

The Corporation of the Township of Guelph/Eramosa

By-law Number 62/2015

A By-law to amend By-law 42/2010, being a By-law to regulate site alterations, placement of fill and removal of topsoil within the Township of Guelph/Eramosa.

WHEREAS the *Municipal Act, 2001*, provides that every Council may pass such by-laws;

WHEREAS it is deemed expedient to amend By-law 42/2010, being a By-law to regulate site alterations, placement of fill and removal of topsoil within the Township of Guelph/Eramosa;

NOW THEREFORE the Council of the Corporation of the Township of Guelph/Eramosa enacts as follows:

1. Section 11 of By-law 42/2010 is hereby replaced within the following wording:
 11. **Appeals to the Corporation of the Township of Guelph/Eramosa**
 - 11.1 An applicant for a site alteration permit or owner (or other named person) effected by an order issued pursuant to this by-law may appeal in writing to the Council of the Township of Guelph/Eramosa where:
 - a) The Township refuses to issue a site alteration permit within fourteen (14) days after the date of refusal, or
 - b) The applicant or owner objects to the terms or conditions in an order within fourteen (14) days after being served with the order, or
 - c) The applicant or owner objects to the terms and conditions in the site alteration permit within thirty (30) days after the issuance of the permit.
 - 11.2 An owner or applicant may appeal to the Council of the Township of Guelph/Eramosa by sending a notice of appeal by registered mail to the Township Clerk within the prescribed time frame pursuant to s. 11.1 of the by-law. All notices of appeal shall be accompanied by a non-refundable payment in the amount of \$200.00 for the processing of the appeal.
 - 11.3 An order that is not appealed within the 14 days shall be deemed to be confirmed.
 - 11.4 On appeal, Council shall hear the appeal and shall have all the powers and functions of the officer, and may:

- a) confirm, modify, or rescind the order to remove, alter or otherwise perform an action;
- b) extend the time for complying with the order if, in the Committee's opinion, the general intent and purpose of this by-law is maintained;
- c) issue a site alteration permit where an appeal is received in respect to s. 11.1 a);
- d) confirm the officers decision to refuse the site alteration permit application where an appeal is received in respect to s. 11.1 a);
- e) confirm, modify or rescind the terms and/or conditions in the site alteration permit where an appeal is received in respect to s. 11.1 c).

2. That this by-law shall come into effect on the day of passing.

READ three times and finally passed
this **10th** day of **August, 2015**.

Chris White, Mayor

Meaghen Reid, Clerk