

THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

BY-LAW 2009/25

**BEING A BY-LAW TO AUTHORIZE THE OWNER OR OCCUPANT OF LAND TO
ENTER ADJOINING LAND FOR THE
PURPOSE OF MAKING REPAIRS OR ALTERATIONS**

WHEREAS Section 132 (a) of the *Municipal Act 2001* as amended states that a municipality may authorize the owner or occupant of land to enter adjoining land, at any reasonable time for the purpose of making repairs or alterations to any building, fence or other structures on the land of the owner or occupant but only to the extent necessary to carry out the repairs or alterations;

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING ENACTS AS FOLLOWS:

1. **General Conditions**

That pursuant to Section 132 (2) of the *Municipal Act 2001* as amended, the following conditions shall apply to a power of entry for the Municipality of West Nipissing:

- a) The power of entry may be exercised by an employee or agent of the owner or occupant of the land.
 - b) A person exercising the power of entry must display or, on request, produce proper identification.
 - c) Nothing in this by-law authorizes entry into a building.
 - d) The owner or occupant shall provide reasonable notice of the proposed entry to the occupier of the adjoining land.
 - e) The owner or occupant of land shall, insofar as is practicable, restore the adjoining land to its original condition and shall provide compensation for any damages caused by the entry or by anything done on the adjoining land.
2. This by-law shall be referred to as the "Repairs and Alterations Right of Entry" by-law.
 3. This by-law shall take effect on the day of its passing.

READ A FIRST TIME AND CONSIDERED READ A SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS 21ST DAY OF APRIL, 2009.

MAYOR

C.A.O. /CLERK