and purpose of this By-law and the Official Plan or Policy Statement:

- (i) Confirm, modify or rescind the order to demolish or repair.
- (ii) Extend the time for complying with the order.
- (f) The Municipality in which the property is situated or any owner or occupant or person affected by the decision under section 8.5 (d) may appeal to the Superior Court of Justice by notifying the clerk of the municipality in writing and by applying to the court within 14 days after a copy of the decision is sent.
- (g) The Superior Court of Justice shall appoint, in writing, a time and place for the hearing of the appeal and may direct in the appointment the manner in which and the persons upon whom the appointment is to be served.
- (h) On the appeal, the judge has the same powers and functions as the committee.
- (i) An order that is deemed to be confirmed under section 8.5 (b) or that is confirmed or modified by the committee under section 8.5 (d) or a judge under section 8.5 (g), as the case may be, shall be final and binding upon the owner or occupant who shall carry out the repair or demolition within the time and in the manner specified in the order.

8.7 POWER OF THE CORPORATION TO REPAIR

- (a) If an order of an Officer under section 8.3 (a) is not complied with in accordance with the order as deemed confirmed or as confirmed or modified by the committee or a judge, the municipality may cause the property to be repaired or demolished accordingly.
- (b) For the purposes of section 8.6 (a), employees or agents of the municipality may enter the property at any reasonable time without a warrant in order to repair or demolish the property.
- (c) The municipality or a person acting on its behalf is not liable to compensate the owner, occupant or any other person by reason of anything done by or on behalf of the municipality in the reasonable exercise of its power under section 8.6 (a).

8.8 MUNICIPAL LIEN

- (a) The municipality shall have a lien on the land for the amount spent on the repair or demolition under section 8.6 (a) and the amount shall be deemed to be municipal real property taxes and may be added by the Clerk of the municipality to the collector's roll and collected in the same manner and shall have priority lien status as described in Section 1 of the Municipal Act, 2001.

8.9 CERTIFICATE OF COMPLIANCE

- (a) Following the inspection of a property, the Officer may, and on the request of the owner shall, issue to the owner a Certificate of Compliance if, in his or her opinion, the property is in compliance with the standards. When such a certificate is issued at the request of the owner, the fee shall be \$50.00.

8.10 CONFLICTS – BYLAWS-STANDARDS-REGULATIONS

- (a) Where a provision of this By-law conflicts with the provisions of another By-law, Act or Regulation in force within the municipality, the provision, which establishes the higher standards to protect the health, safety and welfare of the occupants and the general public, shall prevail.

8.11 PENALTIES

- (a) An owner who fails to comply with an order that is final and binding under this By-law is guilty of an offence under Section 36(1) of the Building Code Act, S.O. 1992, c.23, and is liable to a penalty or penalties as set out in Section 36 of that Act.
- (b) An owner who fails to adhere to a notice or order that is confirmed or deemed confirmed may be subject to the administrative monetary penalties listed in Schedule A of this by-law.

8.12 TRANSITION

- (a) An order made pursuant to By-law 23-2000, the Property Standards By-law is continued under and in conformity with the provisions of this by-law so far as consistently may be possible.
- (b) All proceedings taken pursuant to By-law 23-2000, the Property Standards By-law shall be taken up and continued under and in conformity with the provisions of this by-law so far as consistently may be possible.
- (c) In the recovery or enforcement of penalties and forfeitures incurred, or in any other proceeding in relation to matters that have happened before the repeal of By-law 23-2000, the Property Standards By-law, the procedure established by this by-law shall be followed so far as it can be adopted.

8.13 VALIDITY

- (a) If any provision or article of this By-law is for any reason found to be invalid by a court of competent jurisdiction, the provision or article found to be invalid shall be severed from the By-law and the remaining provisions or articles shall remain in effect until repealed.

8.14 EFFECTIVE DATE

(a) This By-law shall come into force and taken effect on January 1, 2022

8.15 REPEAL

(a) That By-law 23-2000 being a By-law prescribing Property Standards within the Town of Prescott be repealed as of January 1, 2022.

READ AND PASSED, SIGNED AND SEALED THE 1st DAY OF NOVEMBER, 2021.

Mayor

Clerk

**SCHEDULE “A”
TO BY-LAW 47-2021
Administrative Monetary Penalties**

1. For the purposes of this By-Law, Column 2 in the following table lists the provisions in this By-Law identified in the Schedule, or as amended.
2. Column 3 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 2.
3. Column 4 in the following table sets out the Administrative Penalty amount that is payable for contraventions of the designated provisions listed in Column 2.
4. Column 5 in the following table sets out the Administrative Penalty amount that is payable for the second contravention of the designated provisions listed in Column 2 within twelve (12) months of the first offence.
5. Column 6 in the following table sets out the Administrative Penalty amount that is payable for the third and subsequent contraventions of the designated provisions listed in Column 2 within twelve (12) months of the first offence.
6. Administrative Monetary Policies are administered under By-law 48-2021

Item 1	Designated Provisions 2	Short Form Wording 3	First Offence in a 12-month period 4	Second Offence within 12 months of the first offence 5	Subsequent Offences within 12 months of the first of offence 6
1	8.2	Failing to allow or hindering a by-law officer during a property inspection under this by-law.	\$200.00	\$400.00	\$1,000.00
2	8.3	Failing to comply with a notice or order within the allotted time frame.	\$200.00	\$400.00	\$1,000.00
3	8.6	All costs associated for work completed under this section shall be at cost with an administrative fee for work carried out as noted in this table.	\$200.00	\$400.00	\$1,000.00

THE CORPORATION OF THE TOWN OF PRESCOTT

BY-LAW NO. 48-2021

A BY-LAW TO ESTABLISH A SYSTEM OF ADMINISTRATIVE PENALTIES FOR NON-COMPLIANCE WITH BY-LAWS OF THE TOWN OF PRESCOTT

Being a by-law to establish a system of administrative penalties for non-compliance with by-laws of the Town of Prescott

WHEREAS pursuant to Section 434.1 (1) of the *Municipal Act, 2001, S.O. 2001, c. 25, as amended*, a municipality may require a person to pay an administrative penalty for failing to comply with a by-law of the municipality passed under the Municipal Act;

AND WHEREAS pursuant to section 102.1(1) of the *Municipal Act, 2001, S.O. 2001, c. 25, as amended*, a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with by-laws related to the parking, standing or stopping of vehicles;

AND WHEREAS pursuant to Section 391 of the *Municipal Act, 2001, c.25, as amended* a municipality may impose fees or charges on persons for services provided or done by or on behalf of it;

AND WHEREAS the Council of the Corporation of the Town of Prescott deems it desirable and necessary to promote compliance with its by-laws through a system of administrative monetary penalties;

NOW THEREFORE the Council of the Corporation of the Town of Prescott enacts as follows:

DEFINITIONS

1.0 In this By-law:

- (a) "Administrative Fee" means any fee specified in Schedule "A" of this By-law or set out in the Fees and Charges By-Law.
- (b) "Administrative Penalty" means an administrative penalty established by this By-law as set out in the attached Schedule "B" for a contravention of a Designated By-law.
- (c) "By-Law Enforcement Officer" shall mean a municipal law enforcement officer of the Corporation of the Town of Prescott who is duly appointed by the Council of the Corporation for the purpose of enforcing the

provisions of the Corporation's By-laws.

- (d) "Chief Administrative Officer" means the Chief Administrative Officer for the Corporation of the Town of Prescott.
- (e) "Clerk" means the Clerk for the Corporation of the Town of Prescott.
- (f) "Council" means the Council of the Corporation of the Town of Prescott.
- (g) "Day" means any calendar day.
- (h) "Designated By-Law" means a by-law, or a part or provision of a by-law, that is designated for the purposes of this by-law in Schedule "B".
- (i) "Hearing" means a review of a Screening Decision by a Hearing Board.
- (j) "Hearing Non-appearance Fee" means an Administrative Fee established by Council from time to time in respect of a Person's failure to appear at the time and place scheduled for a review before a Hearing Board and listed in Schedule "A" attached.
- (k) "Hearing Decision" means a decision made by the Hearing Board following a Hearing.
- (l) "Hearing Board" means three members of the public that are eligible to vote in Municipal Elections for the Municipality of the Town of Prescott, that are duly appointed by Council to perform the functions of a Hearing Board in accordance with Part 4 of this By-law.
- (m) "Holiday" includes, New Years Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Civic, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day, and any day appointed by proclamation of the Governor General or Lieutenant Governor as a public holiday, and when any of these holidays falls on a weekend, the day that is appointed as such either prior or after.
- (n) "Late Payment Fee" means an Administrative Fee established by Council from time to time in respect of a Person's failure to pay an Administrative Penalty within the time prescribed by this By-law and listed in Schedule "A" attached.
- (o) "Manager" means the person from time to time occupying the office of the Manager of Building and By-law Services of the Corporation of the Town of Prescott, or such successor office as the case may be, and includes any individual who has been authorized to temporarily act during that person's absence or a vacancy in the office.
- (p) "Mitigating or Extenuating Circumstances" means situations that do not

provide an excuse or justify the infraction, but which in fairness and mercy may be considered as reducing the degree of responsibility.

- (q) "Municipality" means the Corporation of the Town of Prescott.
- (p) "Parking By-Law(s)" means any by-laws enacted by the Corporation of the Town of Prescott to regulate the parking, standing, or stopping of vehicles, identified as such in schedule "B".
- (q) "Penalty Notice" means a notice given to a Person pursuant to Part 2 of this By-law.
- (r) "Penalty Notice Date" means the date a Penalty Notice is issued by a By-Law Enforcement Officer or Police Officer
- (s) "Person" shall include an individual, partnership, company and corporation.
- (t) "Police Officer" means a Chief of Police or other Police Officer but does not include a Special Constable or By-law Enforcement Officer.
- (u) "Screening Non-appearance Fee" means an Administrative Fee established by Council from time to time in respect of a Person's failure to appear at the time and place scheduled for a review before a Screening Officer and listed in Schedule "A" attached.
- (v) "Screening Officer" means the Chief Administrative Officer of the Corporation of the Town of Prescott, who performs the functions of a Screening Officer in accordance with Part 3 of this By-law.

2.0 PENALTY NOTICE

- (a) A By-law Enforcement Officer or Police Officer who is satisfied that a Person has failed to comply with any provision of a Designated By-law may issue a Penalty Notice to that Person requiring the Person to pay an Administrative Penalty.
- (b) A Penalty Notice shall include the following information:
 - (i) the Penalty Notice Date;
 - (ii) a Penalty Notice Number that is unique to that Penalty Notice;
 - (iii) the date on which the Administrative Penalty is due and payable, which shall be a minimum of fifteen (15) days from the Penalty Notice Date.

- (iv) the identification number and signature of the By-Law Enforcement Officer or Police Officer;
 - (v) the short form wording describing the contravention wording as listed or referred to in Schedule “B” of this by-law or other particulars reasonably sufficient to indicate the contravention;
 - (vi) the amount of each Administrative Penalty and the total amount when more than one penalty has been imposed.
 - (vii) information respecting the process by which the Person may exercise the right to request a Screening Review of the Administrative Penalty;
 - (viii) a statement advising that an unpaid Administrative Penalty, including any applicable Administrative Fee(s), will constitute a debt of the Person to the municipality unless cancelled pursuant to Screening Review or Hearing process.
- (c) By-Law Enforcement Officers or Police Officers cannot accept payment for an Administrative Monetary Penalty. Officers may accept payment of an Administrative Penalty or Administrative Fee at the Municipal Office for events in which they were not involved.
 - (d) A Person who is served with a Penalty Notice shall pay the Administrative Penalty on or before the due date in the Penalty Notice, subject to the provisions of Section 3 and 4 of this By-law.

3.0 PARKING BY-LAWS

In addition to the requirements of Section 2 above, Penalty Notices for Parking By-law infractions are subject to the following:

- (a) A By-Law Enforcement Officer shall provide reasonable notice to the owner of a vehicle in respect of which a Penalty Notice is issued under a Parking By-Law, which notice may include personal service, notice by regular mail to the registered address of the owner of the vehicle, or such other means by which the notice is likely to come to the vehicle owner’s attention.
- (b) Subject to the right to request a review by a screening officer and hearing officer, if an administrative penalty related to Parking By-Laws is not paid within fifteen (15) days after the date that it becomes due and payable the municipality may file a certificate of default in a court of competent jurisdiction and, once filed, the certificate is deemed to be an order of the court and may be enforced in the same manner as an order of the court.

- (c) A certificate of default shall be in the form approved by the Attorney General.
- (d) Costs incurred in obtaining and enforcing the order shall be added to the order and collected under the order.
- (e) One certificate of default may be filed with the court in respect of two or more administrative penalties imposed on the same person.
- (f) If, after a certificate of default has been filed with the court, every penalty to which the certificate relates is paid in full the municipality shall,
 - (i) notify the court in writing; and
 - (ii) if a writ of execution has been filed with the sheriff, notify the sheriff in writing.
- (g) If an administrative penalty related to Parking By-Laws is not paid within fifteen (15) days after the date that it becomes due and payable to the municipality, the municipality may notify the Registrar of Motor Vehicles of the default and the Registrar shall not validate the permit of a person named in the default notice nor issue a new permit to that person until the penalty is paid.
- (h) Plate denial applies only to the permit related to the vehicle to which the administrative penalty relates.

4.0 REVIEW BY SCREENING OFFICER

- (a) A Person who is served with a Penalty Notice may request that the Administrative Penalty be reviewed by a Screening Officer and shall do so on or before the date on which the Administrative Penalty is due and payable, and in accordance with the process set out in Section 3(d).
- (b) If a Person has not requested a Screening Review on or before the date on which the Administrative Penalty is due and payable, the Person may prior to the penalty due date request that the Screening Officer extend the time to request a Screening Review to a date that is no later than forty-five (45) days after the Penalty Notice Date, in accordance with the process set out in Section 3(d).
- (c) If a Person has not requested an extension of time for a Screening Review on or before forty-five (45) days after the Penalty Notice Date;
 - (i) the Person shall be deemed to have waived the right to request a Screening Review or request an extension of time for a Screening Review;

- (ii) the Administrative Penalty shall be deemed to be confirmed on the sixteenth (16th) day or the next business day following the Penalty Notice Date; and
 - (iii) the Administrative Penalty shall not be subject to any further review, including a review by any Court.
- (d) A Person's Request for a Screening Review or a request for an extension of time to request a Screening Review are exercised by:
 - (i) a submission on the prescribed form to the Screening Officer of a Request for Review by Screening Officer or a request for an extension of time to request a Screening Review; or
 - (ii) attending in person at the location listed on the Penalty Notice to make a Request for Review by the Screening Officer or a request for an extension of time to request a Screening Review; or
 - (iii) calling the telephone number listed on the Penalty Notice to make a Request for Review by the Screening Officer or a request for an extension of time to request a Screening Review.
 - (iv) Emailing the account listed on the Penalty Notice to make a Request for Review by the Screening Officer or a request for an extension of time to request a Screening Review.
- (e) A Request for Review by the Screening Officer or a request for an extension of time to request a Screening Review shall include the Penalty Notice Number and the Person's contact information.
- (f) A Screening Review shall only be scheduled, and an extension of time to request a Screening Review shall only be granted, by the Screening Officer if the Person makes the request within the time limits set out in Sections 3(a) or 3(b) of this Bylaw.
- (g) On request for an extension of time to request a Screening Review, the Screening Officer may only extend the time to request a Screening Review where the Person demonstrates, on a balance of probabilities, the existence of Mitigating or Extenuating Circumstances that warrant the extension of time.
- (h) Where an extension of time to request a Screening Review is not granted by the Screening Officer, the Administrative Penalty and any applicable Administrative Fee(s) are deemed to be confirmed on the due date set out in the Penalty Notice.
- (i) Upon receipt of a Request for Review by the Screening Officer within the

time limits set out in Sections 3(a) and 3(b) of this By-law, the Screening Officer shall schedule a Screening Review and shall notify the Person using the contact information provided on the Request for Review by the Screening Officer.

- (j) Where a Person fails to attend, in person or electronically at the time and place scheduled for a Screening Review:
 - (i) the Person shall be deemed to have abandoned the request for a Screening Review;
 - (ii) the Administrative Penalty as set out in the Penalty Notice shall be deemed to be confirmed on the sixteenth (16th) day or the next business day following the Penalty Notice Date;
 - (iii) the Administrative penalty shall not be subject to any further review, including a review by any Court; and,
 - (iv) the Person shall pay to the Municipality a Screening Non-appearance Fee and any other applicable Administrative Fee(s).
- (k) Upon conducting the Screening Review, the Screening Officer shall give the Person requesting the Review the opportunity to be heard before making a decision.
- (l) Upon conducting a Screening Review, the Screening Officer may:
 - (i) affirm the Administrative Penalty; or
 - (ii) cancel or reduce the Administrative Penalty and/or extend the time for payment of the Administrative Penalty, including any Administrative Fee(s), on the following grounds if established by the Person on the balance of probabilities:
 - (a) the Person did not contravene the Designated By-law(s) as described in the Penalty Notice;
 - (b) the existence of Mitigating or Extenuating Circumstances; or
 - (c) the cancellation, reduction or extension of time for payment of the Administrative Penalty, including any Administrative Fee(s), is necessary to relieve a clearly demonstrated financial hardship.

After a Screening Review by a Screening Officer, the Screening Officer shall deliver a Screening Decision to the Person, in

accordance with Part 6 of this Bylaw. The notice of decision shall include a statement that the Person is entitled to request a further review of the Screening Officer's decision by the Hearing Board.

- (n) A Screening Officer has no authority to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.

5.0 REVIEW BY HEARING BOARD

- (a) A Person may make a Request for Review by the Hearing Board within 7 days of issuance of the Screening Decision.
- (b) A Person may request an extension of the time to submit a Request for Review by the Hearing Board provided such request is made within 6 days of issuance of the Screening Decision.
- (c) If a Person has not made a Request for Review by a Hearing Board in accordance with Section 4(a) or within the extended time established under section 4(b):
 - (i) the Person shall be deemed to have waived the right to Request a Review by the Hearing Board; and
 - (ii) the Administrative Penalty and any Administrative Fee(s) as set out in the Screening Decision shall be deemed to be confirmed; and
 - (iii) the Screening Decision and the Administrative Penalty shall not be subject to any further review, including review by any Court.
- (d) Person's Request for Review by a Hearing Board is exercised by:
 - (i) a submission on the prescribed form to the Corporation of the Town of Prescott for a Request for Review by the Hearing Board or a request for an extension of time to request a Hearing; or
 - (ii) attending in person at the location listed on the Screening Decision to make a Request for Review by the Hearing Board or a request for an extension of time to request a Hearing; or
 - (iii) calling the telephone number listed on the Screening Decision to make a Request for Review by the Hearing Board or a request for an extension of time to request a Hearing.

- (iv) Emailing the account listed on the Screening Decision to make a Request for Review by the Hearing Board or a request for an extension of time to request a Hearing.
- (e) A Request for Review by the Hearing Board or a request for an extension of time to request a Hearing shall include the Penalty Notice Number and the Person's contact information.
- (f) A Hearing shall only be scheduled by the Hearing Board if the Person makes the request within the time limits set out in Sections 4(a) or 4(b) of this By-law.
- (g) Upon receipt of a Request for Review by the Hearing Board within the time limits set out in Sections 4(a) and 4(b) of this By-law, the Hearing Board shall schedule a Hearing and shall notify the Person using the contact information provided on the Request for Review by the Hearing Board.
- (h) Where a Person fails to appear at the time and place scheduled for a Hearing:
 - (i) the Person shall be deemed to have abandoned the Request for Review by the Hearing Board;
 - (ii) the Screening Decision and the Administrative penalty and any Administrative Fee(s) shall be deemed to be confirmed;
 - (iii) the Screening Decision and the Administrative penalty and any Administrative Fee(s) shall not be subject to any further review, including a review by any Court; and,
 - (iv) the Person shall pay to the municipality a Hearing Non-appearance Fee, Late Payment Fee, and any other applicable Administrative Fee(s).
- (g) At a Hearing, the Hearing Board by majority decision, may:
 - (i) confirm the Screening Decision; or
 - (ii) cancel or reduce the Administrative Penalty and/or extend the time for payment of the Administrative Penalty, including any Administrative Fee(s), on the following grounds:
 - (1) where the Person establishes on the balance of probabilities that they did not contravene the Designated By-law(s) as described in the Penalty Notice;
 - (2) the existence of Mitigating or Extenuating Circumstances; or

- (3) where the Person establishes on the balance of probabilities that the cancellation, reduction or extension of time for payment of the Administrative Penalty, including any Administrative Fee(s), is necessary to relieve clearly demonstrated financial hardship.
- (h) A Hearing Board shall not make any decision respecting a review of a Screening Decision unless the Hearing Board has given the Person and a representative of the municipality an opportunity to be heard (orally or virtually) at the time and place schedule for the Hearing.
- (i) All Hearings by a Hearing Board shall be conducted in accordance with the *Statutory Powers and Procedures Act*, R.S.O. 1990, c. S.22, as amended.
- (j) A Hearing Board has no authority to consider questions relating to the validity of a statute, regulation or by-law or the constitutional applicability or operability of any statute, regulation or by-law.
- (k) After a Hearing is complete, the Hearing Board shall deliver a Hearing Decision to the Person, in accordance with Part 6.0 of this By-law.
- (l) The decision of the Hearing Board is final and is not subject to appeal.

6.0 PROHIBITED COMMUNICATION AND UNDUE INFLUENCE

- (a) No individual shall attempt to directly or indirectly communicate with or influence a Screening Officer or a member of the Hearing Board respecting the determination of an issue in a proceeding that is or will be pending before the Screening Officer or Hearing Board, except the Person who is entitled to be heard in the proceeding or the Person's lawyer or licensed representative, and only by the Person or the Person's lawyer or licensed representative during the Screening Review or Hearing Review in which the issue arises.
- (b) Nothing in Section 5(a) prevents a Screening Officer or Hearing Board from seeking or receiving legal advice from the Corporation of the Town of Prescott's legal counsel, under the guidance and direction of the Chief Administrative Officer.

7.0 SERVICE OF DOCUMENTS

- (a) The service of any document, notice or decision, including a Penalty Notice, pursuant to this By-Law, when served in any of the following ways, is deemed effective:

- (i) immediately, when a copy is personally delivered to the Person to whom it is addressed;
 - (ii) where the Penalty Notice relates to the Parking By-laws, when a copy is placed on or affixed in any manner to a Person's vehicle;
 - (iii) on the seventh (7th) day following the date a copy is sent by registered mail or by regular mail to the Person's last known address; or
 - (iv) on the seventh (7th) day following the date a copy by electronic mail (i.e. email) was sent to the Person's last known electronic mail address.
- (b) For the purposes of administration of this By-law or any Designated By-law, a Person's last known address, facsimile number, and electronic mail address includes an address, facsimile number and electronic mail address provided by the Person to the Municipality as may be required by a form, practice, or policy under this By-law.

8.0 ADMINISTRATION

- (a) The Clerk, the Manager, or any individual designated by either for this purpose in writing, shall administer this By-law and establish any additional practices and procedures necessary to implement this By-law and may amend such practices and procedures from time to time as are necessary, without amendment to this By-law, provided that such practices and procedures are not in conflict, or are inconsistent with, this by-law.
- (b) The Manager may appoint as Screening Officers and Hearing Board members such individuals and on such terms as the Manager considers appropriate.
- (c) The Manager, or any individual designated by the Manager for this purpose in writing, shall prescribe all forms and notices, including the Penalty Notice, Request for Review by the Screening Officer and Request for Review by the Hearing Board, necessary to implement this By-law and may amend such forms and notices from time to time as necessary, without amendment to this By-law, provided that the contents of such forms and notices are not in conflict with, or inconsistent with, this by-law.
- (d) An Administrative Penalty, including any Administrative Fee(s), that is confirmed or reduced, or in respect of which the time for payment has been extended, remaining unpaid after the date when it is due and payable, constitutes a debt to the Municipality owed by the Person.
- (e) Where an Administrative Penalty is not paid by the date on which the

Administrative Penalty is due and payable, the Person shall pay to the municipality a Late Payment Fee, in addition to the Administrative Penalty and any applicable Administrative Fee(s).

- (f) Where a Person makes payments to the municipality of any Administrative Penalty, Administrative Fee(s) or Late Payment Fee(s), by negotiable instrument, for which there are insufficient funds available in the account on which the instrument is drawn, the Person shall pay to the municipality the NSF Fee set out in the Fees and Charges By-law.
- (g) Where an Administrative Penalty is cancelled by a Screening Officer or Hearing Board, any Administrative Fee(s) are also cancelled.
- (h) Any time limit that would otherwise expire on a Holiday or outside normal Town hours of Monday to Friday 8:30 am to 4:30 pm is extended to the next business day.
- (i) A Person claiming financial hardship under this By-law shall provide documented proof of the financial hardship to the Screening Officer or the Hearing Board, as applicable.
- (j) Any unpaid Administrative Penalty owed to the Town, except for Administrative Penalties imposed for a breach of the Parking By-law, may be added to a property owned by the individual as a lien of priority status under the *Municipal Act* and may be collected in the same manner as property taxes.
- (k) Any schedule attached to this By-law forms part of this By-law.

The authority under this By-law to issue Administrative Penalties is in addition to any other rights the Municipality may have to enforce its By-laws, except that if a Penalty Notice is issued to a Person under this By-law, that Person shall not be charged with an offence in respect of the same contravention under the *Provincial Offences Act*.

8.0 DESIGNATED BY-LAW

Designated By-laws are those By-laws or portions thereof as set out in Schedule "B" to this By-law.

9.0 SEVERABILITY

Should any provision, or any part of a provision, of this By-law to be declared invalid, or to be of no force and effect, by a court of competent jurisdiction, it is the intent of the Council that such provision, or any part of a provision, shall be severed from this By-law, and every other provision of this By-law shall be applied and enforced in accordance with its terms to

the extent possible according to law.

10.0 INTERPRETATION

The provisions in Part VI of the *Legislation Act*, 2006, S.O. 2006, c.21, Sched. F, shall apply to this By-law.

11.0 EFFECTIVE DATE

This By-law shall come into force and effect on January 1, 2022.

READ AND PASSED, SIGNED AND SEALED THE 1st DAY OF NOVEMBER, 2021.

Mayor

Clerk

**By-law 48-2021
Schedule "A"**

1. For the purposes of this By-Law, Column 2 in the following table lists the provisions in By-Law 48-2021 identified in the Schedule, or as amended.
2. Column 3 in the following table sets out the short form wording to be used in a fee for the designated provisions listed in Column 2.
3. Column 4 in the following table sets out the Administrative Fee amount that is payable for the designated provisions listed in Column 2.

Administrative Fees under By-Law 48-2021

Item 1	Designated Provisions 2	Short Form Wording 3	Administrative Fee 4
1	3.0 (j)(iv)	Failing to appear before a screening officer	\$100.00
2	4.0 (h)(iv)	Failing to appear before a hearing board	\$200.00
3	7.0 (d)	Late Fee administrative charges	\$50.00
4	7.0 (e)	Returned payment or rejected transaction process.	\$50.00
5	7.0 (d)	Interest shall occur on any fee after the due date at a rate of 1.25% per month.	

**By-law 48-2021
Schedule "B"**

1. For the purpose of this By-Law, Column 2 shall list the known as name of the By-listed in Column 3.
2. Column 3 in the following table lists the Designated By-Law, as amended.
3. Column 4 in the following table sets out the purpose of the By-law listed in Column 3.
4. For the purpose of this bylaw, any fines or penalties listed in the table below shall be administered using the Administrative Monetary Penalties System as defined in the By-law.

Item	Known as By-law	By-Law #	By-Law Purpose
1	2	3	4
1	Parking	47-2017	A regulation of traffic and parking within the Town of Prescott
2	Animal Control	05-2021	A regulation to provide for the licensing, registering of animals and prohibiting their running at large, for regulating kennels and to regulate the keeping of animals within the Town of Prescott
3	Property Standards	47-2021	A regulation to prescribe the property standards within the Town of Prescott
4	Taxi	04-2014 as amended 38-2018	A regulation for licensing, regulating, and governing vehicles used for hire including owners and drivers of taxicabs, limousines and accessible taxicab service in the Town of Prescott.
5	Vacant Building	46-2021	A regulation to establish a system of registering and monitoring vacant buildings within the Town of Prescott.

**THE CORPORATION OF THE
TOWN OF PRESCOTT**

BY-LAW NO. 49-2021

**A BY-LAW TO ADOPT THE PROCEEDINGS OF THE COUNCIL
MEETING HELD ON NOVEMBER 1, 2021**

WHEREAS, Section 5(3) of *the Municipal Act, 2001 S.O. 2001, c.25, as amended*, provides that Council's powers shall be exercised by by-law; and

WHEREAS certain actions of Council do not require the enactment of a specific by-law;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Town of Prescott enacts as follows:

1. Subject to Paragraph 3 of this by-law, the proceedings of the above-referenced Council meeting, including all Resolutions, By-laws, Recommendations, Adoptions of Committee Reports, and all other motions and matters decided in the said Council Meeting are hereby adopted and confirmed, and shall have the same force and effect, as if such proceedings were expressly embodied in this by-law.
2. The Mayor and Clerk are hereby authorized to execute all such documents, and to direct other officials of the Town to take all other action, that may be required to give effect to the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law.
3. Nothing in this by-law has the effect of conferring the status of a by-law upon any of the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.
4. Any member of Council who complied with the provisions of Section 5 of the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50 respecting the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law shall be deemed to have complied with said provisions in respect of this by-law.

READ AND PASSED, SIGNED AND SEALED THE 1st DAY OF NOVEMBER, 2021.

Mayor

Clerk