

The Council of the Township of East Garafraxa held a Public Meeting to consider a draft Nuisance Bylaw in the Marsville Community Hall on February 20, 2007 at 7:00 p.m. Councillors Fran Pinkney, Tom Nevills, Allan Boynton and Deputy Mayor Guy Gardhouse were present with Mayor Allen Taylor presiding. Susan M. Stone, C.A.O./Clerk-Treasurer was also in attendance.

OPENING OF MEETING

Mayor Taylor brought the meeting to order, and motion convening Public Meeting was passed.

1 PUBLIC MEETING:

Mayor Taylor welcomed the approximately 30 people in attendance, and explained that the purpose of the Public Meeting was to consider a Nuisance Bylaw, as opposed to a Property Standards Bylaw, and to receive public input. A power point presentation (hard copy) was reviewed along with correspondence received from public with respect to proposed amendments. Comments from the public and discussion included the following:

- exemption for farming activities
- clarification with respect to the definition of a farm, and whether exemptions for farming activities would be for registered farmers only
- actions if owner fined, but still does not clean up - could be multiple charges and court
- time line for clean up would depend on time of year
- who pays for cost of clean up and enforcement
- suggestion that person lodging complaint should pay costs
- how frivolous, vexacious and complaints without merit will be dealt with
- possible interpretation of bylaw by future councils a concern
- restoring of classic cars and vehicles need to be considered
- comments regarding the existing problems in the Township which are not being addressed
- reference to identifying gas, etc. - is anyone trained for that
- definition for enclosed building and whether a tarp building is included
- fencing
- environmental concerns
- written complaints - process discussed, and protocol needs to be developed
- seasonal equipment ie. boats etc.
- whether only a problem if visible
- publication of complainant's name - not a policy re privacy issues; however, if the matter ends up in court, names are disclosed
- final appeal process to council before court action
- out of Township complaints
- time required for enforcement
- will council act on complaints if not in writing
- whether complaints we are acting on currently were written
- definition of rubbish and debris - will be determined by council, using common sense
- does definition include old trailers
- vehicles/equipment would have to be determined to still be functional
- habitual complainers
- wording changes ie. "things" not "actions"
- right to enter onto private property
- contentious bylaw - should be a review clause within mandate of this council, to hold another public meeting
- dirt bike tracks - likely covered by noise bylaw unless commercial activity
- compost should be included in #4 under general provisions
- derelict buildings - could be a building code matter - suggestion that derelict buildings could be included under Nuisance Bylaw re health and safety

Council were asked to advise their position on the proposed bylaw:

- Mayor Taylor - lots of derelict vehicles that will never be used for parts, and not an expensive process to get rid of them; for instance, carheaven.ca
- Deputy Mayor Gardhouse - Township needs something to get the message out to Township residents that we are concerned about environment
- Councillor Nevills - not in favour of full blown Property Standards bylaw, but feels we need this nuisance bylaw, with amendments, to deal with perennial problems
- Councillor Pinkney - Property Standards bylaw infringed too much on people's rights, but feels that the proposed Nuisance Bylaw will be effective in dealing with continuing problems
- Councillor Boynton - concerned about the environment as well, but not convinced about the need for this bylaw.

Mrs. Evans questioned a different topic - wind turbines. No official proposals received by municipality as yet, but public will be advised of any meetings.

The meeting adjourned at approximately 9:30 p.m.

RESOLUTIONS:

MOVED BY PINKNEY, SECONDED BY BOYNTON

THAT Council do now hold a Public Meeting in Marsville at 7:00 p.m. regarding a Draft Nuisance By-Law.
CARRIED.

MOVED BY PINKNEY, SECONDED BY BOYNTON

THAT Council now adjourn public meeting and resume regular business.
CARRIED.

MOVED BY NEVILLS, SECONDED BY GARDHOUSE

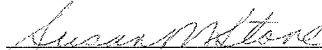
THAT leave be given to introduce a by-law to confirm the proceedings of the February 20, 2007 Public Meeting of the Council of the Township of East Garafraxa and that it be given the necessary readings and be passed and numbered 10-2007.
CARRIED.

MOVED BY GARDHOUSE, SECONDED BY NEVILLS

THAT Council hereby adjourn to meet again Tuesday, March 6, 2007 at 2:00 P.M., Administration Office, Laurel or at the call of the Mayor.
CARRIED.



HEAD OF COUNCIL



CLERK