

**MUNICIPALITY OF DUTTON/DUNWICH
ZONING BY-LAW NO. 2004-24**

A By-law to regulate the use of land, and the character, location, and use of buildings and structures in the Municipality of Dutton/Dunwich.

WHEREAS the Council of the Corporation of the Municipality of Dutton/Dunwich deems it necessary to enact a Zoning By-law;

NOW THEREFORE the Council of the Corporation of the Municipality of Dutton/Dunwich, pursuant to Section 34 of the Planning Act, as amended, and all other powers thereunto enabling, enacts as follows:

SECTION 1 - INTERPRETATION AND ADMINISTRATION

1.1 TITLE

This By-law shall be known as the “Zoning By-law” of the Corporation of the Municipality of Dutton/Dunwich

1.2 APPLICATION

The provisions of this By-law shall apply to all lands within the boundaries of the Corporation of the Municipality as now or hereafter legally constituted.

1.3 SCOPE

No land shall be used and no building or structure shall be erected, altered, or used within the Municipality except in accordance with the regulations of this By-law and except as permitted by this By-law.

1.4 MINIMUM REQUIREMENTS

In interpreting and applying the provisions of this By-law, they are held to be the minimum requirements for the promotion of the health, safety, comfort, convenience, and general welfare of the inhabitants of the Municipality.

1.5 NUMBER AND GENDER

In this By-law, unless the contrary intention appears otherwise, words imparting the singular number or the masculine gender only shall include more persons, parties, or things of the same kind than one, and females as well as males, and the converse.

1.6 **ADMINISTRATION**

This By-law shall be administered by the Chief Building Official of the Municipality or any other person acting under the direction of the Council of the Municipality.

1.7 **BUILDINGS TO BE MOVED**

No building shall be moved within the limits of the Municipality or shall be moved into the Municipality without a permit from the Chief Building Official.

1.8 **LICENCES AND PERMITS**

No municipal permit, certificate, or licence shall be issued where the said permit is required for a proposed use of land or a proposed erection, alteration, enlargement or use of any building or structure that is in violation of any provisions of this By-law.

1.9 **VIOLATIONS AND PENALTIES**

Every person who contravenes this By-law is guilty of an offence and on conviction is liable on a first conviction to a fine of not more than \$25,000.00; and on a subsequent conviction to a fine not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted. Where, however, a corporation is convicted, the maximum penalty that may be imposed is, on a first conviction, a fine of not more than \$50,000.00; and on a subsequent conviction a fine of not more than \$25,000.00 for each day thereof upon which the contravention has continued after the day on which the corporation was first convicted, as prescribed by the Planning Act, as amended.

1.10 **REMEDIES**

Where any building is, or is proposed to be erected, altered, reconstructed, extended or enlarged, or any building or part thereof is or is proposed to be used, or any land is or is proposed to be used, in contravention of the provisions of this By-law, the same may be restrained by action of any ratepayer, or the Council of the Municipality pursuant to the provisions of the Planning Act, as amended from time to time.

1.11 **REPEAL OF EXISTING BY-LAWS**

From the coming into force of this By-law, all previous By-laws passed under Section 34 of the Planning Act, or a predecessor thereof, shall be deemed to have been repealed except to the extent that any of the said By-laws prohibits the use of any land, building or structure for a purpose that is also prohibited by this By-law.

1.12 APPLICATION OF OTHER BY-LAWS

Nothing in this By-law shall serve to relieve any person from the obligation to comply with the requirements of this By-law or any other By-law of the Municipality in force from time to time or the obligation to obtain any licence, permit, authority or approval required under any By-law of the Municipality.

1.13 VALIDITY

Should any section, clause or provision of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

1.14 EFFECTIVE DATE

This By-law shall come into force:

- a) Where no notice of objection has been filed with the Municipal Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the expiration of the prescribed time; or
- b) Where notice of objection has been filed with the Municipal Clerk within the time prescribed by the Planning Act and regulations pursuant thereto, upon the approval of the Ontario Municipal Board.