

# TOWNSHIP OF BLANDFORD-BLENHEIM

## COUNCIL MEETING AGENDA

Wednesday, April 15, 2020

via teleconference and online

Youtube Channel for listening in: Blandford-Blenheim Township

<https://youtube.com/channel/UCdKRV0GAEuFaGbwHRPzoEXA>

4:00 p.m.

### 1. Welcome

### 2. Call to Order

### 3. Approval of the Agenda

Recommendation:

*That the agenda for the April 15, 2020 Regular Meeting of Council be adopted.*

### 4. Disclosure of Pecuniary Interest

### 5. Adoption of Minutes

a. [March 4, 2020 Minutes of Council](#)

b. [March 13, 2020 Special Council Minutes](#)

c. April 15, 2020 3:45 pm Special Council Minutes (to be distributed prior to meeting)

Recommendation:

*That the minutes of the March 4, 2020 Meeting of Council, the March 13, 2020 Special meeting of Council and the April 15, 2020 3:45 pm Special meeting of Council be adopted, as printed and circulated.*

### 6. Business Arising from the Minutes

### 7. Delegations / Presentations

### 8. Correspondence

a. General

i. [City of Woodstock, Re: Oxford County Report No. 2020-01 Leading Oxford to 100% Housed Future](#)

Visit our website @ [www.blandfordblenheim.ca](http://www.blandfordblenheim.ca)

Recommendation:

*That the General correspondence items be received.*

b. Specific

i. [Village of Merrickville-Wolford, Re: Provincially Significant Wetlands Designation](#)

Recommendation:

*That the Council for the Township of Blandford-Blenheim supports the Village of Merrickville-Wolford and requests that the Ministry of Natural Resources and Forestry review its practices and procedures to include a requirement to provide supporting evidence to impacted municipalities when designating Provincially Significant Wetlands within their boundaries.*

ii. [City of Woodstock, Re: Woodstock Public Library Board – Request for Municipal Resolution Supporting Provincial Public Library Funding](#)

Recommendation:

*That the Council for the Township of Blandford-Blenheim supports the City of Woodstock resolution encouraging the Province of Ontario to maintain existing funding for Ontario's public libraries.*

iii. [Norman J Pigeon, Re: Wagner Subdivision Project for East Bright Community](#)

Recommendation:

*That the correspondence from Norman J Pigeon be received and considered along with staff report DS 20-04 - Bright Subdivision Phase II Drainage issue.*

**9. Staff Reports**

**a. Rick Richardson – Director of Protective Services**

i. [FC-20-06– Monthly Report](#)

Recommendation:

*That Report FC-20-06 be received as information.*

**b. Jim Harmer – Drainage Superintendent**

i. [DS-20-03 – Monthly Report](#)

Recommendation:

Visit our website @ [www.blandfordblenheim.ca](http://www.blandfordblenheim.ca)

*That report DS-20-03 be received as information.*

ii. [DS-20-05 – Monthly Report](#)

Recommendation:

*That Report DS-20-05 be received as information.*

iii. [DS-20-04 – Bright Subdivision Phase II Drainage issue](#)

Recommendation:

*That report DS-20-04 be received as information.*

**c. Jim Borton – Director of Public Works**

i. [PW-20-05 – 2020 Gravel Tender Results](#)

Recommendation:

*That Report PW-20-05 be received for information; and,*

*That Council accept the tender submitted by Willson Sand & Gravel Ltd. of Cambridge, ON for the supply, crushing and placement of approximately 27,000 Tonnes of granular “A” at a unit price of \$12.50/tonne and 3,000 Tonnes of granular “B” at a unit price of \$11.25/tonne.*

**d. Trevor Baer – Manager of Community Services**

i. [CS-20-04 – Monthly Report](#)

Recommendation:

*That Report CS-20-04 be received as information.*

**e. John Scherer – Manager of Building Services/CBO**

i. [CBO-20-05 – Monthly Report](#)

Recommendation:

*That Report CBO-20-05 be received as Information.*

**f. Denise Krug, Director of Finance/Treasurer**

i. [TR-20-07 – 2019 Development Charges Annual Report](#)

Recommendation:

*That Report TR-20-07 be received as information, and is posted on the website for public information.*

**g. Rodger Mordue, CAO/Clerk**

i. [CAO-20-03 - Purchasing policy update](#)

Recommendation:

*That Report CAO-20-03 be received; and,*

*That a by-law be prepared and presented to Council to update the Township's Purchasing Policy to incorporate provisions to allow for electronic bidding*

li [CAO-20-05 – Plattsville Estates Letters of Credit](#)

Recommendation:

*That Report CAO-20-05 be received; and,*

*That Council authorize the following Letter of Credit reductions on the recommendation of the Township's Consulting Engineer:*

- *Plattsville Estates stage 3A from \$134,693.73 to \$66,088.73*
- *Plattsville Estates stage 3B from \$214,343.50 to \$17,511.00*

**10. Reports from Council Members**

**11. Unfinished Business**

**12. Motions and Notices of Motion**

**13. New Business**

**14. Closed Session**

**15. By-laws**

a. 2182-2020

Being a By-law with respect to noise and vibration.

b. 2183-2020

Being a By-law to regulate matters related to the health, safety and well-being of the inhabitants of the Township of Blandford-Blenheim. (Public Nuisance)

Visit our website @ [www.blandfordblenheim.ca](http://www.blandfordblenheim.ca)

- c. 2184-2020  
Being a By-law to regulate animal care and control.
- d. 2186-2020  
Being a By-law to provide for procurement procedures.
- e. 2187-2020  
Being a By-law to confirm the proceedings of Council.

Recommendation:

*That first and second reading be given to the following by-law's:*

- *By-law 2182-2020 Being a by-law with respect to noise and vibration*
- *By-law 2183-2020 Being a By-law to regulate matters related to the health, safety and well-being of the inhabitants of the Township of Blandford-Blenheim. (Public Nuisance)*
- *By-law 2184-2020 Being a By-law to regulate animal care and control.*
- *2186-2020 Being a By-law to provide for procurement procedures.*
- *2187-2020 Being a By-law to confirm the proceedings of Council.*

Recommendation:

*That third and final reading be given to the following by-law's:*

- *By-law 2182-2020 Being a by-law with respect to noise and vibration*
- *By-law 2183-2020 Being a By-law to regulate matters related to the health, safety and well-being of the inhabitants of the Township of Blandford-Blenheim. (Public Nuisance)*
- *By-law 2184-2020 Being a By-law to regulate animal care and control.*
- *2186-2020 Being a By-law to provide for procurement procedures.*
- *2187-2020 Being a By-law to confirm the proceedings of Council.*

## **16. Other**

- a. Council meeting schedule due to COVID-19

Recommendation:

*That Whereas Article 5.1 of the Township's Procedure By-law states that Council meets shall be held on the first and third Wednesday of each month at 4:00 pm, unless, Council selects an alternate meeting date, and time by way of resolution;*

*Be It Resolved That the meetings scheduled for May 20, 202 and June 17, 2020 be cancelled due to COVID-19.*

## **17. Adjournment and Next Meeting**

Wednesday, May 6, 2020 at 4:00 pm in Council Chambers.

Recommendation:

*That Whereas business before Council has been completed at \_\_\_\_\_ pm;*

*That Council adjourn to meet again on Wednesday May 6, 2020 at 4:00 pm through electronic means.*

## MINUTES

Council met at 3:45 p.m. for a special meeting to discuss an amendment to the Township's procedural by-law.

Present: Mayor Peterson, Councillors Balzer, Banbury, Demarest

Staff: Baer, Borton, Harmer, Krug, Matheson, Mordue, Scherer and Richardson.

Mayor Peterson in the Chair.

**1. Welcome**

**2. Call to Order**

**3. Approval of the Agenda**

**RESOLUTION #1**

Moved by – Councillor Balzer  
Seconded by – Councillor Banbury

Be it hereby resolved that the agenda for the March 4, 2020 Meeting of Council be adopted.

.Carried

**4. Disclosure of Pecuniary Interest**

None.

**5. Adoption of Minutes**

**RESOLUTION #2**

Moved by – Councillor Balzer  
Seconded by – Councillor Banbury

Be it hereby resolved that the minutes of the February 19, 2020 Meeting of Council be adopted, as printed and circulated.

.Carried

**6. Business Arising from the Minutes**

None.

**7. Delegations**

4:00 – Larry Vollmershausen, Re: Condition of Township Roads

Mr. Vollmershausen and a number of residents voiced concerns over the conditions of gravel roads in the Township. Staff were directed to compile responses to the issues raised and forward to the residents.

**RESOLUTION #3**

Moved by – Councillor Balzer  
Seconded by – Councillor Banbury

Be it hereby resolved that the presentation regarding the condition of Township Roads be received.

.Carried

**8. Correspondence**

**a. General**

i. County of Oxford

Oxford County Report No. CAO 2020-01 Leading Oxford to 100% Housed Future

**RESOLUTION #4**

Moved by – Councillor Balzer  
Seconded by – Councillor Banbury

That the correspondence from the County of Oxford regarding leading Oxford County to 100% Housed future be received.

.Carried

ii. County of Oxford

Oxford County Report PW 2020-02 Single Use Disposable Wipes .

**RESOLUTION #5**

Moved by – Councillor Balzer  
Seconded by – Councillor Banbury

That Council supports the City of Kitchener and Ryerson University recommendations regarding single-use disposable wipes.

.Carried

**9. Staff Reports**



**a. Rick Richardson – Director of Protective Services**

- i. FC-20-05 – Monthly Report

**RESOLUTION #6**

Moved by – Councillor Balzer  
Seconded by – Councillor Banbury

That Report FC-20-05 be received as information; and,

That staff be directed to advise the County of Oxford that the Township of Blandford-Blenheim require immediate changes to the Medical Tiered Response Criteria as outlined in report FC-20-05

.Carried

**b. Jim Borton – Director of Public Works**

- i. PW-20-04 – Monthly Report

**RESOLUTION #11**

Moved by – Councillor Banbury  
Seconded by – Councillor Demarest

That Report PW-20-04 be received as information.

.Carried

**c. John Scherer - CBO/ Manager of Building Services**

- i. CBO-20-04 – Year End Report

**RESOLUTION #7**

Moved by – Councillor Banbury  
Seconded by – Councillor Demarest

That Report CBO–20-04 be received as information; and,

That Council accept the Building Department Annual Report for 2019, as required to be prepared under Section 7(4) of the Ontario Building Code, as information; and,

That Council directs staff to transfer \$67,090.41 to the Building Department Reserve fund as required in the Ontario Building Code.

.Carried

**d. Trevor Baer - Manager of Community Services**

- i. CS-20-03 – Monthly Report

**RESOLUTION #8**

Moved by – Councillor Banbury  
Seconded by – Councillor Demarest

That Report CS-20-03 be received as information.

.Carried

**e. Denise Krug - Director of Finance/Treasurer**

- i. TR-20-05 – Indexing of Development Charges

**RESOLUTION #9**

Moved by – Councillor Banbury  
Seconded by – Councillor Demarest

That Report TR-20-05 be received as information.

.Carried

**f. Rodger Mordue – CAO/Clerk**

- i. CAO-20-02 – Severance Agreement

**RESOLUTION #10**

Moved by – Councillor Banbury  
Seconded by – Councillor Demarest

That report CAO-20-02 be received; and,

That Council authorize the Mayor and Clerk to sign a severance agreement with Mike & Cathy McGrath in accordance with County of Oxford Land Division Committee decision dated April 4, 2019. That Report TR-20-05 be received as information.

.Carried

**10. Reports from Council Members**

Councillor Demarest spoke on Oxford Rural Entrepreneurs networking event being held at the Princeton Library March 5, 2020.

Mayor Peterson spoke on the following items:

- Medical incident which occurred at the Plattsville arena on February 9<sup>th</sup> and commended staff on their quick response.
- Seniors housing development in Plattsville has received a financial commitment from the County of Oxford.
- Habitat for Humanity project in the Township has received a financial commitment from the County of Oxford.
- Opening of 1909 Culinary Arts on Trussler Road.
- Installation of the boards around the Princeton pad will be proceeding this month
- The Lakers junior hockey club relocating to Plattsville for the 2020/2021 season.
- Upcoming Wounded Warriors tournament in Plattsville.
- Upcoming Drumbo Lions elimination draw.

#### **11. Motions and Notices of Motion**

None.

#### **12. New Business**

None.

#### **13. Closed Session**

None.

#### **14. By-laws**

##### **RESOLUTION #13**

Moved by – Councillor Demarest  
Seconded by – Councillor Banbury

Be it hereby resolved that first and second reading be given to the following By-laws:

- By-law 2181-2020, Being a By-law to confirm the proceedings of Council.

.Carried

##### **RESOLUTION #14**

Moved by – Councillor Demarest

Seconded by – Councillor Banbury

Be it hereby resolved that third and final reading be given to the following By-laws:

- By-law 2181-2020, Being a By-law to confirm the proceedings of Council.

.Carried

## 15. Other Business

### RESOLUTION #12

Moved by – Councillor Demarest  
Seconded by – Councillor Banbury

Whereas Regulation 389/91 of the Liquor License Act was amended in 2011; and,

Whereas Regulations require that an applicant for a Special Occasion Permit for a Public Event request the municipality to designate the event as an event of municipal significance;

BE IT HEREBY RESOLVED that the Pte. Tyler Todd Wounded Warriors tournament being held April 10 and 11, 2020 be declared an event of municipal significance.

.Carried

## 16. Adjournment and Next Meeting

### RESOLUTION #15

Moved by – Councillor Demarest  
Seconded by – Councillor Banbury

Whereas business before Council has been completed at 5:17 p.m.;

Be it hereby resolved that Council does now adjourn to meet again on Wednesday, March 18, 2020 at 4:00 p.m. in Council Chambers for regular meeting.

.Carried

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Mark Peterson, Mayor  
Township of Blandford-Blenheim

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Rodger Mordue, Clerk  
Township of Blandford-Blenheim

## MINUTES

Council met at 2:30 p.m. for a special meeting to discuss the COVID – 19 virus.

Present: Mayor Peterson, Councillors Balzer, Banbury, Demarest

Staff: Baer, Borton, Krug, Mordue, Scherer and Richardson.

Mayor Peterson in the Chair.

### 1. Welcome

### 2. Call to Order

### 3. Approval of the Agenda

#### RESOLUTION #1

Moved by – Councillor Balzer

Seconded by – Councillor Demarest

That the agenda for the March 13, 2020 Special meeting of Council to discuss the Township's position Re: COVID – 19 be adopted.

.Carried

### 4. Disclosure of Pecuniary Interest

None.

### 5. New Business

#### a. COVID – 19 planning discussion

Discussion took place between Council and all Township department heads regarding continuity of operations. These included:

- Increasing sanitizing efforts.
- Non-essential operations being postponed/cancelled.
- Increase use of personal protective equipment for employees.
- Closure of arena and community halls as of Sunday night (March 15<sup>th</sup>).
- Closure of the administration office to outside visitors until April 6<sup>th</sup>.
- Cancellation of the April 1, 2020 Council meeting (the March 18<sup>th</sup> Council meeting has since been cancelled).

### 6. Closed Session

None.

**7. By-laws**

None

**8. Other Business**

None

**9. Adjournment and Next Meeting**

**RESOLUTION #2**

Moved by – Councillor Demarest  
Seconded by – Councillor Banbury

That this Special meeting of Council be adjourned at 4:30 p.m..

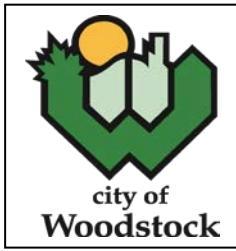
.Carried

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Mark Peterson, Mayor  
Township of Blandford-Blenheim

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Rodger Mordue, Clerk  
Township of Blandford-Blenheim



Office of the City Clerk  
Woodstock City Hall  
P.O. Box 1539  
500 Dundas Street  
Woodstock, ON  
N4S 0A7  
Telephone (519) 539-1291

March 6, 2020

Oxford County Council  
P.O. Box 1614  
21 Reeve St.  
Woodstock, ON N4S 7Y3

Via e-mail: [afferrell@oxfordcounty.ca](mailto:afferrell@oxfordcounty.ca)

Re: Oxford County Report No. CAO 2020-01 Leading Oxford to 100% Housed Future  
– Request for Input

At the regular meeting of Woodstock City Council held on March 5, 2020, the following resolution was passed in response to your correspondence dated February 20, 2020:

“That Woodstock City Council advise Oxford County Council that it recognizes and supports the need for additional affordable housing in the County, but does not support the 100% Housed Plan as presented as the Plan was developed without area municipality consultation with respect to the changes to municipal Zoning Bylaws, the Plan does not address the need to maintain adequate designated vacant land supply in serviced communities, and the Plan is incomplete as it lacks detail on annual targets and the financial implications of achieving these targets;

And further that City Council advise County Council that it should reconsider the imposition of the Passive House standard to the development of new affordable housing as this results in increased construction costs, increased construction difficulties, delays in completion of projects and less interest from private sector proponents wanting to apply this standard;

And further that this resolution be circulated to all Oxford County lower tier municipalities.”

Yours Truly,

Amelia Humphries, City Clerk

Cc: via e-mail  
Township of Blandford Blenheim - [rmordue@blandfordblenheim.ca](mailto:rmordue@blandfordblenheim.ca)  
Township of East Zorra-Tavistock - [wjaques@ezt.ca](mailto:wjaques@ezt.ca)  
Town of Ingersoll - [mgraves@ingersoll.ca](mailto:mgraves@ingersoll.ca)  
Township of Norwich - [kkruiger@norwich.ca](mailto:kkruiger@norwich.ca)  
Township of South-West Oxford - [clerk@swox.org](mailto:clerk@swox.org)  
Town of Tillsonburg - [msmibert@tillsonburg.ca](mailto:msmibert@tillsonburg.ca)  
Township of Zorra - [kmartin@zorra.ca](mailto:kmartin@zorra.ca)

Established 1793  
Incorporated  
Wolford 1850  
Merrickville 1860  
Amalgamated 1998



Telephone (613) 269-4791  
Facsimile (613) 269-3095

## VILLAGE OF MERRICKVILLE-WOLFORD

February 5, 2020

**The Honourable Doug Ford, Premier of Ontario**  
Premier's Office, Room 281  
Legislative Building, Queen's Park  
Toronto, ON, M7A 1A1

Dear Premier Ford:

**Re: Provincially Significant Wetlands Designation**

Please find attached the Council of the Corporation of the Village of Merrickville-Wolford's Resolution No. R-029-20, with respect to the Village's concerns surrounding the Ministry of Natural Resources and Forestry's practices and procedures while implementing designations of Provincially Significant Wetlands.

While the attached resolution is tailored to a Village-specific issue, it is Council's position that the concerns expressed therein are being experienced by municipalities Province-wide.

Thank you in advance for the consideration that you give this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Doug Robertson".

Doug Robertson  
CAO/Clerk/Director, Economic Development

c. Honourable John Yakabuski, Minister of Natural Resources and Forestry  
Honourable Steve Clark, Minister of Municipal Affairs and Housing  
Andy Brown, CAO of the United Counties of Leeds and Grenville  
Association of Municipalities of Ontario  
Rural Ontario Municipal Association  
All Ontario municipalities



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## VILLAGE OF MERRICKVILLE-WOLFORD

For Clerk's use only, if required:

**Recorded Vote Requested By:**

Cameron	Y	N
Foster	Y	N
Halpenny	Y	N
Molloy	Y	N
Struthers	Y	N

Resolution Number: R - 029 - 20

Date: January 27, 2020

Moved by: Cameron Foster Halpenny Molloy

Seconded by: Cameron Foster Halpenny Molloy

WHEREAS the Village of Merrickville-Wolford is endeavouring to adopt a new Official Plan as required per Section 17 of the *Planning Act* and the Village is required to incorporate the Provincial Policy Statements of the Act;

AND WHEREAS the Provincial Policy Statements require the Village to provide in its Official Plan the updated provisions of new and expanded Provincially Significant Wetlands designations;

AND WHEREAS the Council of the Corporation of the Village of Merrickville-Wolford is concerned that the expansion of these wetlands is detrimentally affecting certain landowners and the Village's assessment base;

AND WHEREAS the Council of the Corporation of the Village of Merrickville-Wolford is concerned that designations of Provincially Significant Wetlands have occurred throughout the Province of Ontario without the provision of supporting evidence;



## VILLAGE OF MERRICKVILLE-WOLFORD

AND WHEREAS the Council of the Corporation of the Village of Merrickville-Wolford is concerned about the expansion of the Provincially Significant Wetlands in the Northeast quadrant of the Village;

AND WHEREAS the Council of the Corporation of the Village of Merrickville-Wolford is concerned that these wetlands designations have been expanded without the Ministry of Natural Resources and Forestry having provided to the Village supporting evidence to justify said expansion;

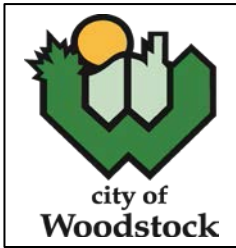
NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Village of Merrickville-Wolford does hereby respectfully request that the Ministry of Natural Resources and Forestry provide the Village with supporting evidence with respect to the expansion of these wetlands designations;

AND THAT the Ministry of Natural Resources and Forestry re-evaluate the subject properties without delay;

AND THAT a copy of this resolution be sent to the Honourable Premier Doug Ford, Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the United Counties of Leeds and Grenville, the Association of Municipalities of Ontario and the Rural Ontario Municipal Association and all Ontario municipalities.

Carried / Defeated

  
J. Douglas Struthers, Mayor



Office of the City Clerk  
Woodstock City Hall  
P.O. Box 1539  
500 Dundas Street  
Woodstock, ON  
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Telephone (519) 539-1291

March 6, 2020

David Harvie, Chief Executive Officer  
Woodstock Public Library  
445 Hunter St,  
Woodstock, ON N4S 4G7

Via e-mail: [dharvie@mywpl.ca](mailto:dharvie@mywpl.ca)

Re: Woodstock Public Library Board – Request for Municipal Resolution Supporting  
Provincial Public Library Funding

At the regular Council meeting held on March 5, 2020, the following resolution was passed:

“WHEREAS public libraries provide vibrant community hubs where residents of all ages and backgrounds are welcome to learn, work, train, innovate, explore, connect, and collaborate;

AND WHEREAS the Woodstock Public Library provides community members with equitable, reliable access to broadband internet;

AND WHEREAS the Woodstock Public Library uses technology to make resources more accessible and responsive to people’s changing needs;

AND WHEREAS the Woodstock Public Library works closely with local residents to deliver valued programs and services and shares knowledge and resources;

AND WHEREAS the Woodstock Public Library continues to be a catalyst for residents and organizations to reach their potential by connecting them with the expertise and resources they need, and transforms information into knowledge that positively impacts their lives and their families;

AND WHEREAS the Woodstock Public Library continues to judiciously manage public resources with the utmost care and is committed to the sustainability of its services;

NOW THEREFORE BE IT RESOLVED that Woodstock City Council encourages the Province of Ontario to recognize the contribution of local libraries within their communities;

AND FURTHER THAT City Council encourages the Province of Ontario to maintain existing funding for Ontario’s public libraries;

AND FURTHER THAT City Council encourages the Province of Ontario to make a new, ongoing, targeted annual investment to extend access to modern, cost-effective resources

and services through their local public libraries to all Ontarians in accordance with the Ontario Library Association and Federation of Ontario Public Libraries & 2020 Pre- Budget Recommendations;

AND FURTHER THAT a copy of this resolution be sent to the Ontario Minister of Heritage, Sport, Tourism, and Culture Industries, the Ontario Minister of Municipal Affairs, our local MPP, the Association of Municipalities Ontario, the Ontario Library Association, the Federation of Ontario Public Libraries, and Oxford County Council and local area municipalities for endorsement.”

Yours Truly,



Amelia Humphries, City Clerk

Cc: via e-mail

The Honourable Lisa MacLeod  
Minister of Heritage, Sport, Tourism and  
Culture Industries  
[Minister.MacLeod@ontario.ca](mailto:Minister.MacLeod@ontario.ca)

The Honourable Ernie Hardeman  
Minister of Agriculture,  
Food and Rural Affairs Constituency Office  
[minister.omafra@ontario.ca](mailto:minister.omafra@ontario.ca)

The Honourable Steve Clark  
Minister of Municipal Affairs & Housing  
[Minister.mah@ontario.ca](mailto:Minister.mah@ontario.ca)

The Honourable Rod Phillips  
Minister of Finance  
[Minister.fin@ontario.ca](mailto:Minister.fin@ontario.ca)

Ms. Shelagh Paterson  
Executive Director  
Ontario Library Association  
[spaterson@accessola.com](mailto:spaterson@accessola.com)

Mr. Stephen Abram  
Executive Director  
Federation of Ontario Public Libraries  
[sabram@fopl.ca](mailto:sabram@fopl.ca)

Ms. Lorna Ruder  
Executive Director  
Association of Municipalities of Ontario  
[lruder@amo.on.ca](mailto:lruder@amo.on.ca)

Oxford County Council  
c/o Chloe Senior, Clerk  
[cseior@oxfordcounty.ca](mailto:cseior@oxfordcounty.ca)

Township of Blandford Blenheim - [rmordue@blandfordblenheim.ca](mailto:rmordue@blandfordblenheim.ca)

Township of East Zorra-Tavistock – [wjaques@ezt.ca](mailto:wjaques@ezt.ca)

Town of Ingersoll – [mgraves@ingersoll.ca](mailto:mgraves@ingersoll.ca)

Township of Norwich – [kkruger@norwich.ca](mailto:kkruger@norwich.ca)

Township of South-West Oxford - [clerk@swox.org](mailto:clerk@swox.org)

Town of Tillsonburg – [msmibert@tillsonburg.ca](mailto:msmibert@tillsonburg.ca)

Township of Zorra - [kmartin@zorra.ca](mailto:kmartin@zorra.ca)

AN OPEN LETTER TO THE COUNCILS OF;  
The Township of Blandford-Blenheim & Oxford County

February 21, 2020

To Whom It May Concern:

Subject : Wagner Subdivision Project for East Bright Community

Presenter: Bright Community Group ( 2018)

It is our understanding that the projected subdivision is re-surfacing and since we have had no response from the planning committee since the end of 2018 we are nonetheless concerned about the status of this project and the impact it poses on our community.

During 2018, we have done our due diligence and presented in detail the implications to our community of this planned subdivision both to the councils of Blandford-Blenheim and Oxford County, with supporting documents and the correspondence related.

At this point we trust that sufficient time has been afforded to consider our disclosures to you in writing and in person? We highlight the fact that this project is to sit on a water saturated portion of land that is a questionable project in the least. This is especially so since the first subdivision adjoining this proposed second phase has been a constant source of anxiety and financial burden to the home owners due to continuing flooded basements, lawns, walkways and drives for which there does not seem to be a solution due to the depression of the land in that area.

Our presentation is supported by the owners of these properties with letters to that effect, owners who bought these properties in good faith.

Are we to stand by and see a repetition of this type of development? The first phase of developing the Wagner marsh land was not monitored and went through but this second phase is monitored and to proceed will expose those giving the green light on such a project as questionable at the least.

We as the Bright Community Group have done the work to better inform the councils of the facts hoping to prevent any backlash that might occur and be a reflection upon council integrity.

Respectfully,

Norman J Pigeon – Spokesperson  
For: The Bright Community Group



## TOWNSHIP OF BLANDFORD-BLENHEIM

### Agenda Item

<b>To:</b>	Members of Council	<b>From:</b>	Rick Richardson – Director of Protective Services
<b>Reviewed By:</b>	Rodger Mordue	<b>Date:</b>	March 3, 2020
<b>Subject:</b>	February Monthly Report	<b>Council Meeting Date:</b>	March 18, 2020
<b>Report #:</b>	FC-20-06		

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### Recommendation:

That Report FC-20-06 is received as information

### Background:

To provide Council with an update regarding the activities of the Protective Services Department, for the month of February 2020

### Analysis/Discussion:

#### Fire:

- (12) burn permits were issued in February
- February 2020 monthly fire calls (attach)

#### Meetings, Courses and Training Attended:

- Feb 3 meet with RFSOC Training Officer and Township Training Officer to discuss training plans for all stations in 2020
- Feb 3 evening meeting at Plattsville Station with tanker committee to discuss RFP
- Feb 6 completed a fire inspection on a triplex in Princeton
- Feb 11 attended staff HR meeting in the afternoon
- Feb 12 evening Chiefs meeting at Township office
- Feb 13 attended RFSOC meeting in Norwich to discuss upcoming recruit training and received a presentation from Oxford County EMS on the current Corvid 19 requirements for firefighters attending these types of calls in the future. RFSOC Training Officer report **F 2020-07 (attached)**
- Feb 16 attended Drumbo Station Sunday morning to unveil new Drumbo Rescue
- Feb 21 & 22 hosted RFSOC Life Safety Education course at Plattsville Station

### February 2020 Fire Call Report

#### Bright

5	09-Feb	Gobles Rd	Structure Fire - Assist
6	13-Feb	Twp Rd 8	Structure Fire - Assist
7	29-Feb	Twp Rd 14	Medical Call

#### Drumbo

6	06-Feb	Hwy 401 Km 258	MVC
7	09-Feb	Gobles Rd	Structure Fire - Assist
8	09-Feb	Hwy 401 Km 254	MVC
9	09-Feb	Oxford Rd 29	MVC
10	10-Feb	Oxford Rd 29	MVC
11	13-Feb	Twp Rd 8	Structure Fire
12	15-Feb	Hwy 401 Km 258	MVC
13	16-Feb	Wilmot St N	Other
14	18-Feb	Hwy 401 Km 261	MVC

#### Plattsville

6	09-Feb	Gobles Rd	Structure Fire - Assist
7	09-Feb	Mill St E	Medical Call
8	09-Feb	Isabella St E	Medical Call
9	12-Feb	Fennel St	Medical Call
10	13-Feb	Twp Rd 8	Structure Fire - Assist
11	18-Feb	Hwy 401 Km 261	MVC - Assist
12	29-Feb	Twp Rd 14	Medical Call

#### Princeton

7	09-Feb	Gobles Rd	Structure Fire
8	13-Feb	Twp Rd 8	Structure Fire - Assist
9	14-Feb	Gobles Rd	Medical Call
10	15-Feb	Main St N	Medical Call
11	22-Feb	Hwy 403 Km 16	MVC

#### EZT

0 calls to date

#### North Dumfries

0 calls to date

#### Wilmot

1	10-Feb	Blenheim Rd	Unauthorized Burn
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**By-Law Enforcement – February 2020**

**In Progress-2019**

- 19-16 - Dirt Dumping – assigned to MEU/lawyer (transferred from 18-24)

**In Progress-2020**

- 20-01 – Noise & Dogs at Large
- 20-02 – Dogs at Large
- 20-03 – Noise

Staff have been updating a number of our current bylaws over the last few months  
We have reached out to a number of our neighboring Townships to investigate their current wording and schedule of fines they may use for similar bylaws

<b>By-Law # 2182- 2020, Noise and Vibration</b>	(attached)
<b>By-Law # 2183- 2020, Public Nuisance</b>	(attached)
<b>By-Law # 2184- 2020, Animal Care &amp; Control</b>	(attached)

**CEMC-February 2020**

- Updated social media with winter storm warning and significant storm event notification

Respectfully submitted by:

Rick Richardson  
Director of Protective Services



**DEPARTMENT: FIRE AND PROTECTIVE SERVICES**  
**SUBJECT: MID-YEAR UPDATE ON TRAINING OFFICER ACTIVITIES**  
**REPORT NO. F2020-07**  
**COUNCIL MEETING DATE: MARCH 18, 2020**

- Approved**
  - Approved with Amendments**
  - Other**
- Resolution #**
- 

## **INTRODUCTION/BACKGROUND**

In 2015, the Office of the Fire Marshal introduced the National Fire Protection Association (NFPA) Firefighter Standards for training of firefighters. These standards replaced the Provincial Standards that had been in place for a number of years. The transition to the NFPA Standards brings the Province's firefighter standards in line with all of North America.

The Norwich Fire Service partnered with the four other rural municipal fire departments in Oxford County to provide a fire school type training program for recruits and existing firefighters. This initiative provides in class and practical training for all members and prepares them for certification to NFPA Standards through the Office of the Fire Marshal and Emergency Management (OFMEM). Known as the Rural Fire Services of Oxford County (RFSOC) Training Program, the partners are able to effectively and efficiently provide training to more than 300 volunteer firefighters.

In 2019, from January 1 to December 31, RFSOC delivered 22 courses that include the courses listed below to approximately 262 students.

- NFPA 1001 Firefighter Level 1 (1 course)
- NFPA 1001 Firefighter Level 2 (1 course)
- NFPA 472 Hazmat Awareness (1 course)
- NFPA 472 Hazmat Operations (1 course)
- NFPA 1002 Pumper Operations (3 courses)
- NFPA 1006 General Rescuer (2 courses)
- NFPA 1006 Auto Ex Level 1 (1 course)
- NFPA 1021 Fire Officer Level 1 (1 course)
- NFPA 1021 Fire Officer Level 2 (2 courses)
- NFPA 1041 Fire Instructor Level 1 (1 course)
- NFPA 1041 Fire Instructor Level 2 (1 course)
- NFPA 1521 Incident Safety Officer (1 course)
- NFPA 1035 Fire and Life Safety Educator Level 1 (2 courses)
- NFPA 1035 Fire and Life Safety Educator Level 2 (1 course)
- NFPA 1035 Public Information Officer (1 course)
- Introduction to IMS (1 course)
- Fire Code Part 2 & 6 (1 course)

The average number of participants in each course was fourteen (14) students. This includes the recruit training program where forty (40) students participated in 2019 as compared to thirty (30) students in 2018.

As part of this comprehensive program, RFSOC has also obtained accreditation from the Office of the Fire Marshal and Emergency Management Academic and Standards Branch for its courses and received the ability to host OFMEM testing following each course.

In 2019, RFSOC administered approximately 240 NFPA exams on behalf of the OFMEM as compared to 234 in 2018.

RFSOC utilized instructors from within their firefighter contingent to deliver all the courses. All instructors are certified or grandfathered to Fire Instructor Level 1. This component of the partnership allows RFSOC to deliver these programs in a cost-effective manner with a considerable cost savings to all partners.

In August 2019, the five (5) Rural Municipalities of Oxford County (Norwich, Blandford-Blenheim, East Zorra-Tavistock, Zorra, South-West Oxford) hired a full-time Training Officer (TO) to assist with the Rural Fire Services of Oxford County (RFSOC) fire training and emergency management training.

## **DISCUSSION/ANALYSIS**

THE FOLLOWING IS AN OVERVIEW OF THE:  
INITIAL INITIATIVES/GOALS:

TO initially focused on digitally centralizing all courses and material and worked with chiefs to grant the TO authority to represent each of them to the OFMEM on behalf of their municipality.

The goals of RFSOC for the TO were:

- To ensure that RFSOC courses were developed with consistent lesson plans.
- To create accountability measures for tracking all aspects of training.
- To ensure a centralized process for invoicing would be in place.
- To assume a supervisory/coordinator role for all RFSOC training.
- To assume oversight over the 2020 Recruit program

## **PROGRESS:**

TO has commenced developing provincially recognized courses using the most up to date provincial standards. Initial steps included course approvals for submission to the OFMEM followed by course lesson plan development, handouts, and PowerPoints so that lessons could be delivered within RFSOC. To date, the TO has fully completed all RFSOC course approvals to the OFMEM. Additionally, four (4) courses have been enhanced with new lesson plans and supplemental material. Progress is being made on all remaining courses to update lessons. Course updates will be ongoing as updated curriculum is released every 5 to 8 years.

The process of tracking training records has been expanded and streamlined, with the TO utilizing spreadsheets for each municipality. These can be correlated back to scanned records of training completion and allows the Fire Chiefs to quickly monitor and assess training records for their members.

In early January the TO assumed full responsibility for all aspects of the recruit training program, while working with fire chiefs to facilitate training resources for their respective training sites. Responsibilities include: ordering supplies, setting up binders, monitoring and supervising all online theory training, booking meals and instructors, serving as lead instructor for training, recording and tracking training and issuing timely course summary sheets for billing purposes.

In December 2019, the TO and the Norwich Fire Chief met with the Manager of Academic Standards and Evaluation of the OFMEM and were able to demonstrate and win approval for RFSOC to be a part of a pilot project for the province as the OFMEM shifts provincial testing toward utilizing approved remote test sites.

#### **PROFESSIONAL DEVELOPMENT:**

In November, the TO completed the Community Emergency Management Coordinator course (CEMC 300) in order to better assist with emergency management training and exercises within the municipalities. Since that time, TO has assisted in coordinating an emergency management training session/conference for CCG members from all RFSOC municipalities.

TO has been accepted into an OFMEM Provincial Advisory Committee for Fire Education and is currently developing provincial exam questions to be used in testing for candidates across the province seeking professional certifications.

#### **INTERDEPARTMENTAL IMPLICATIONS**

NONE

#### **FINANCIAL/STAFFING/LEGAL IMPLICATIONS**

TO has actively worked with surrounding municipalities to register firefighters into RFSOC courses at pre-set costs. This has resulted in over \$18 000 in outside revenue coming into RFSOC in which profits will be divided by the five (5) RFSOC members. As a result, RFSOC has even lower costs to delivering the courses to our own firefighters (see **Appendix A**).

Additionally, the invoicing process of RFSOC courses has been centralized with the TO receiving all invoices and then promptly sending out a course summary sheet to all 5 municipalities. Course summary sheets indicate the course cost per student and what actions each municipality must take for payment or invoicing. This allows for efficient invoice tracking and timely payments for courses delivered.

#### **CONCLUSION**

The Training Officer position has demonstrated efficiency by centralizing all training, documentation and coordination, which frees up the Fire Chiefs to focus on other aspects of their position. By actively partaking in training instruction and registering firefighters from other municipalities outside RFSOC, the TO is contributing to the reduction of costs in delivering high-quality fire service training that meets and exceeds provincial standards.

**RECOMMENDATION**

It is recommended that Staff Report F2020-07 entitled “Mid-Year Update on Training Officer Activities” be received as information.

**ATTACHMENTS**

Appendix A – NFPA Course Fees

Prepared by:

Derek Van Pagee

Training Officer – Rural Fire Services of Oxford County

## APPENDIX A

### NFPA COURSE FEES

Course Fees for RFSOC do not include outside revenue from surrounding municipalities that sign up for our training. These fees further reduce RFSOC costs and vary per offering and course. Total for 2020 at this time is \$18,000 revenue.

Subject/Cost per Student	RFSOC	South West Fire Academy	FESTI	Grimsby Fire and Training Centre	Conestoga College
NFPA 1001 Firefighter 1/2, Hazmat Awareness and Ops	1150	2495	7100	NA	Full-time program
NFPA 1021 Fire Instructor 1	130	495	1371	375	400
NFPA 1021 Fire Instructor 2	104	NA	898	NA	399
NFPA 1006 General Rescue	190	595	954	475	475
NFPA 1002 Pump Ops	160	595	NA	NA	NA
Ontario Fire Code Court Room Procedures	80	NA	NA	250	NA
Ontario Fire Code Part 2 & 6	200*	NA	NA	350	NA
Ontario Fire Code Part 9	C	NA	NA	350	NA
NFPA 1072 Hazardous Materials Operations	85	595	456	NA	325
NFPA 1521 Incident Safety Officer	30	NA	NA	NA	NA
NFPA 1021 Fire Officer Level 1	240	495	1335	375	580
NFPA 1021 Fire Officer Level 2	100	NA	NA	375	580
Fire Life Safety Educator Lev. 1	40	NA	NA	250	NA
Fire Life Safety Educator Lev. 2 & PIO	33	NA	NA	360	NA


NA – at the time of the writing of this document the course was not offered by the agency.

C – Cancelled in 2018 – Rescheduled for 2020.

\* – Based on 2018 costs

**For RFSOC to host the 2020 class of 24 recruits through Firefighter 1,2, Hazmat Awareness and Hazmat Operations will cost approx. \$27,600 versus \$59,880 at another school. With the addition of 5 Non-RFSOC recruits joining our class, RFSOC charges \$7,500 for them. This further reduces our cost to \$20,100 so the savings for one recruit class is \$39,780. This does not include additional costs for travel and**

***accommodations which would be increased if a recruit attended a third-party training provider.***

	<h1>TOWNSHIP OF BLANDFORD-BLENHEIM</h1>	
	<p>By-Law # 2182-2020 Noise and Vibration</p>	<p>Page   1</p>

**BEING** A By-law respecting NOISE OR VIBRATION within the Township of Blandford-Blenheim.

**WHEREAS** section 129 of the Municipal Act 2001, amended, permits local municipalities to prohibit and regulate noise and vibration and to require that a permit be obtained for the making of noise or vibration:

**AND WHEREAS** the people of the Township of Blandford-Blenheim have the right to an environment free from unusual, unpleasant, unnecessary or excessive noise or vibration:

**NOW THEREFORE**, the Council of the Corporation of Township of Blandford-Blenheim enacts as follows:

**SECTION 1: INTERPRETATION**

For the purpose of this By-Law the following terms shall have the corresponding meaning:


- a) **Council** means the Council of the Township of Blandford-Blenheim;
- b) **Emergency** means a situation or an impending situation, often dangerous, caused by the forces of nature, an accident, an intentional act or otherwise, which rises suddenly and calls for prompt action;
- c) **Emergency Vehicle** includes a land ambulance, an air ambulance, a fire department vehicle, a police vehicle and a motor vehicle being used to respond to an emergency;
- d) **Industrial Area** means an area designated as industrial in the zoning By-Law of the Township of Blandford-Blenheim, as may be amended from time to time;
- e) **Noise** means sound that is unusual or excessive and likely to disturb the quiet enjoyment of the inhabitants of the municipality;
- f) **Residential Area** means an area designated as residential in the zoning By-Law of the Township of Blandford-Blenheim, as may be amended from time to time;
- g) **Township** means the Corporation of the Township of Blandford-Blenheim.

**SECTION 2: GENERAL PROVISIONS**

- a) No person shall make, cause or permit to be made, any noise or vibration, at any time, which is likely to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants of the Township.

**SECTION 3: PROHIBITIONS BY TIME AND PLACE**

- a) No person shall make, cause or permit to be made those noises or vibrations specifically listed in **Schedule 2** within the prohibited time shown for residential

	<h1>TOWNSHIP OF BLANDFORD-BLENHEIM</h1>	
	<p>By-Law # 2182-2020 Noise and Vibration</p>	<p>Page   2</p>

areas if those noises or vibrations are likely to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants of the Township.

**SECTION 4: SPECIFIC PROHIBITIONS**

- a) No person shall make, cause or permit to be made, any of the noises or vibrations, at any time, outlined in **Schedule 1**.

**SECTION 5: EXEMPTIONS**

- a) Notwithstanding any other provisions of this By-Law, it shall be lawful in an Emergency to make, cause or permit to be made, any noise or vibration in connection with Emergency measures.
- b) Notwithstanding any other provisions of this By-Law, this By-Law shall not apply to a person who makes, causes or permits to be made, any noise or vibration in connection with;
  - (i) An authorized Emergency Vehicle;
  - (ii) Machines, vehicles or equipment by or on behalf of the Township;
  - (iii) Bells, tones, whistles utilized as traffic control devices including those at traffic signal locations and railway crossings;
  - (iv) Regimental salutes;
  - (v) Snow removal equipment, while in the operation of snow removal;
  - (vi) The bells for any church, chapel, meeting house or religious service;
  - (vii) Parades or events permitted or sanctioned by the Township;
  - (viii) Agriculture operations and agriculture processing operations;
  - (ix) Concrete finishing operations on construction projects when such is duly certified as essential to the project; or,
  - (x) Work undertaken for the immediate health, safety or wellbeing of the inhabitants of the Township;
  - (xi) Normal activities of industry in any “M” Zone, as defined within the Township of Blandford-Blenheim Zoning By-Laws.

**SECTION 6: EXEMPTION GRANTED BY PERMIT BY COUNCIL**

- a) Notwithstanding any other provision of this By-Law, any person may make an application to Council to be granted an exemption permit from any of the provisions of this By-Law and Council may, by resolution, refuse or grant any exemption. Council may also grant an exemption permit to a greater or lesser extent.
- b) Any exemption granted by Council shall specify the time period during which it is effective and may contain such terms and conditions as Council see fit.





# TOWNSHIP OF BLANDFORD-BLENHEIM

By-Law # 2182-2020  
Noise and Vibration

Page | 3


- c) An application for any exemption permit from the provisions of this By-Law shall be made in writing to the Clerk of the Township, or his/her designate, at least 60 days prior to the event for which the exemption is sought and shall include the following:
- (i) The name and address of the applicant;
  - (ii) The name and address of the organization represented by the applicant, if applicable;
  - (iii) The source of the noise or vibration in respect of which the exemption permit is sought;
  - (iv) The provisions of this By-Law from which the exemption permit is sought;
  - (v) The date and time of commencement of the event for which the exemption permit is sought;
  - (vi) The time of conclusion for each day of the event for which the exemption permit is sought;
  - (vii) The location of the event for which the exemption permit is sought;
  - (viii) The rationale for granting an exemption permit;
  - (ix) The name of the contact person or persons who will be supervising the event;
  - (x) Payment of the permit processing fee in the amount set by Council and in effect at the time of application; and,
  - (xi) Proof of publication within the preceding ten (10) days, in a newspaper of general circulation within the Township, of a notice of intention to apply for an exemption permit under this By-Law, containing the information required by clauses (i) through (x) hereof, and further stating the date upon which it is intended that application will be made to Council.
- d) Any breach of the terms and conditions of the exemption permit granted by Council shall render the exemption permit null and void.

## **SECTION 7: ENFORCEMENT**

- a) The following persons are appointed to enforce this By-Law are, and not limited to, the Ontario Provincial Police, Township By-Law Officer, and/or persons appointed by the Municipality.

## **SECTION 8: OFFENCE AND PENALTIES**

- a) Every person who contravenes any provisions of this By-Law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, C.P.33.

	<b>TOWNSHIP OF BLANDFORD-BLENHEIM</b>	
	By-Law # 2182-2020 Noise and Vibration	Page   <b>4</b>

**SECTION 9: PAYMENT OF FEES**

- a) Every person responsible for the payment of any and all fees, costs and fines under this By-Law shall make payment in full upon demand by the Corporation.
- b) The payment of any fees and charges as required under this By-Law does not constitute partial or full payment of any fines imposed by a court of competent jurisdiction for any offence committed under this or any other By-Laws.
- c) The Township Treasurer may add any charges payable to the tax roll of any property owner and collect the amount in the same manner as taxes.

**SECTION 10: SEVERABILITY**

- a) If a court of competent jurisdiction should declare any section or part of a section of this By-Law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-Law and is hereby declared that the remainder of this By-Law shall be valid and remain in full force and effect.

**SECTION 11: REPEAL**

- a) By-Law Number 1314-2000 is hereby repealed.
- b) By-Law Number 1681-2011 is hereby repealed.

**SECTION 12: SHORT TITLE**

- a) This By-Law shall be referred to as the “Noise Control” By-Law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED ON THIS 18TH DAY OF MARCH, 2020.**

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MAYOR: Mark Peterson

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CAO/CLERK: Rodger Mordue



# TOWNSHIP OF BLANDFORD-BLENHEIM

By-Law # 2182-2020  
Noise and Vibration

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## SCHEDULE 1

### **SPECIFIED PROHIBITIONS**

- 1) The operation of a motor vehicle in such a way that the tires squeal.
- 2) The operation of any combustion engine, pneumatic device or construction equipment without an effective exhaust or intake-muffling device in good working order and in constant operation.
- 3) The operation of an engine in, or on, any motor vehicle or item of attached auxiliary equipment for a continuous period exceeding five minutes, anywhere within the geographic area of the Township of Blandford-Blenheim, where the point is in a Residential Area or Industrial Area unless:
  - a) The original equipment manufacturer specifically recommends a longer idling period for normal and efficient operation of the motor vehicle in which case such recommended period shall not be exceeded; or
  - b) The operation of such engine or motor is essential to a basic function of the vehicle or equipment including but not limited to, the operation of a ready-mix concrete truck, lift platforms or refuse compactor; or
  - c) Weather conditions justify the use of heating or refrigeration systems powered by the motor of an engine for the safety and the welfare of the operator, passengers or animals, or the preservation of perishable cargo and the vehicle is stationary for the purpose of delivery or loading; or
  - d) Prevailing low temperatures make longer idling periods necessary immediately after starting the motor or engine; or
  - e) The idling is for the purpose of cleaning and flushing the radiator and associated circulation system for seasonal change of antifreeze, cleaning of the fuel system, carburetor or the like when such work is performed other than for profit.
- 4) The operation of a motor vehicle horn or other warning device except where required or authorized by By-Law or in accordance with good safety practices.
- 5) The operation of a stereo or other electronic device designed to amplify sound in, or on, a motor vehicle in such a way that the sound can easily be heard outside of the motor vehicle.



# TOWNSHIP OF BLANDFORD-BLENHEIM

By-Law # 2182-2020  
Noise and Vibration

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## Schedule 2

### **PROHIBITIONS BY TIME IN RESPONSE AREAS**

<b>PROHIBITED BY TIME</b>	<b>PROHIBITED PERIOD OF TIME</b>
1) The discharge of firearms	At all times
2) The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers, or other electro-mechanical transducer, and intended for the production, reproduction or amplification of sound in a Residential Area	2300hr (11:00pm) one day until 0700hr (07:00am) next day or 0900hr (09:00am) on Sundays
3) The operation of any motorized conveyance other than on a highway or other place intended for its operation	2100hr (09:00pm) one day until 0700 (07:0am) next day or 0900hr (09:00am) on Sundays
4) Yelling, shouting, hooting, whistling or singing	2300hr (11:00pm) one day until 0700hr (07:00am) next day or 0900hr (09:00am) on Sundays



# TOWNSHIP OF BLANDFORD-BLENHEIM

By-Law # 2182-2020  
Noise and Vibration

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## Schedule 3

### TOWNSHIP OF BLANDFORD-BLENHEIM

#### Part 1 Provincial Offences Act

#### Short Form Wording and Set Fines

<b>Item</b>	<b>Short Form Wording</b>	<b>Column 2 Offence Creating Provisions</b>	<b>Column 3 Set Fines</b>
1	Causing or permitting noise by squealing tires	Section 5(a)	\$125.00
2	Causing or permitting noise by operating a combustion engine without exhaust in good working order	Section 5(a)	\$125.00
3	Causing or permitting noise from the idling of a vehicle	Section 5(a)	\$125.00
4	Causing or permitting noise from a vehicle horn or other warning device	Section 5(a)	\$125.00
5	Causing or permitting noise from a vehicle stereo or other electronic device	Section 5(a)	\$125.00

	<h1>TOWNSHIP OF BLANDFORD-BLENHEIM</h1>	
	<p>By-Law # 2183-2020 Public Nuisance</p>	<p>Page   1</p>

**BEING** A By-law to regulate matters related to the health, safety and well-being of the inhabitants of the Township of Blandford-Blenheim.

**PURSUANT** to provisions of the Municipal Act 2001.

**NOW THEREFORE**, the Council of the Corporation of Township of Blandford-Blenheim enacts as follows:

**SECTION 1: DEFINITIONS**

For the purpose of this By-Law the following terms shall have the corresponding meaning:


1. **Disturb the Peace** means offensive acts to include but not limited to shouting, yelling, including profanities, writing graffiti and profanities;
2. **Lewd Activities** means lustful and/or indecent acts;
3. **Loitering** means to hang about idly;
4. **Nuisance** means something or someone harmful, offensive, annoying or disagreeable;
5. **Public Health and Safety** means the health and safety of resident and public of the Township of Blandford-Blenheim.

**SECTION 2: PROHIBITED MATTERS**

- a) No person shall disturb the peace by shouting or yelling, including profanities, within the Township of Blandford-Blenheim.
- b) No person shall urinate in a public place within the Township of Blandford-Blenheim.
- c) No person shall commit lewd activities in a public place within the Township of Blandford-Blenheim.
- d) No person shall loiter on the streets or sidewalks or public place within the Township of Blandford-Blenheim.
- e) No person shall create a nuisance to residents of the Township of Blandford-Blenheim.

**SECTION 3: PENALTY SECTION**

- a) Every person who contravenes any provision of this By-Law is guilty of an offence and on conviction may be subject to a fine as provided for in the Provincial Offences Act. (See Set Fine Schedule)

	<b>TOWNSHIP OF BLANDFORD-BLENHEIM</b>	
	By-Law # 2183-2020 Public Nuisance	Page   2

**SECTION 4: ENFORCEMENT**

- a) The following persons are appointed to enforce this By-Law are, and not limited to, the Ontario Provincial Police, Township By-Law Officer, and/or persons appointed by the Municipality.

**SECTION 5: SEVERABILITY**

- a) If a court of competent jurisdiction should declare any section or part of a section of this By-Law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-Law and is hereby declared that the remainder of this By-Law shall be valid and remain in full force and effect.

**SECTION 6: PAYMENT OF FEES**

- a) Every person responsible for the payment of any and all fees, costs and fines under this By-Law shall make payment in full upon demand by the Corporation.
- b) The payment of any fees and charges as required under this By-Law does not constitute partial or full payment of any fines imposed by a court of competent jurisdiction for any offence committed under this or any other By-Laws.
- c) The Township Treasurer may add any charges payable to the tax roll of any property owner and collect the amount in the same manner as taxes.

**SECTION 7: SHORT TITLE**

- a) This By-Law shall be referred to as the “Public Nuisance” By-Law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED ON THIS 18TH DAY OF MARCH, 2020.**

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MAYOR: Mark Peterson

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CAO/CLERK: Rodger Mordue



# TOWNSHIP OF BLANDFORD-BLENHEIM

By-Law # 2183-2020  
Public Nuisance

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## SET FINE SCHEDULE

### TOWNSHIP OF BLANDFORD-BLENHEIM

#### Part 1 Provincial Offences Act

#### Short Form Wording and Set Fines

<b>Item</b>	<b>Short Form Wording</b>	<b>Column 2 Offence Creating Provisions</b>	<b>Column 3 Set Fines</b>
1	Disturbing the Peace	Section 2(a)	\$250.00
2	Urinating in a Public Place	Section 2(b)	\$250.00
3	Lewd Activities in a Public Place	Section 2(c)	\$350.00
4	Loitering in a Public Place	Section 2(d)	\$250.00
5	Creating a Nuisance	Section 2(e)	\$350.00





# TOWNSHIP OF BLANDFORD-BLENHEIM

By-Law # 2184-2020  
Animal Care and Control

Page | 1

Being a By-Law to regulate ANIMAL CARE AND CONTROL, and to provide for a system of licensing, permits, approvals or registrations respecting the matter including the imposing of fees and charges.

**WHEREAS** sections 9 to 11 of the Municipal Act, 2001, S.O. 2011, c.25, as amended (hereinafter referred to as "Municipal Act), confer the power to pass by-laws regulating or prohibiting animals to a lower-tier municipality:

**AND WHEREAS** section 8(3)(c) of the Municipal Act confers the power upon a municipality, in exercising its powers to regulate and prohibit respecting a matter, to provide for a system of licenses, permits, approvals or registrations respecting the matter, and to impose conditions as a requirement of obtaining, continuing to hold or renew a license, permit, approval or registration;

**AND WHEREAS** section 103 of the Municipal Act confers a power upon a municipality to pass a by-law to provide for the seizure and impounding of animals being at large or trespassing and the sale of impounded animals under certain conditions;

**AND WHEREAS** section 391 of the Municipal Act enables a municipality to pass by-laws imposing fees or charges on any class of person for services or activities provided or done by or on behalf of it;

**AND WHEREAS** the Dog Owners' Liability Act, 1990, R.S.O. 1990, c.D16, as amended, including amendments made by the Public Safety Related to Dogs Statute Law Amendment Act, 2005, provides for the control of dogs;

**AND WHEREAS** the Ontario Police Services Act, R.S.O. 1990 Chapter P. 15 as amended provides that Council may appoint Municipal Law Enforcement Officers to enforce all municipal By-Laws;

**AND WHEREAS** Council deems it expedient to ensure that animals are kept and treated in a humane manner and that the owners of animals provide good quality care to them;

**NOW THEREFORE** the Council of the Corporation of the Township of Blandford-Blenheim enacts as follows:



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## **SECTION 1: DEFINITIONS**

In this By-Law:

- 1.1. **Animal** means any member of the animal kingdom, other than human, as defined in the Municipal Act;
- 1.2. **Animal Enclosure** means an enclosed place for the keeping of animals but shall not include the yard of a property where fencing has been erected on or along the property lines for the purposes of enclosing, in whole or in part, the yard itself;
- 1.3. **Animal Control Officer** means the By-Law Enforcement Officer as well as a person or company or corporation, or their employees, under contract with the Municipality to enforce the requirements of this by-law, or an employee of the Corporation of the Township of Blandford-Blenheim employed to administer and enforce the requirements of this by-law or any Police Officer;
- 1.4. **Animals for Research Act** means Animals for Research Act – R.S.O., 1990, c. A22, as amended;
- 1.5. **At Large** or **Trespass** means an animal being at any place other than the premises of the owner of the animal and not under the control of the owner or a person acting on behalf of the owner, and in case of dogs including not being put on a leash, except where the owner of the property, other than the animal owner's property, permits the animal to be on his or her property;
- 1.6. **Cat** means a domesticated feline animal, male or female, spayed or neutered or natural, and harboured or kept by any person;
- 1.7. **Certificate of Registration** means a certificate of registration issued by an association incorporated under the Animal Pedigree Act, R.S.C., 1985, c. 8 (4th Supp.) for an animal of a distinct breed or issued by the Canadian Kennel Club, American Kennel Club or by the United Kennel Club;
- 1.8. **Commercial Dog Kennel** means any building, pen or other structure, but not including a building used for human habitation, in which a dog or dogs not belonging to the owner of the property, in return for payment of a fee, are kept for breeding or boarding;
- 1.9. **Corporation** means the Corporation of the Township of Blandford-Blenheim;



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- 1.10. **Council** means the Council of the Corporation of the Township of Blandford-Blenheim;
- 1.11. **Dangerous Dog** means a dog that in the absence of any mitigating factor has bitten or attacked a person or domestic animal or has behaved in a manner that poses a menace to the safety of persons or other domestic animals. Dangerous dog also means a dog, previously designated as a potentially dangerous dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog;
- 1.12. **DOLA** means the Dog Owners' Liability Act, 1990, R.S.O. 1990, c.D16 as amended, including amendments made by the Public Safety Related to Dogs Statute Law Amendment Act, 2005.
- 1.13. **Domestic Animal** means an animal kept by or living with human beings;
- 1.14. **Dog** means a domesticated canine animal, male or female, spayed or neutered or natural, harboured or kept by any person;
- 1.15. **Dog Kennel** means any building, pen or structure, but not a building used for human habitation, in which registered purebred dogs are kept as pets for show and/or breeding or a Boarding facility, or Hunting/Sporting Kennel, but does not included a veterinary facility or the Ontario SPCA or affiliated society;
- 1.16. **Dog License** means a license issued for a dog pursuant to section 3.1 of this By-law as evidenced by the license records of the Township;
- 1.17. **Dwelling Unit** means one (1) or more habitable rooms occupied or capable of being occupied by a person or a family as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such person or family, with a private entrance from outside the building or from a common hallway or stairway inside the building in which the dwelling unit is located;
- 1.18. **Excrement** shall mean the waste matter expelled from the bowels of an animal;



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1.19. **Extreme Weather** means a cold warning, heat warning or other weather warning issued by either or both Southwestern Public Health or Environment Canada for weather in Oxford County.

1.20. **Herding Dog** shall mean a dog that has been trained and is actively being used in a bona fide farming operation for the purposes of controlling livestock on the farm;

1.21. **Household Pet** means a domestic animal that is taken into the care of one or more persons for the purpose of personal enjoyment or protection which normally spends time in the dwelling unit of the owner and shall include but not be limited to caged birds, caged rodents or rabbits, cats, dogs, tropical fish and non-poisonous indigenous reptiles;

1.22. **Hunting/Sporting Kennel** means any building, structure, dog run or other facility, or part thereof, other than a dwelling unit that provides shelter for three or more dogs, that are routinely entered into dog sled or other similar races or hunting events or other authorized sporting competitions;

1.23. **Identification Microchip** shall mean an object which may be permanently implanted in a dog by injection or surgical procedure, which is programmed to store a unique and permanent identification number and is capable of using radio-frequency signals to relay the stored information to a scanning device;

1.24. **Impounded** shall mean seized, delivered, received or taken into the pound or any authorized vehicle operated by an officer pursuant to the provisions of the by-law;

1.25. **Keep** means to have temporary or permanent control or possession of an animal;

1.26. **Kennel License** means a license issued for a Commercial Dog Kennel, Purebred Kennel or Hunting/Sporting Kennel, as evidenced by the license records of the Township;

1.27. **Leash** means rope, chain or other restraining device suitable to the size of the dog which may not exceed 3.5 meters (11.5 feet) in length, except for pit bull dogs the leash for which shall not exceed 1.8 meters (5.9 feet) in length;



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1.28. **License** when used in reference to a dog shall mean a dog license, when used in reference to a pit bull shall mean a pit bull license and when used in reference to a kennel, shall mean a kennel license;

1.29. **Livestock Guardian Dog** shall mean a dog that works and/or lives with domestic farm animals to protect them while repelling predators and is used exclusively for that purpose;

1.30. **Mitigating Factor** means circumstances which excuses aggressive behaviour of a dog without limiting the generality of the foregoing, may include circumstances where:

1.30.1. The dog was, at the time of the aggressive behaviour, acting in defense to an attack from a person or domestic animal;

1.30.2. The dog was, at the time of the aggressive behaviour, acting in defense of its young or reacting to a person or domestic animal trespassing on the property of its owner, or

1.30.3. The dog was, at the time of the aggressive behaviour, being teased, provoked or tormented.

1.31. **Muzzle** shall mean a humane fastening or covering device of adequate strength which when placed over the mouth of a dog will then prevent that dog from biting;

1.32. **Muzzle Order** means an Order issued by the Animal Control Officer or an Officer for a muzzle to be placed on a dog;

1.33. **Officer** is the Animal Control Officer designated by the Council, a Municipal By-Law Enforcement Officer designated by the Council and/or the Ontario Provincial Police;

1.34. **Owner** means a person who keeps, harbours or has custody of an animal, and, in the case of a minor, "Owner" means the person responsible for the custody of the minor. If there is more than one owner of an animal, they are jointly and severally the owner;

1.35. **Person** means an individual, partnership, association, firm or corporation;

1.36. **Pit Bull** means the breed of dog which includes:



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- 1.36.1. A pit bull terrier,
- 1.36.2. A Staffordshire bull terrier,
- 1.36.3. An American Staffordshire terrier,
- 1.36.4. An American pit bull terrier, or

1.36.5. A member of a class of dog that have the appearance and physical characteristics that are substantially similar to the dog referred to above. In determining whether a dog is a pit bull, regard may be had to breed standards established, for dogs referred in above, by the Canadian Kennel Club, the United Kennel Club, the American Kennel Club or the American Dog Breeders Association.

1.37. **Police Work Dog** means a dog trained for and engaged in law enforcement by any federal, provincial or municipal government agency;

1.38. **Potentially Dangerous Dog** means a dog that in the absence of any mitigating factors, chases or approaches any person or domestic animal, anywhere other than on the property of its owner, in a menacing fashion or apparent attitude of attack, including but not limited to, behaviour such as growling or snarling or shows the disposition or tendency to be threatening or aggressive.

1.39. **Pound** means those premises designated by the Corporation for the detention, maintenance or disposal of animals that have been impounded by an officer and shall include any building or buildings and enclosures maintained on behalf of the Corporation by any person or organization as is duly authorized to do so for the purposes of carrying out the provisions of this by-law or the Dog Owner's Liability Act and such building or buildings and enclosure shall conform to the Animals for Research Act, 1990, as may be amended;

1.40. **Pound Keeper** shall mean the person or organization responsible for maintaining the pound on behalf of the Corporation for the purpose of enforcing and carrying out the provisions of this by-law;

1.41. **Premises** includes a dwelling unit, a house or building and the land or premises on which the building or house is situated or attached;

1.42. **Prohibited Dog** means:

- 1.42.1. A pit bull dog that is not restricted,



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1.42.2. A pit bull dog, previously designated as a restricted dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog, or

1.42.3. A dog previously designated as a potentially dangerous dog or a dangerous dog, which is kept or permitted to be kept by its owner in violation of the requirement for such dog.

1.43. **Protective Care** means the temporary keeping of an animal as a result of an eviction, incarceration, medical or fire emergency, or any other situation that an Officer deems appropriate for the health and safety of the animal;

1.44. **Purebred** means a recognized breed, unmixed by crossbreeding; that is eligible for registration with an association incorporated under the Animal Pedigree Act (Canada);

1.45. **Restricted Dog** means a dog that is a pit bull that is owned by a resident on August 29, 2005, or was born before the end of the 90-day period beginning on August 29, 2005, and that has been registered by the owner with the Corporation and maintains a valid municipal dog license;

1.46. **Sanitary Condition** means a condition that does not result in an accumulation of fecal matter, odour, insect infestation, or rodent attractants which endanger the health, comfort or convenience of any person or animal;

1.47. **Sanitize** means to clean for the purpose of controlling disease-producing organisms and “sanitized” has a corresponding meaning;

1.48. **Service Animal** means a guide dog and other trained service animal identifiable by a harness and used principally to assist persons with a visual, hearing or other impediment;

1.49. **Veterinarian** means a member of the College of Veterinarians of Ontario.

## **SECTION 2: ADMINISTRATION AND ENFORCEMENT**

2.1 The Animal Control Officer of the Corporation shall be responsible for the administration of this by-law, and the Animal Control Officer of the Corporation shall be responsible for the enforcement of this by-law.



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## **SECTION 3: LICENSING OF DOGS**

### **Requirements of a License**

3.1. Every owner of a dog within the municipality shall obtain an annual license for each dog owned by him/her.

3.2. A person who acquires a dog during the year shall obtain from the Corporation a tag within fourteen (14) days after acquiring the dog.

3.3 The owner of any dog(s) who does not have a current license for his/her dog(s) may be subject to a fine as noted in Schedule "A" of this By-Law.

3.4 A dog license shall be valid only for the fiscal year in which it is issued.

3.5 The Animal Control Officer shall maintain a registry with the serial number of the dog tag along with the name, address, and telephone number of the owner, the name, breed, colour/markings, gender of the dog and the date that the dog tag is furnished to the owner. Any changes to the status of the information must be reported promptly to the Township of Blandford-Blenheim Clerk's Department.

3.6 No tag issued for a dog pursuant to the provisions of this by-law is transferrable between dogs or between owners without the written permission of the Corporation.

3.7 No person shall own, possess or harbour a dog within the municipality or allow a dog to be owned, possessed or harboured on the premises of that person unless a dog tag has been obtained, as required by this by-law and every owner of a dog shall keep the tag securely fixed on the dog at all times.

3.8 Where a dog tag issued pursuant to the provisions of this by-law has been lost or destroyed, the owner on application to the Township of Blandford-Blenheim Clerk's Department may be issued a new dog tag upon payment of the replacement fee as set out in the Fees and Charges By-law.

3.9 Every dog owner who takes up residence within the municipality and where a current tag has been issued by another municipality shall be required to obtain a new tag from the Corporation.





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3.10 Licenses and tags will be issued by the Township of Blandford-Blenheim Clerk's Department.

3.11 Every officer appointed under this by-law or any other by-law has the authority to issue a Notice of Offense to the owner of any dog that has not been registered/licensed in accordance with the provisions of this by-law. The owner of the dog may be subject to a fine in accordance with the amount as set out in the Fees and Charges By-law.

**Exceptions:**

3.12 The requirement for a dog license does not apply to a pet shop whose business includes the sale of dogs.

3.13 The requirement for a dog license shall not apply to a police work dog trained for and engaged in law enforcement by any federal, provincial or municipal government agency.

3.14 The requirement for a dog license shall not apply to a service animal.

3.15 The requirement for a dog license does not apply to a person who has a Kennel License by March 15th of each calendar year, and the kennel license fee in the Township's Fees and Charges By-law shall be paid. The kennel license entitles the owner to a dog tag for each purebred dog kept as a pet. It shall be the responsibility of those individuals who purchase dogs from a kennel to obtain the license and tag as per Section 3.1 and 3.2 of this by-law.

3.16 The requirement for a dog license does not apply to any person or organization authorized by the Municipality to be a pound keeper for the Municipality and shall be exempt from paying the annual kennel license fee.

3.17 The requirement for a dog license does not apply to any organization mentioned in Section 4.5 of this by-law.

3.18 Proof of up-to-date rabies inoculation shall be provided when requested by the Animal Control Officer.

3.19 Herding dogs and livestock guardian dogs are exempt from wearing a collar and tag provided they have identifying tattoos or microchips. Such



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information must be provided to the Township office at the time of obtaining a dog license.

## **SECTION 4: KEEPING OF ANIMALS**

### **General Provisions**

- 4.1. Every owner of an animal shall treat the animal in a humane manner, including but not limited to the provision of:
  - 4.1.1. A shelter for the animal that is waterproof and that protects the animal from exposure to the elements;
  - 4.1.2. A shelter for the animal that is adequate for its size and breed;
  - 4.1.3. Adequate amounts of potable water for the animal; and
  - 4.1.4. Food of a type and in amounts nutritionally adequate for the animal.
- 4.2. No person shall keep an animal in unsanitary conditions.
- 4.3. Except as otherwise provided in this by-law, no person shall keep, or permit to be kept more than three of any one species of household pet, at any premises unless such keeping is in compliance with the Township Zoning By-law.
- 4.4. If more than three livestock guardian dogs or herding dogs are required, written permission must be obtained from the Township office.
- 4.5. Whether temporarily, permanently, or otherwise, no more than 3 domestic dogs of any age in excess of 3 months shall be kept, harboured, maintained or possessed at any location within the Municipality.
- 4.6. Despite section 4.3 hereof, a person who on March 6, 2013, kept or permitted to be kept more than three dogs for which valid dog licenses were issued pursuant to By-Law No. 1362-2002 with respect to a dwelling unit, may continue to keep the said dogs until they are no longer in the possession of their owner, and said dogs shall not be replaced in such dwelling unit.
- 4.7. Sections 4.3 does not apply to:
  - 4.7.1. Pet Shops in the Municipality;
  - 4.7.2. A police work dog in a Police Canine Unit;



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- 4.7.3. Dog kennels and commercial dog kennels located in with the Municipality's zoning by-law and the Ontario Building Code Act, 1992, as amended, and licensed by the Corporation;
- 4.7.4. Security firms' licenses and authorized by the Province of Ontario to provide guard dog services;
- 4.7.5. The keeping of animals on lands zoned for agricultural purposes.
- 4.7.6. An animal hospital or clinic that is lawfully operated and supervised by a veterinarian licensed by the Ontario Veterinary Association;
- 4.7.7. A pound or shelter lawfully operated by the Corporation, or the Ontario Society for the Prevention of Cruelty to Animals (OSPCA):
- 4.7.8. Any organization permitted by law to provide protection and humane treatment of animals;
- 4.7.9. Any person while rendering emergency treatment to an injured or abandoned animal;
- 4.7.10. The Corporation or other governmental authority while lawfully operating a public park, exhibition, or zoological garden, and maintaining animals therein;
- 4.7.11. Any person in charge of a traveling circus, exhibition, or road show, or any employee thereof, lawfully displaying animals;
- 4.7.12. Persons operating premises registered as research facilities under the Animals for Research Act, R.S.O. 1990, c.A-22, as amended, or the persons in charge, or the employees thereof, during the course of their duties;
- 4.8. No person shall keep, or cause to be kept, a reptile, insect or amphibian permitted under this by-law outside a building or structure unless it is in an appropriate animal enclosure.



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## **4.9. Keeping of Animals Prohibited**

4.9.1. No person shall keep, or permit the keeping of an animal or animals of any of the following classes anywhere within the Township of Blandford-Blenheim:

- a) All marsupials (such as kangaroos and opossums)
- b) All non-human primates (such as gorillas and monkeys)
- c) All felids, except the domestic cat
- d) All canids, except the domestic dog
- e) All viverids (such as mongooses, civets, and genets)
- f) All mustelid, except the ferret (such as skunks, weasels, otters and badgers)
- g) All ursids (bears)
- h) All artiodactylus ungulates, except the domestic buffalo, deer, cattle, goats, pigs and sheep
- i) All procyonids (such as raccoons, coatis and cacomistles)
- j) All hyenas
- k) All perissodactylus ungulates, except the domestic horse and ass
- l) All elephants
- m) All pinnipeds (such as seals, fur seals, and walruses)
- n) All snakes of the families pythonidae and boidae
- o) All venomous reptiles and amphibians
- p) All diurnal and nocturnal raptors (such as eagles, hawks and owls)
- q) All edentates (such as anteaters, sloths and armadillos)
- r) All bats
- s) All crocodilians (such as alligators and crocodiles)
- t) All arachnids (such as tarantulas)

4.9.2 No person shall sell, offer to sell, permit the sale or otherwise make available in any way to any person residing in the Township, any of the animals listed in 4.9.1.

4.9.3 No person shall keep, or permit to be kept, more than three cats, over the age of eight (8) weeks, at any premises. This section does not apply to cats that are kept on lands zoned agricultural and used for agricultural operations as defined in the Farming and Food Production Protection Act, 1998, S.O. 1998, c.1.

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#### **4.10. General Restrictions**

4.10.1. No person shall keep, harbour or possess a prohibited dog in the Township of Blandford-Blenheim.

4.10.2. No person who operates a business within the Township that includes the sale of pets or other animals shall sell, offer to sell, or otherwise make available in any way, to any person, a prohibited dog.

4.10.3. No owner of an animal shall allow it to enter onto a splash pad unless such animal is acting as a Service Animal for a person with a disability who is on the splash pad.

#### **4.11. Pit Bulls – Special Requirements**

4.11.1. No person shall:

- 4.11.1.1 Own a pit bull, except a restricted pit bull;
- 4.11.1.2 Breed a pit bull;
- 4.11.1.3 Transfer a pit bull by sale;
- 4.11.1.4 Transfer a pit bull by gift or bequest; if the person to whom the pit bull is transferred will own more pit bulls after August 29th, 2005 than on that day (maximum number of dogs per premises is three);
- 4.11.1.5 Transfer more than one pit bull by gift or bequest to a person who did not own a pit bull on August 29, 2005;
- 4.11.1.6 Abandon a pit bull other than to a pound operated by or on behalf of the Municipality, the province or a designated body;
- 4.11.1.7 Allow a pit bull in his or her possession to stray; or
- 4.11.1.8 Train a pit bull for fighting.

#### **4.12. Pit Bulls – Other Requirements**

4.12.1.1 All other requirements regarding Pit Bulls specifically shall be in accordance with the Dog Owners Liability Act, 1990 (DOLA), as amended, including regulations pertaining to DOLA, and the Animals for Research Act, 1990, as amended.

4.12.1.2 The Animal Control Officer is authorized to issue pit bull licenses on behalf of the Township.



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4.12.1.3 Every application for a pit bull license shall include the following as applicable:

- a) Name, address and phone number of the registered owner
- b) Address of the property where the pit bull is being kept
- c) Description of the pit bull including breed, sex, colour, name
- d) Upon first registration evidence satisfactory to the Animal Control Officer that the pit bull was born in Ontario between August 29, 2005 and November 26, 2005
- e) Evidence satisfactory to the Animal Control Officer that the pit bull has been sterilized, unless a veterinarian's written opinion is provided that the pit bull is physically unfit to be anaesthetized because of old age or infirmity in accordance with section 2(3) of Ontario Regulation 157/05.
- f) License fee.

## **SECTION 5: ANIMAL ENCLOSURES**

### **5.1 General Provisions**

5.1.1 Every owner of an animal shall ensure that the animal enclosure provided for the animal meets the following requirements, regardless of whether the animal enclosure is located indoors or outdoors.

5.1.2 The animal enclosure shall be of a size and in a condition such that the animal may:

- 5.1.2.1 Extend its legs, wings, and body to their full natural extent;
- 5.1.2.2 Stand;
- 5.1.2.3 Sit;
- 5.1.2.4 Perch.

5.1.3 Every reptile, fish, mammal and amphibian shall be provided with an enclosed space adequate for the needs of the species.

5.1.4 The enclosure is of such a nature and condition that the animal contained therein would not be harmed and its health would not be negatively affected for the reason of being placed in such an animal enclosure.

5.1.5 Every animal contained therein may be readily observed unless the natural habits of the animal require otherwise.



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5.1.6 The animal enclosure is kept in a clean and sanitary condition.

5.1.7 The animal enclosure is kept free of offensive odour.

5.1.8 The animal enclosure is escape proof.

## **5.2 Additional Provisions for Outdoor Animal Enclosures**

5.2.1 Except for the keeping of animals on lands zoned for agricultural purposes no person shall keep, or cause to be kept, any animal enclosure for an animal outside a building or structure unless:

5.2.2 The animal enclosure is in the rear yard; and

5.2.3 The animal enclosure, is located at least 3.1 metres (10 feet) from the property line and at least 6.1 metres (20 feet) from any school, church, or residential building not located on the same lot; and

5.2.4 No person shall keep an animal tethered on a rope, chain, cord or similar restraining device unless:

5.2.4.1 The tether is of appropriate length for the species tethered;

5.2.4.2 The animal has unrestricted movement within the range of such tether;

5.2.4.3 The animal is not tethered for longer than twelve (12) hours per day;

5.2.4.4 The animal has access to water, food and shelter while tethered;

5.2.4.5 The animal cannot injure itself as a result of the tethering;

5.2.4.6 The tether shall be a minimum of 3.5 metres in length, provided the tether does not permit the animal to go beyond the limits of the animal owner's property, and;

5.2.4.7 No person shall keep an animal tethered where a Choke Collar, a Choke Chain or a Prong Collar forms part of the tether or a rope, chain, cord or similar restraining device is tied directly around the animal's neck.

5.2.5 In addition to the requirements in this part of the by-law, an animal enclosure kept outside shall be:



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5.2.5.1 Soundly constructed of hard, durable material;

5.2.5.2 Impervious to water for the housing unit within the enclosure and the housing unit must comply with all animal enclosure requirements;

5.2.5.3 Constructed of a material that may be readily sanitized;

5.2.5.4 Maintained in a good state of repair from cracks, holes, rust and other damage;

5.2.5.5 Kept in a way that minimizes as nearly as practicable the transfer of disease-causing agents; and

5.2.5.6 Adequately ventilated and maintained at a suitable temperature and lighting for the health, welfare and comfort of the animal enclosed therein.

5.2.6 No animal shall be kept outdoors during Extreme Weather unless the animal has access to an enclosure that will adequately protect the animal from the elements

**5.3** Compliance with the requirements under Part 5 of this By-Law does not exempt any person from compliance with other applicable laws and by-laws, including the Building Code Act 1992, as amended, and the municipal zoning by-law, as amended.

**5.4** Every owner shall allow any officer to carry out an inspection of premises where animal(s) of the owner are kept or to make inquiries deemed necessary for the purposes of insuring compliance of this by-law.

## **5.5 Kennels**

5.5.1 Any person or persons who keep more than three (3) dogs, which are over three (3) months of age, at one (1) location shall obtain a dog kennel license and section 4.5.3 and Section 5 of this by-law shall be complied with regarding the location and operation of a kennel.






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- 5.5.2 Unless currently on file, upon first registration with the Township pursuant to the provisions of this By-law, verification that the kennel complies with the Township Zoning By-law.
- 5.5.3 In the case of a Purebred Kennel upon first registration and annually thereafter, proof of active membership in the Canadian Kennel Club, American Kennel Club, United Kennel Club or any other association incorporated under the Animal Pedigree Act (Canada). This section does not apply to kennels which are licensed by the Township on or before the date of passage of this by-law; and
- 5.5.4 In the case of a Purebred Kennel upon first registration and annually thereafter pursuant to the provisions of this by-law, a Certificate of Registration for each of the dogs kept therein and annually a Certificate of Registration for any additional dogs kept therein for which registration papers have not been previously provided. This section does not apply to kennels which are licensed by the Township on or before the date of passage of this by-law.
- 5.5.5 In the case of a Hunting/Sporting Kennel, upon proof of first registration and annually thereafter, proof of active membership in the Canadian Kennel Club, American Kennel Club, United Kennel Club or any other association incorporated under the Animal Pedigree Act (Canada) for the purpose of regulating dog sled or other similar races, hunting events or other sporting competitions; and
- 5.5.6 Registration documentation from the applicable governing association indicated in 5.5.5 for each dog kept therein, and annually thereafter for any additional dogs kept therein for which registration papers have not been previously provided; and
- 5.5.7 Upon first registration and annually thereafter, a list of all dogs to be kept at the subject property, and proof of current rabies vaccination for each dog.
- 5.5.8 The applicable license fee.
- 5.5.9 The kennel license must be posted in a conspicuous place on the kennel premises.

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	<p>By-Law # 2184-2020 Animal Care and Control</p>	<p>Page   18</p>

5.5.10 Kennel licenses are not transferable.

5.5.11 The Animal Control Officer may refuse to issue a kennel license with respect to any kennel that does not meet with all of the requirements of this By-law.

## **SECTION 6: EXCREMENT**

6.1. Every owner of an animal shall remove forthwith and sanitarily dispose of any excrement left by the animal on any property anywhere in the Township including highways.

6.2. Section 6.1 does not apply to:

6.2.1 Persons reliant upon a service animal while that animal is being used in the performance of its' duties to aid a person with a visual, hearing or other impediment;

6.2.2 Permitted farm animals when animals are on lands zoned for agricultural purposes.

## **SECTION 7: ANIMALS AT LARGE**

7.1. No owner shall cause or permit an animal to be at large, subject to the provisions of this part of the by-law.

7.2. A dog is not considered to be at large if the dog is:

7.2.1 A service animal or a police work dog; or

7.2.2 On the premises of a person who has consented to the dog on the person's premises.

## **SECTION 8: SEIZURE AND IMPOUNDMENT**

8.1. Any animal found at large contrary to this by-law may be seized by an Officer.



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8.2. An Officer may take possession of an animal for the purpose of providing protective care to it at any time when the Officer deems it necessary to provide protective care to the animal.

8.3. A dog seized under this by-law shall be impounded for a period of three (3) days, exclusive of the day on which the dog was impounded and statutory holiday and Sundays, unless:

8.3.1 The dog is redeemed by the Owner during this period of impoundment in accordance with the provisions of this by-law;

8.3.2 The dog was seized for the purpose of providing protective care to it; or

8.3.3 In the opinion of the Animal Control Officer, the dog should be euthanized or receive veterinary care immediately.

8.3.4 A dog is seized for the purpose of providing protective care, in which case it shall be impounded for a period of up to ten (10) days, exclusive of the day on which the dog was impounded and statutory holiday and Sundays, unless the animal is redeemed by the owner during this period if impoundment in accordance with the provisions of this by-law or is euthanized for humane reasons.

8.3.5 Where the pound operator has impounded a dog or a cat that has a tag, name plate or other means of identification, the operator shall take all reasonable steps to find the owner of the dog or cat and shall forthwith notify the owner, if found, that the dog or cat has been impounded and can be redeemed on payment in full of all costs, fines and penalties.

8.4. Any other animal seized under this by-law shall be impounded for a period of three (3) days, exclusive of the day on which the animal was impounded and statutory holidays and Sundays, unless;

8.4.1 The animal is redeemed by the owner during this period of impoundment in accordance with the provisions of this by-law; or

8.4.2 In the opinion of the Officer, the animal should be euthanized or should receive veterinary care immediately.

8.4.3 Any other animal seized for the purpose of providing protective care to it shall be impounded for a period of eight (8) days, exclusive of the day



# TOWNSHIP OF BLANDFORD-BLENHEIM

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on which the animal was impounded and statutory holiday and Sundays, unless the animal is redeemed by the owner during this period of impoundment in accordance with the provisions of this by-law or is euthanized for humane reasons.

8.5. The owner of an animal impounded under this by-law may redeem the animal upon payment of the appropriate impoundment and maintenance fees for the time of the impoundment and any fines under this and any other applicable Township by-laws.

8.5.1 In addition, the owner of a dog seized and impounded shall produce a valid dog tag for the dog before the owner may redeem it.

8.5.2 If a valid tag cannot be produced the owner of the dog shall obtain a license for the dog and be responsible for the payment of the penalty in Schedule "A" of this by-law.

8.6. If an animal is not redeemed within the time period specified in this by-law, the animal shall become the property of the Corporation and may be:

8.6.1 Put up for adoption; or


8.6.2 Euthanized by the Animal Control Officer

8.7. An Animal Control Officer may euthanize an animal without delay without permitting any person to redeem it if:

8.7.1 The animal seized and impounded under this by-law is seriously injured or ill and should be euthanized without delay for humane reasons; or

8.7.2 Euthanasia of the animal seized and impounded under this by-law is necessary for the safety of persons

8.8. Where, in the opinion of the Animal Control Officer, an animal seized and impounded under this by-law is injured and requires the services of a veterinary surgeon, the Animal Control Officer shall arrange for such services and, in addition to any amount charged under this Part, be entitled to charge the owner of the animal the cost of the veterinary care to the Animal Control Officer.

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**SECTION 9: QUARANTINE OF ANIMALS**

9.1 If, in the opinion of the local Health Unit or an officer, an animal shall be put in quarantine, the owner of the animal shelter shall:

9.1.1. Comply with the quarantine order of the Health Unit or Officer; and

9.1.2. Be responsible for the costs associated with the quarantine, including the costs of any veterinary care required for the animal and any other applicable fees.

**SECTION 10: PRECAUTIONS BY DOG OWNERS**

10.1 The owner of a dog shall exercise reasonable precautions to prevent it from:

10.1.1. Biting or attacking a person or domestic animal;

10.1.2. Behaving in a manner that poses a menace to the safety of persons or domestic animals;

10.1.3. Shall ensure the dog is properly leashed when not on the property of the owner, or not on the property of a person who authorizes the dog to be on his/her property;

10.1.4. Persistently barking or howling;

10.1.5. Fail to prevent your dog from biting.

**SECTION 11: MUZZLE ORDER - DOGS**

11.1 General Provisions

11.1.1. Where an Officer determines that a dog is a potentially dangerous dog or a dangerous dog, the Animal Control Officer may issue a Muzzle Order to the owner of the dog;

11.1.2. The Animal Control Officer may impose conditions on the Muzzle Order to ensure the health and safety of the owner, the dog, and other persons and animals, and the order is effective immediately on issuance.



# TOWNSHIP OF BLANDFORD-BLENHEIM

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11.2 A Muzzle Order may be served by:

11.2.1 Delivering it personally to the owner of the dog; or

11.2.2 Sending it by registered mail to the last known address of the owner of the dog.

11.3 Notwithstanding other sections of the By-Law, when a Muzzle Order has been served, the owner of the dog:

11.3.1. Shall not permit the dog to be off the premises of the owner unless it is muzzled, and secured on a leash that shall be no longer than 1.8 metres (5.9 feet);

11.3.2. Shall ensure that the dog does not bite, chase or attack a person or a domestic animal on any property, including that of the owner;

11.3.3. Shall either restrict the dog on a chain capable of restraining the dog or confine it within a fenced yard capable of preventing the dog from escaping;

11.3.4. Shall put the dog under the control of a person at least eighteen (18) years of age when the dog is not on the owner's premises;


11.3.5. Shall notify the Animal Control Officer within five (5) days of transfer if the dog is transferred to a new location or if the ownership of the dog is transferred to another person in the municipality, and the Muzzle Order shall still apply;

11.3.6. Shall ensure that the dog is spayed or neutered;

11.3.7. Shall obtain a warning sign as prescribed by the Animal Control Officer which shall be posted and displayed continuously by the owner in a prominent location in close proximity where the particular dog is kept;

11.3.8. The dog shall be implanted with an identification microchip;

11.3.9. Shall comply with any other conditions imposed in the Muzzle Order.

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11.4 A Muzzle Order expires when the dog dies or the Animal Control Officer is satisfied that it no longer resides in the Township.

**SECTION 12: PAYMENT OF FEES**

**12.1. General Provisions**


- 12.1.1. Every person responsible for the payment of any and all fees, costs and fines under this by-law shall make such payment in full upon demand by the Corporation.
- 12.1.2. The payment of any fees and charges as required under this by-law does not constitute partial or full payment of any fines imposed by a court of competent jurisdiction for an offence committed under this or any other by-laws.
- 12.1.3. The Township Treasurer may add any charges payable to the tax roll of any property owned by the animal’s owner and collect the amount in the same manner as taxes.

**SECTION 13: OFFENCE**

- 13.1. Every person who contravenes any provision of this by-law is guilty of an offence and is liable to a fine and any other penalties imposed pursuant to the Provincial Offences Act, 1990, c. P-33, as amended, the Dog Owner’s Liability Act, 1990, as amended, if applicable, and the Pounds Act, 1990, as amended, if applicable.
- 13.2. Any person who receives a Notice of Offense is required to comply within seven (7) days of its delivery.

**SECTION 14: VALIDITY**

- 14.1. If a court of competent jurisdiction declares any section or part of a section of the by-law invalid, it is the intention of Council that the remainder of the by-law shall continue to be in force.

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**SECTION 15: REPEAL AND EFFECTIVE DATE**

15.1. The following Township of Blandford-Blenheim by-laws are hereby repealed:

- By-Law 1313-2000
- By-Law 1362-2002
- By-Law 1774-2013

**SECTION 16: SHORT TITLE**

16.1 This by-law shall be referred to as the “Animal Care and Control” By-Law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED ON THIS 18TH DAY OF MARCH, 2020.**

\_\_\_\_\_  
 MAYOR: Mark Peterson

\_\_\_\_\_  
 Rodger Mordue, CAO/Clerk





# TOWNSHIP OF BLANDFORD-BLENHEIM

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## SCHEDULE "A" TO BY-LAW 2184-2020, as amended: Animal Care and Control

### Part 1 Provincial Offences Act

#### Short Form Wording and Set Fines

Item	Short Form Wording	Column 2 Offence Creating Provisions	Column 3 Set Fines
1	Fail to obtain dog tag	Section 3.1	\$105.00
2	Fail to keep dog license fixed on dog	Section 3.7	\$105.00
3	Fail to obtain dog tag after moving to the Township	Section 3.9	\$105.00
4	Fail to provide proof of rabies inoculation	Section 3.18	\$105.00
5	Fail to protect animal from exposure to elements	Section 4.1.1	\$300.00
6	Fail to shelter animal adequately for size	Section 4.1.2	\$300.00
7	Fail to provide animal with adequate potable water	Section 4.1.3	\$300.00
8	Fail to provide adequate nutritional food	Section 4.1.4	\$300.00
9	Keep animal in unsanitary condition	Section 4.2	\$300.00
10	Keeping more than three (3) dogs	Section 4.5	\$105.00
11	Keeping prohibited animals	Section 4.9	\$105.00
12	Fail to ensure that the animal enclosure is of an appropriate size and/or condition	Section 5.1.2	\$300.00
13	Fail to ensure that the animal enclosure for every reptile, fish, amphibian has an enclosed space adequate for the needs of the species	Section 5.1.3	\$300.00
14	Fail to ensure that the nature and condition of the animal enclosure are such that the animal would not be harmed and its health would not be negatively affected	Section 5.1.4	\$300.00
15	Fail to ensure the animal enclosure is such that the animal can be readily observed	Section 5.1.5	\$300.00
16	Fail to ensure that the animal enclosure is kept in a clean and sanitary condition	Section 5.1.6	\$300.00



# TOWNSHIP OF BLANDFORD-BLENHEIM

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17	Fail to ensure that the animal enclosure is kept free of offensive odour	Section 5.1.7	\$300.00
18	Fail to ensure that the animal enclosure is escape proof	Section 5.1.8	\$105.00
19	Fail to keep/cause to be kept an animal enclosure outside a building or structure in a rear yard	Section 5.2.2	\$105.00
20	Fail to keep/cause to be kept an animal enclosure outside a building or structure at least 3.1 meters from the property line	Section 5.2.3	\$300.00
21	Fail to keep/cause to be kept an animal enclosure outside a building or structure at least 6.1 meters from any school, church, or residential building not located on the same lot	Section 5.2.3	\$105.00
22	Fail to tether dog on restraining device more than 3.5 meters	Section 5.2.4.6	\$300.00
23	Fail to allow officer to carry out inspection	Section 5.4	\$105.00
24	Fail to pay annual kennel fee	Section 5.5.8	\$105.00
25	Fail to remove excrement left by an animal on any property	Section 6.1	\$105.00
26	Being an owner of an animal, permitting it to run at large	Section 7.1	\$105.00
27	Fail to prevent dog from biting	Section 10.1.5	\$500.00



# TOWNSHIP OF BLANDFORD-BLENHEIM

## Agenda Item

<b>To:</b>	Members of Council	<b>From:</b>	Jim Harmer Drainage Superintendent
<b>Reviewed By:</b>	Rodger Mordue	<b>Date:</b>	March 3, 2020
<b>Subject:</b>	Monthly Report	<b>Council Meeting Date:</b>	March 18, 2020
<b>Report #:</b>	DS-20-03		

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### Recommendation:

That Report DS-20-03 be received as information

### Background:

Monthly activities of the Drainage Department to February 29, 2020

### Analysis/Discussion

- Working on drain maintenance and various site meeting to review work required with ratepayers.
- Working with lawyer on compliance letters.
- 10 locates for ON 1 Call in February 2020 including 0 emergency locates.
- Update of drainage mapping for ON 1 Call / OMAFRA / Township Web site.
- Commenting on various planning application
- Drainage Act Section 65 reports McGrath and Apple Homes Severance's
- Attended Management meeting
- Asset Management meeting with County
- Nithall Farms Subdivision meeting with planning, township staff, developer and developer's engineer
- Mitchell Drain County and Region have submitted petitions for drainage works, for the construction work being proposed at Trussler Road and Oxford Road 8. Council has accepted petition from County and Region for improved outlet, Engineer appointed on

September 4 2019. Kenn Smart (Project Engineer). Had meeting with Engineer, Folling and Hurlbut about next step. Site meeting January 29 2020 for the road petition. Engineer working on concept plans and cost estimates

- Scott Drain. Council accepted petition for drainage on April 17<sup>th</sup> 2019. Engineer appointed on June 5 2019. Kenn Smart (Project Engineer). 2<sup>nd</sup> site meeting February 12 2020 with ratepayers.
- Hanchiruk Drain (Magda) petition received and P Eng. appointed at December 18 2019 council meeting, GRCA have been informed of the appointment. Site meeting with Magda and Engineer February 4 2020
- Meeting with ratepayer about McCrow Drain
- Review the EBR on the proposed change to the Drainage Act
- 2 week Holidays

**Financial Considerations:**

None

**Attachments:**

None

Respectfully submitted by:

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Jim Harmer Drainage Superintendent



# TOWNSHIP OF BLANDFORD-BLENHEIM

## Agenda Item

<b>To:</b>	Members of Council	<b>From:</b>	Jim Harmer Drainage Superintendent
<b>Reviewed By:</b>	Rodger Mordue	<b>Date:</b>	April 8, 2020
<b>Subject:</b>	Monthly Report	<b>Council Meeting Date:</b>	April 15, 2020
<b>Report #:</b>	DS-20-05		

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### Recommendation:

That Report DS-20-05 be received as information

### Background:

Monthly activities of the Drainage Department to March 31, 2020

### Analysis/Discussion

- Working on drain maintenance and various site meeting to review work required with ratepayers.
- Working with lawyer on compliance letters.
- 25 locates for ON 1 Call in March 2020 including 1 emergency locates.
- Update of drainage mapping for ON 1 Call / OMAFRA / Township Web site.
- Commenting on various planning application
- Attended Management meeting
- Asset Management meeting with County
- Drumbo Subdivision (Centre St) meeting with planning, township staff, developer and developer's engineer
- Mitchell Drain County and Region have submitted petitions for drainage works, for the construction work being proposed at Trussler Road and Oxford Road 8. Council has accepted petition from County and Region for improved outlet, Engineer appointed on September 4 2019. Kenn Smart (Project Engineer). Had meeting with Engineer,

Folling and Hurlbut about next step. Site meeting January 29 2020 for the road petition. Engineer working on concept plans and cost estimates

- Scott Drain. Council accepted petition for drainage on April 17<sup>th</sup> 2019. Engineer appointed on June 5 2019. Kenn Smart (Project Engineer). 2<sup>nd</sup> site meeting February 12 2020 with ratepayers. Working with Engineer on finalizing report
- Hanchiruk Drain (Magda) petition received and P Eng. appointed at December 18 2019 council meeting, GRCA have been informed of the appointment. Site meeting with Magda and Engineer February 4 2020 engineer has been reviewing option with Magda
- Meeting with ratepayer about petition for McCrow Drain
- Meeting with ratepayer about petition for Risk Drain
- Working with AORS and DSAO on joint train for road supervisor and drainage superintendent
- Working on 2019 drain repair maintenance grant to OMAFRA just received info that the April 30 grant application deadline has been extended

**Financial Considerations:**

None

**Attachments:**

None

Respectfully submitted by:

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Jim Harmer Drainage Superintendent



# TOWNSHIP OF BLANDFORD-BLENHEIM

## Agenda Item

<b>To:</b>	Members of Council	<b>From:</b>	Jim Harmer Drainage Superintendent
<b>Reviewed By:</b>	Rodger Mordue	<b>Date:</b>	March 5, 2020
<b>Subject:</b>	Bright Subdivision Phase II Drainage issue WAGNER	<b>Council Meeting Date:</b>	March 18, 2020
<b>Report #:</b>	DS-20-04		

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### Recommendation:

That report DS 20-04 be received as information

### Background:

Draft plan approval of Wagner Subdivision Phase II was review by Council in 2018 with concern raised by a Bright Community Group which was headed up by Norman Pigeon Spokesperson for the group.

Various questions were raised by the group that township and county staff have answered. The drainage concerns were discussed with the group at a meeting at the North Blenheim Insurance office in November of 2018. Concerns where noted that will need to be reviewed during the review of detail plan for the construction of the subdivision and before the signing of the subdivision agreement between the developer, County and Township. Also, during Building permit application, the details of individual septic systems will be reviewed as per the OBC before permits are issued.

### Analysis/Discussion:

Issues that were raised in 2018 have been answered or will be reviewed during plans review of the subdivision and before the issuance of building permits.

### Financial Considerations:

All cost that are part of the subdivision approval are paid for by the developer.

### Attachments:

None

Respectfully submitted by:

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Jim Harmer  
Drainage Superintendent





## TOWNSHIP OF BLANDFORD-BLENHEIM

### Agenda Item

<b>To:</b>	Members of Council	<b>From:</b>	Jim Borton Director of Public Works
<b>Reviewed By:</b>	Rodger Mordue	<b>Date:</b>	April 7, 2020
<b>Subject:</b>	2020 Gravel Tender Results	<b>Council Meeting Date:</b>	April 15, 2020
<b>Report #:</b>	PW-20-05		

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### Recommendation:

That Report PW-20-05 be received for information;

And further that Council accept the tender submitted by Willson Sand & Gravel Ltd. of Cambridge, ON for the supply, crushing and placement of approximately 27,000 Tonnes of granular "A" at a unit price of \$12.50/tonne and 3,000 Tonnes of granular "B" at a unit price of \$11.25/tonne.

### Background:

Six Contractors were invited to tender for the supply, crushing and placement of approximately 27,000 Tonnes of granular "A" and 3,000 Tonnes of granular "B" for our gravel resurfacing in the North end of the Township and for Base Improvement on Township Rd 8 between Blenheim Rd. and Trussler Rd. this spring.

### Analysis/Discussion:

The Township received 3 bids for the supply, crushing and placement for our spring gravelling program. The lowest bid was from Willson Sand & Gravel, \$12.50/tonne for granular "A" and \$11.25/tonne for granular "B". Oxford Sand & Gravel Ltd. submitted a bid of \$12.85/tonne for granular "A" and \$11.65/tonne for granular "B". Joe Kerr submitted a bid of \$13.20/tonne for granular "A" and \$12.50/tonne for granular "B".

The breakdown for placement is; 21,000 tonnes for the gravel roads in the North end of the Township at an application rate of 210 tonnes per KM. Township Rd. 8 between Blenheim Rd. and Trussler Rd. will receive the 6,000 tonnes of "A" and 3,000 tonnes of "B". This is in preparation to ensure it has a good road base before hard surfacing in 2021.

**Financial Considerations:**

Cost \$262,500.00 for "A" gravel & \$33,750.00 Total of \$296,250.00

Budget amounts are:

Resurfacing Budget: \$270,000.00                      Projected cost: \$262,500.00

Township Rd 8 Budget: \$200,000.00      Projected cost: \$108,750.00 (The balance will be used for culvert repairs/replacement and ditch work)

This is a \$1.00/per tonne price increase for "A" gravel and a \$1.50/per tonne price increase from 2019. This increase was budgeted for and the prices received will allow the Township to apply the necessary gravel needed and still come in at or under budget.

**Attachments:**

None

Respectfully submitted by:



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Jim Borton  
Director of Public Works



# TOWNSHIP OF BLANDFORD-BLENHEIM

## Agenda Item

**To:** Members of Council                      **From:** Trevor Baer

**Reviewed By:** Rodger Mordue, CAO/Clerk                      **Date:** April 7 2020

**Subject:** Monthly Report – March                      **Council Meeting Date:**  
April 15

**Report #:** CS-20-04

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### **Recommendation:**

That Report CS-20-04 be received as information.

### **Background:**

The following will provide Council with an update regarding the activities of the Community Services Department, for the month of March.

### **Analysis/Discussion**

#### **Arena**

We shut the Ice plant off as per the direction of Council. The doors have been closed and access has been denied to the general public at the arena. The Ice plant was shut off on March 15. Staff removed the ice on March 18. We have been completing our year end clean up, painting, and maintenance, in the arena, as required.

#### **Administration**

I am in constant discussion with other Townships. The focus is on COVID 19 and how each community is coping with problems, and coming up with solutions for any new problems.

We have changed our staff schedules, so that each staff members works alone. These are Sunday to Wednesday, days and afternoons, the others then work Wednesday to Saturday days and afternoons. This approach allows us to ensure that no one is working together. We have put policies in place to keep staff safe, during this pandemic.

#### **Parks**

We started cleaning up some areas of our parks, but that has been put on hold due to the laws that the provincial government has put in place closing the parks. Signs have been put up to inform residents that parks are closed but green spaces and walking trails are open, but social distancing must take place. OPP has the ability to hand out fines if rules aren't being followed.

I have talked to the user groups that rent the park facilities and told them that nothing will be happening in our parks until the provincial government lifts the bans that they have in place.

Princeton's multipurpose pad has had the boards installed, along with the fencing. Installing any additional components for completing this project will be on hold during the pandemic.

### **Cemeteries**

We have started the first phase of the Cemetery Maintenance program for the 2020 season. The cemeteries are not closed to the public so we are trying to get the leaves, garbage, and sticks tidied up. We also focused on levelling out the graves from the winter burials that were conducted.

Respectfully submitted by:

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Trevor Baer



# TOWNSHIP OF BLANDFORD-BLENHEIM

## Agenda Item

**To:** Members of Council                      **From:** John Scherer, CBO/  
Manager of Building  
Services

**Reviewed By:** Rodger Mordue, CAO/Clerk      **Date:** March 5, 2020

**Subject:** Monthly Report to Council              **Council  
Meeting Date:** March 18, 2020

**Report #:** CBO-20-05

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### Recommendation:

That Report CBO – 20 - 05 be received as information.

### Background:

To provide Council with an update, regarding the monthly Building activities for the period ending February 29, 2020.

### Building Updates:

1. Various other day to day responsibilities regarding Building Services, Property Standards & Zoning.

### Legislative Updates:

1. None

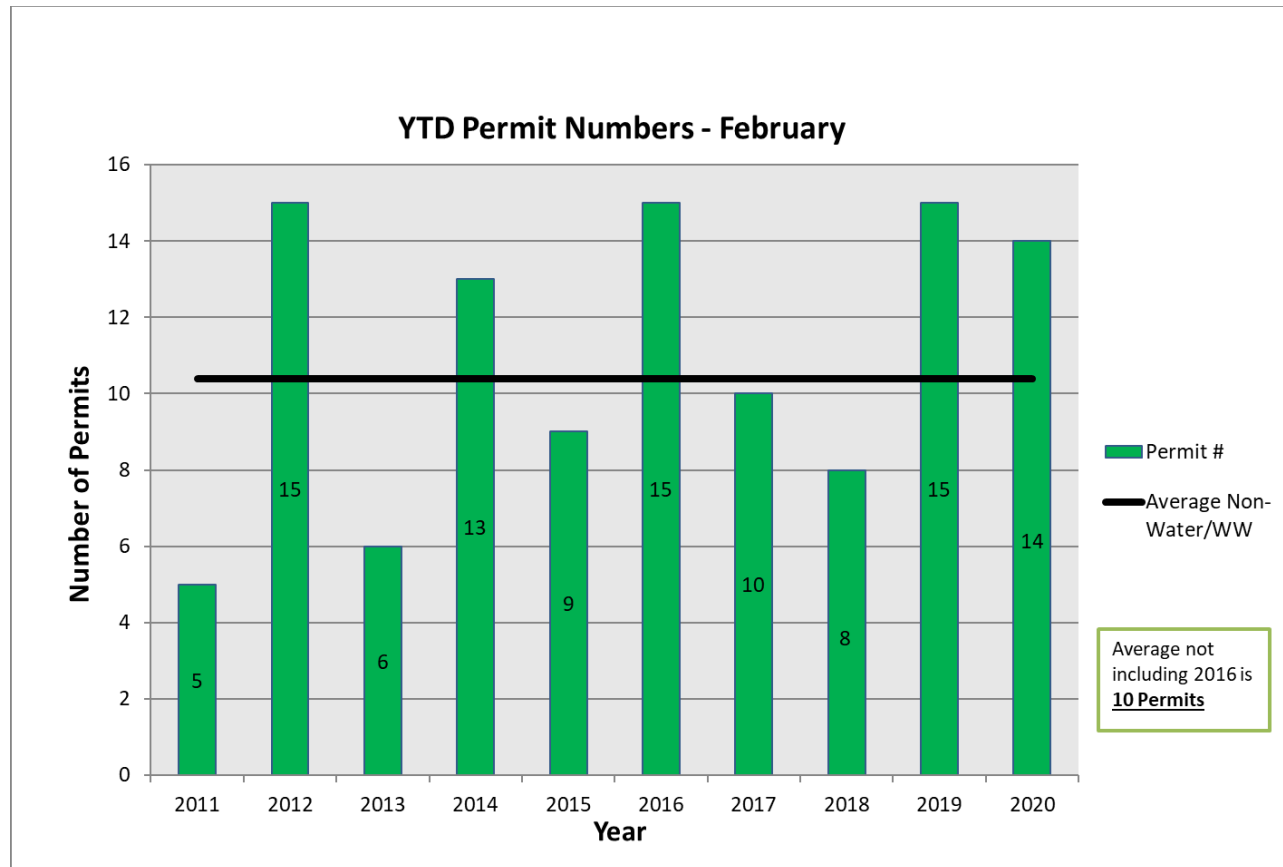
### Property Standards/By-Law Updates:

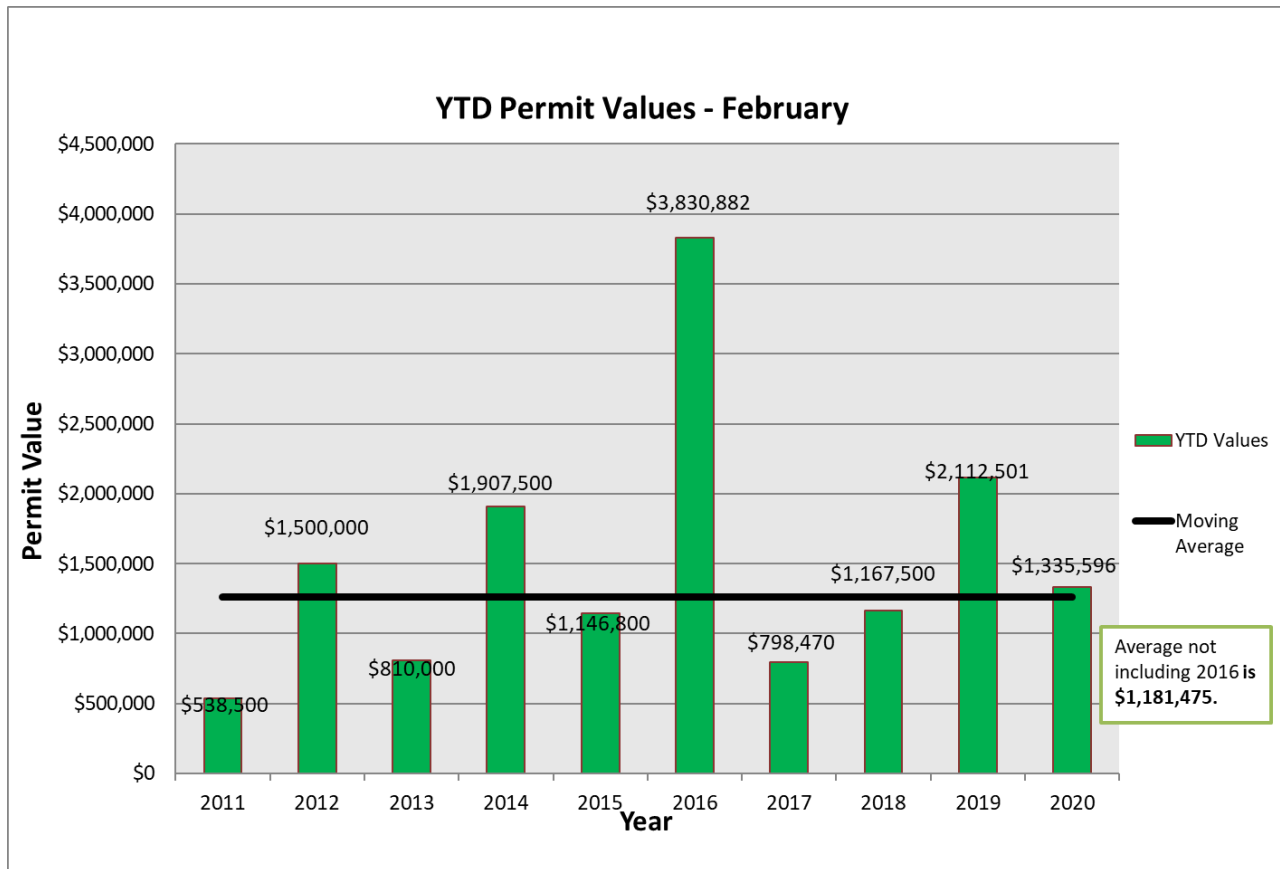
OPEN PROPERTY STANDARDS ISSUES			
Ref Number	Area	Type	Notes
January 2020			
PS2020-01	Plattsville	Property Standards	Order issued (site progress noted)
PS2020-02	Drumbo	Clean Yard/Fence	Site Visit completed. Order Issued
February 2020			
PS2020-03	Drumbo	Clean Yard	Sent to MEU
PS2020-04	<del>Princeton</del>	<del>Clean Yard</del>	<del>Closed</del>
PS2020-05	<del>Plattsville</del>	<del>Grading</del>	<del>All noted. Civil Issue. Closed</del>
PS2020-06	Rural	Noise	Reviewing File. Subject Property under SPC app.

**Monthly Permit Activity**

	# Permits	Const. Value	Permit Fees
February 2020	9	\$915,096.00	\$9,110.29
Year to Date - February 29, 2020	14	\$1,335,596.00	\$14,314.49

Building Description	Permit Value	Permit Fee
Garage	\$ 30,000.00	\$ 755.50
Storage Building	\$ 250,000.00	\$ 831.04
SDD	\$ 400,000.00	\$ 4,773.75
SDD Reno	\$ 12,000.00	\$ 500.00
SDD Reno	\$ 50,000.00	\$ 500.00
Septic	\$ 7,000.00	\$ 550.00
SDD Reno	\$ 52,096.00	\$ 500.00
Finish Basement	\$ 20,000.00	\$ 200.00
SDD Reno	\$ 94,000.00	\$ 500.00
	<b>\$915,096.00</b>	<b>\$9,110.29</b>





Respectfully submitted by:

John Scherer  
Manager Building Services/CBO



# TOWNSHIP OF BLANDFORD-BLENHEIM

## Agenda Item

<b>To:</b>	Members of Council	<b>From:</b>	Denise Krug, Director of Finance
<b>Reviewed By:</b>	Rodger Mordue	<b>Date:</b>	March 11, 2020
<b>Subject:</b>	2019 Development Charges Annual Report	<b>Council Meeting Date:</b>	March 18, 2020
<b>Report #:</b>	TR-20-07		

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### Recommendation:

That Report TR-20-07 be received as information, and is posted on the website for public information.

### Background:

Under the provisions of the Development Charges Act, the Treasurer is required to provide Council with an annual statement, including the reporting of all other financing sources for a capital project partially financed with Development Charges.

### Analysis / Discussion:

The 2019 Opening balance for Development Charges was \$201,890.44.

The total amount of Development Charges collected in 2019 was \$237,958.27.

The total amount of interest earned in 2019 by all Development Charges was \$2,352.06.

The total amount transferred from Development Charges in 2019 was \$327,209.00, including \$92,770 towards the arena debenture payment and \$234,439.00 towards capital projects.

The Treasurer has reviewed this report and confirms that the Township is in compliance with Section 59(1) of the Act, which defines when Development Charges can be imposed.



**Financial Considerations:**

NA

**Attachments:**

2019 Development Charges Annual Report  
2019 Capital Purchases including Development Charges

Respectfully submitted by:

Denise Krug  
Director of Finance/Treasurer

**DEVELOPMENT CHARGES RESERVE FUNDS**  
**January - December 2019**

	<b>Public Works: Roads &amp; Related 01-0109-0105</b>	<b>General Government 01-0109-0110</b>	<b>Fire Department 01-0109-0115</b>	<b>Parks and Recreation 01-0109-0155</b>	<b>Totals</b>	
Opening Balance	\$130,891.20	\$4,201.33	\$24,202.73	\$42,595.18	\$201,890.44	
Development Charge Collections	\$83,442.92	\$4,356.92	\$58,443.72	\$91,714.71	\$237,958.27	
Interest Earned (2.2% = Prime less 1.75%)	\$1,141.95	\$187.10	\$175.53	\$847.48	\$2,352.06	
Less:						
Amounts Transferred to Capital or Other Funds						
2019 Plattsville Arena Debenture				\$92,770.00		
2019 Plattsville Fire hall (post period benefit - 2014)			\$16,109.00			
2019 Communication Equip (Post period benefit)			\$1,083.00			
2019 Mini-pumper			\$56,125.00			
2019 Hofstetter Rd	\$74,400.00					
2019 Multi-Purpose Snow/Grass Vehicle (2015)	\$62,877.00					
2019 Drumbo PW Land/Bldg purchase	\$14,482.00					
2019 Reconstruction of Twp Rd 2E	\$9,363.00					
					\$327,209.00	Total 2019 DCs transferred
					\$92,770.00	Arena Debenture
					\$234,439.00	Total 2019 DCs for capital
Amounts Refunded	\$1,305.43	\$53.66	\$1,350.91	\$3,017.98	\$5,727.98	
<b>Balance at Year End</b>	<b>\$53,048.64</b>	<b>\$8,691.69</b>	<b>\$8,154.07</b>	<b>\$39,369.39</b>	<b>\$109,263.79</b>	

**2019 Capital Project Funding Including Development Charges**

Project Description	2019 Project costs	Financing							
		Taxation	Grant Fed	Grant Prov	FGT	DC	External	Other	Reserves
Vehicle - Mini-pumper	\$89,819.33	\$0.00	\$0.00	\$0.00	\$0.00	\$56,125.00	\$15,000.00	\$0.00	\$18,694.33
Hofstetter Road	\$518,980.18	\$0.00	\$0.00	\$0.00	\$300,000.00	\$74,400.00	\$0.00	\$0.00	\$144,580.18
Reconstruct Twp Rd 2E	\$124,131.26	\$0.00	\$0.00	\$0.00	\$0.00	\$9,363.00	\$0.00	\$0.00	\$114,768.26
Property Purchase	\$191,983.61	\$0.00	\$0.00	\$0.00	\$0.00	\$14,482.00	\$0.00	\$0.00	\$177,501.61
Plattsville Fire hall (post period benefit - 2014)	PPB	\$0.00	\$0.00	\$0.00	\$0.00	\$16,109.00	\$0.00	\$0.00	\$0.00
Communication Equip (Post period benefit)	PPB	\$0.00	\$0.00	\$0.00	\$0.00	\$1,083.00	\$0.00	\$0.00	\$0.00
Multi-Purpose Snow/Grass Vehicle (2015)	PPB	\$0.00	\$0.00	\$0.00	\$0.00	\$62,877.00	\$0.00	\$0.00	\$0.00
<b>Totals</b>	<b>\$924,914.38</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$300,000.00</b>	<b>\$234,439.00</b>	<b>\$15,000.00</b>	<b>\$0.00</b>	<b>\$455,544.38</b>



## TOWNSHIP OF BLANDFORD-BLENHEIM

### Agenda Item

<b>To:</b>	Members of Council	<b>From:</b>	Rodger Mordue, CAO/Clerk
<b>Reviewed By:</b>	Department Heads	<b>Date:</b>	March 12, 2020
<b>Subject:</b>	Purchasing policy update	<b>Council Meeting Date:</b>	March 18, 2020
<b>Report #:</b>	CAO-20-03		

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### Recommendation:

That Report CAO-20-03 be received; and,

That a by-law be prepared and presented to Council to update the Township's Purchasing Policy to incorporate provisions to allow for electronic bidding.

### Background:

Under the *Municipal Act* the Township is required to have a policy with respect to the procurement of goods and services. The current policy was adopted in 2011 and has received some minor amendments since then.

In order to streamline the Township's tendering procedure and to encourage more competition the Township would like to include electronic bidding in our process. In order to allow for that the current policy needs to be updated.

### Analysis/Discussion:

The Township's current purchasing policy needs to be updated to allow for electronic bidding. While adding provisions to allow for this staff has also reviewed sections of the policy to see if other housekeeping amendments might be in order. The only other amendment suggested is to change the title of those responsible for purchases for individual departments from "Director" to "Department Head".

### Financial Considerations:

Altering the purchasing policy to allow for electronic advertising and bidding on goods and services will expose the Township purchasing procedure to a wider market which should result in more competitive bids.

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**Attachments:**

- By-law 2186-2020

Respectfully submitted by:

Rodger Mordue  
CAO/Clerk

THE CORPORATION OF THE  
TOWNSHIP OF BLANDFORD-BLENHEIM  
BY-LAW NUMBER 2186-2020

Being a by-law of the Township of Blandford-Blenheim to provide for procurement procedures.

WHEREAS the Council of the Corporation of the Township of Blandford-Blenheim has deemed it desirable to have a procurement by-law to set out guidelines for the municipality to ensure that all purchases of materials, supplies and services provide the lowest costs consistent with the required quality and service, to provide for an open and honest process, to promote and maintain the integrity of the purchasing process and thereby to protect Council, vendors and staff involved in the process by providing clear direction and accountabilities;

AND WHEREAS The *Municipal Act, 2001, S.O. 2001, c.25, S. 270(1)* states that a municipality and a local board shall adopt policies with respect to its procurement of goods and services,

NOW THEREFORE the Municipal Council of The Corporation of the Township of Blandford-Blenheim enacts as follows:

**Section 1: Definitions**

1. In this by-law:

“Blanket Order” shall mean the agreement wherein a vendor will sell certain items to the Township for an agreed period of time with established terms and conditions.

“Bid” shall mean a submission from a prospective vendor in response to a request for the purchase of goods or services issued by the Township.

“Bid Deposit” shall mean a financial guarantee to ensure the successful bidder will enter into an agreement.

“Bidding System” shall mean an online web-based solution for issuing solicitations and/or receiving online submissions and posting bid results.

“CAO” shall mean the Chief Administrative Officer appointed by the Council to exercise general control and management of the affairs of the municipality.

“Capital Expenditure” shall mean any significant expenditure incurred to acquire or improve land, building, engineering structures, machinery and equipment used in providing municipal services. This expenditure normally confers benefit lasting beyond one year and results in the acquisition of, or extends the life of a fixed asset.

“Council” shall mean the elected members of the Township of Blandford-Blenheim.

“Department Head” shall mean a head of a department operating within the Township of Blandford-Blenheim.

“Electronic Bidding” shall mean a method of issuing solicitations and/or receiving bids through a bidding system over the internet.

“Emergency Purchase” shall mean a purchase made in a crisis situation where immediate action is required to prevent the possible loss of life or property or significant financial loss or environmental impacts.

“Formal Bid” shall mean a sealed bid submission.

“Generic” shall mean that no specific brand or name shall be included as part of the specifications unless such a brand or name is required to identify the intent of a purchase, order or proposal.

“Invoice Approval Stamp” shall mean a stamp prescribed by the Treasury Department to ensure required approvals are applied to an invoice.

“Labour and Material Bond” shall mean a bond issued by a surety company on the Township standard Form of Bond to ensure that the contractor will fulfil its obligations to its employees, subcontractors and suppliers and thereby protects the Township.

“Letter of Agreement to Bond” shall mean a letter or other form issued by a surety company licensed to operate by the Government of Canada or the Province of Ontario advising that if the bidder is successful that the bonding agency will issue the required bonds.

“Mayor” shall mean the Mayor of the Township of Blandford-Blenheim.

“Performance Bond” shall mean a bond issued by a surety company on the Township standard Form of Bond executed in connection with a contract and which secures the performance and fulfilment of the undertakings, covenants, terms, conditions and agreements contained in the contracts. These may also be in the form of “renewable performance bonds”.

“Public Opening” shall mean a specified time and place for the opening of bids, of which will be identified in the formal quotation request or tender advertisement and will be attended by at least two Township staff members and open to the public.

“Purchasing Designate” shall mean a person designated by a Department Head to exercise any or all responsibilities of the Department Head with respect to this By-law.

“Quotation” shall mean a written offer received from a supplier to sell or buy goods or services in response to a direct request.

“Request for Proposal” or “RFP” shall mean a process where a need is identified, but the method by which it will be achieved is not prescribed at the outset. This process allows prospective suppliers to propose solutions or methods to arrive at the desired result.

“Sealed bids” shall mean bids submitted in a sealed envelope to a specified location, by a specified date.

“Services” shall mean items such as telephone, gas, water, hydro, janitorial and cleaning services, consultant services, legal surveys, medical and related services, insurance, leases for grounds, buildings, office or other space required by the Corporation and the rental, repair or maintenance of equipment, machinery, or other personal and real property.

“Single Source Process” shall mean a process for procurement where there is more than one source of the goods and/or services on the open market, but only one source is recommended due to predetermined and approved specifications.

“Sole Source Process” shall mean a process for procurement where the goods and/or services being sought are only available from one supplier.

“Supplies” shall mean goods, wares, merchandise, material and equipment.

“Tender” shall mean a written offer received from a supplier for goods and services in response to a public advertisement, or an invitation to bid requesting sealed tenders.

“The Corporation of the Township of Blandford-Blenheim” herein is also referred to as the “Township” or the “Corporation”.

“Vendor” shall mean any person or enterprise supplying goods or services to the Corporation of the Township of Blandford-Blenheim.

## **Section 2: Goals**

- 2.4.1 Efficient/Effective Procurement: To procure by purchase, rental or lease the required quality and quantity of goods and/or services, including professional and consulting services, from qualified suppliers, in the most efficient and cost effective manner possible in the circumstances.
- 2.4.2 Open Competitive Process: To encourage open competitive bidding for the acquisition or disposal of all goods and services where practicable.
- 2.4.3 Transparency and Accountability: To ensure that the procurement process is undertaken based on a clear definition of the product or service required and a clear outline of the criteria used in the evaluation. With regard to quotations and tenders, the decision to choose the low bidder will be based solely on the requirements as documented, the bidder’s document and the evaluation criteria. Total project costs will be considered including, but not limited to training, maintenance, quality, warranty, payment terms, conversion costs and trade-in value.
- 2.4.4 Fair: The procurement process will be fair, such that no action is undertaken by Municipal staff to allow any given bidder an unfair advantage or disadvantage.
- 2.4.5 Accessibility: In accordance with Ontario Regulation 191/11 – Integrated Accessibility Regulation, the municipality’s commitment to procuring goods, services and facilities that are accessible will be incorporated into specifications for all products and services in the purchasing process. Project Managers will ensure that accessibility specifications are included and communicated where necessary in the procurement process, and that compliance obligations under provincial legislation are met. Accessibility specifications will be demonstrated by suppliers and ranked accordingly

## **Section 3: Purchasing Responsibilities**

### **3.1 Expenditure Authorization**

Council has ultimate authority for all expenditures. Council delegates this authority by the authorization of budgets or by specific resolution. Treasury cannot pay for any item that has not been authorized by Council through budget appropriation or specific resolution. This Procurement By-law provides guidelines outlining how spending authority is to be used.

### **3.2 Department Head Authorization and Responsibilities**

- 3.2.1 The Department Head shall be responsible for approval of accounts within the approved



budget for each department or any amendment to same as approved by Council. Unspecified capital expenditures in the annual estimates require prior Council approval by resolution.

- 3.2.2 Resolutions approving budget amendments, capital expenditures or special appropriations shall contain purpose of expenditure, cost estimates or expenditure limitation, and the fund in which an appropriation has been provided. All staff reports recommending such resolutions shall contain the Department Head and the CAO's endorsement.

### **3.3 Purchasing Designate**

A Department Head may appoint a Purchasing Designate to exercise any or all responsibilities assigned by this By-law.

## **Section 4: Purchasing Mechanisms**

### **4.1 Quotation Purchases**

- 4.1.1 The Department Head shall be authorized to make purchases of goods and services for estimated expenditures exceeding \$5,000.00 and less than \$30,000.00 without requesting and obtaining sealed tenders for the goods and services, unless specifically authorized to do so by a resolution of Council for a particular transaction, from such vendor and upon such terms and conditions as the Department Head deems appropriate. All attempts must be made to obtain at least three (3) written quotations whenever possible. Bid documents and specifications (as applicable) can be issued and received by e-mail and/or fax transmission at the issuing department's location.
- 4.1.2 Exclusions: Single item small capital projects or purchases including those of complex specifications or requirements must be issued in a formal bid document (example, the purchase of a new vehicle). A formal bid document must have a submission label detailing the project name, bidder's name and address.

### **4.2 Tender Purchases**

- 4.2.1 The Department Head shall not order goods or services exceeding \$30,000.00 without requesting and obtaining sealed tenders for the goods and services unless specifically authorized to do so by a resolution of Council for a particular transaction. All attempts must be made to obtain at least three (3) written tenders whenever possible.
- 4.2.2 Council approval of the tender is not required if all of the following conditions have been met:
- a) The project has been approved in the current year estimates.
  - b) The contract is being awarded to the lowest bidder meeting the specifications.
  - c) The total value of the tender is less than \$30,000.00.
  - d) There are no Senior Government requirements for Council approval of a tender.

In the case that Council approval is not required, the Department Head, with the approval of the CAO, shall be authorized to award the tender and the Mayor and CAO are authorized to execute the necessary agreements.

#### **4.3 Requests for Proposals**

- 4.3.1 The Department Head may use a Request for Proposal in place of a tender or quotation when goods or services cannot be specifically stipulated or when alternative methods are being sought to perform certain functions or services. A Request for Proposal shall permit more flexibility on the part of vendors to provide creative and alternative proposals for the supply of products or services.
- i. The evaluation criteria and process shall be approved by the CAO prior to the issuance of the Request for Proposal.
  - ii. When the preferred proposal exceeds \$30,000.00, the Department Head shall submit a report to Council for direction.

#### **Section 6: Exemptions to Tendering Aspects of By-law**

6.1 Notwithstanding the above, adherence to tendering aspects of this Procurement By-law is not required with respect to those items listed below within Section 4 of this by-law, or to a transaction specifically authorized by resolution of Council to be exempt from this By-law.

6.1.1 Purchases for the supply and placement of road material throughout Blandford-Blenheim Township less than \$100,000.00 when clearly identified in the budget.

6.1.2 Purchases for consulting services for a program where services (i.e. bridge inspection/evaluation) have been awarded to a consulting firm on an on-going basis when clearly identified in the budget.

6.1.3 Drainage projects carried out under the *Drainage Act*.

6.2 Sole Source

6.2.1 The purchase may be conducted using a sole source process if the goods and/or services are available from only one supplier for reason of:

- a) Statutory or market based monopoly.
- b) Competition is precluded due to the application of any Act or legislation or/ because of the existence of patent rights, copyrights, licence, technical secrets or controls of raw material.
- c) The complete item, service, or system is unique to one supplier and no alternative or substitute exists.

## 6.3 Single Source

- 6.3.1 The purchase may be conducted using a single source procurement process if the goods and/or services are available from more than one source, but there are valid and sufficient reasons for selecting one supplier in particular, as follows:
- a) An attempt to acquire the required goods and/or services by soliciting competitive bids has been made in good faith, but has failed to identify more than one willing and compliant supplier.
  - b) The confidential nature of the requirements is such that it would not be in the public interest to solicit competitive bids.
  - c) There is a need for compatibility with goods and/or services previously acquired or the required goods and/or services will be additional to similar goods and/or services being supplied under an existing contact (i.e. contract extension or renewal).
  - d) The required goods and/or services are to be supplied by a particular supplier having special knowledge, skills, expertise or experience.
  - e) The goods are purchased under circumstances which are exceptionally advantageous to the Township, such as in the case of a bankruptcy or receivership.
  - f) It is advantageous to the Township to acquire the goods or services from a supplier pursuant to the procurement process conducted by another public body.
  - g) It is advantageous to the Township to acquire the good or services directly from another public body, or public service body.
  - h) Another organization is funding or substantially funding the acquisition and has determined the supplier, and the terms and conditions of the commitment into which the Township will enter are acceptable to the Township.
  - i) The acquisition is for a particular brand of goods or services that are intended solely for resale to the public and no other brand is desirable and the brand is not available from any other source.
  - j) Where due to abnormal market conditions, the goods, services or construction required are in short supply.

## **Section 7: Bid Closing and Opening**

7.1 All bids expected to exceed \$100,000 will be opened to the public at a specified time and place which will be identified in the tender advertisement. Any tenders or RFP's under \$100,000 will not be opened publically.

## **Section 8: Conditions Acceptable to All Bid Submissions**

- 8.1 The following conditions apply to all bid submissions whether they are formal or informal:
- a) Bid documents must be submitted and received in the manner as specified in the bid document. No exceptions will be permitted.
  - b) Attempts to submit bid documents after the specified closing time will be returned to the bidder and/or directed to an “expired” page. No exceptions will be permitted.
  - c) A bidder who has already submitted a bid may submit a further bid at any time up to the official closing time. The last bid received will supersede and invalidate all bids previously received by that bidder.
  - d) A bidder may withdraw a submitted bid at any time up to the official closing time by letter bearing their signature or through the bidding system with verified login of the submitter or approved contact.
- 8.2 Bids may be rejected for any of the following reasons:
- a) Bid received after the specified closing date and time as specified in the bid document. No exceptions.
  - b) Bid does not comply with the requirements at time of closing as specified in the bid document. No exceptions.
  - c) Bids which are incomplete, conditional or obscure, or which contain additions not called for, erasures, alterations or irregularities of any kind.
  - d) Does not meet specification requirements.

## **Section 9: Blanket Orders**

- 9.1 The Department Head may establish Blanket Orders using the applicable bid mechanism based upon the estimated annual expenditure.
- 9.2 In the case of equipment repairs and equipment rentals for amounts not exceeding \$15,000.00, the Department Head shall be authorized to select vendors not solely on the basis of cost, but also on ability, quality or workmanship, service, availability, overall performance and experience without first obtaining quotations.
- 9.3 Blanket Orders shall be issued for a specific time period with all ordering departments responsible for maintaining purchases within budget allocations.

## **Section 10: Purchase of Used Fleet Equipment**

- 10.1 The Department Head is authorized to purchase used fleet equipment that is sold by other municipalities by private sale or public auction; sold through a vendor licensed to sell used equipment; by sealed bid; or by negotiation providing that:

- a) The equipment meets or exceeds the departmental equipment requirements.
- b) It is documented that it is fiscally responsible to purchase a used piece of equipment rather than purchase new.
- c) If the total expenditure per piece of equipment exceeds \$50,000.00, a report will be forwarded to Council detailing purchase information and expenses.

10.2 The Department Head is exempt from the Township's formal quotation/tender/RFP process when purchasing used fleet equipment by any of the methods detailed in 8.1.

### **Section 11: Emergency Purchases**

11.1 The Department Head shall be authorized to make emergency purchases in excess of \$5,000.00 upon the approval of the CAO. The Department Head shall subsequently present a report to Council.

### **Section 12: Purchase by Negotiation**

12.1 A Department Head may purchase by negotiation with one or more vendors under which a formal bid process may be waived under the following conditions:

- a) When market conditions and in the judgement of the CAO and the Department Head, the goods are in short supply.
- b) When there is only one source of supply.
- c) When two or more identical bids have been received, the Department Head may negotiate with the two lowest bidders, keeping all negotiations fair and ethical.
- d) When the lowest bid meeting specifications exceeds the estimated costs by at least 10% and it is not viable or in the best interest of the Township.

12.2 Any expenditure exceeding \$30,000.00 for a purchase which is made through negotiation must be reported to Council.

### **Section 13: Exemptions**

13.1 A Department Head may request exemption from any or all the purchasing methods outlined in this By-law by submission of a report requesting the same to the CAO and Council. Such exemption may be granted by resolution.

### **Section 14: Exclusions**

14.1 Competitive bids shall not be required for goods or services provided by any of the following when such goods or services are not available elsewhere, including, but not limited to:

- a) Utilities, government agencies, Crown corporations, travelling expenses, meals, conferences, seminars, memberships, subscriptions, medical exams, licenses, in-house services and any other goods or services as approved by Council.

- b) As identified elsewhere in this By-law.

### **Section 15: Advertising**

- 15.1 Where effective in the opinion of the Department Head purchases estimated to exceed \$30,000 may be advertised and/or posted on the bidding system unless the project is sole sourced or the vendor is prequalified.

### **Section 16: Bid Deposits**

- 16.1 Bid deposits shall be required to accompany bid submissions for the following circumstances:
  - a) All bids for municipal construction projects.
  - b) Special contracts or scope of work as deemed appropriate by the Department Head.
- 16.2 For estimated expenditures less than \$100,000.00, the Department Head shall determine the amount of the bid deposit.
- 16.3 For estimated expenditures in excess of \$100,000.00, bid deposits shall be no less than 10% of the estimated value of the work prior to bidding or an amount equal to a minimum of 10% of the bid submitted.
- 16.4 A bid deposit shall be provided in one of the following formats:
  - a) A certified cheque made payable to The Corporation of the Township of Blandford-Blenheim.
  - b) Money orders made payable to The Corporation of the Township of Blandford-Blenheim.
  - c) Canadian currency.
  - d) An irrevocable standby letter of credit in favour of the Township of Blandford-Blenheim.
  - e) Agreement to Bond.
- 16.5 The Township does not pay interest on any bid deposits.
- 16.6 The Township is authorized to cash and deposit any bid deposit in the Township's possession that is forfeited as a result of non-compliance with any of the terms, conditions and/or specifications of a sealed bid.

### **Section 17: Bonding Requirements**

- 17.1 Performance Bonds, Labour and Material Bonds are required for all construction projects exceeding \$100,000.00 for a minimum of 50% of the bid amount.
- 17.2 The Department Head may accept alternative security in the form of a certified cheque or

irrevocable Letter of Credit if stated as a requirement in the contract document.

17.3 All bonds must be originals, signed and sealed. No faxed or photocopies will be accepted.

### **Section 18: Insurance**

18.1 The standard insurance minimums are as follows for the following insurance policies if deemed necessary by the Department Head. All coverages must be underwritten by an insurer licensed to conduct business in the Province of Ontario.

\$2 million – general liability policy

\$2 million – automobile liability policy

\$2 million – homeowners (e.g. for rental of facilities)

\$5 million – general liability and automobile liability policies – for contract work done for most Public Works projects

\$2 million – professional errors and omissions liability

Builder's Risk – 1.1 times the contract price

Bid documents must clearly indicate insurance requirements to be provided by the successful bidder.

18.2 When deemed necessary by the Department Head, the successful bidder must furnish the Township proof of a liability insurance policy covering public liability and property damage, 10 days prior to commencing the work, to the satisfaction of the Township, and in force for the entire contract period from commencement of the work until twelve months following substantial completion of the project.

The policy must contain:

- a) a "Cross Liability" clause or endorsement;
- b) an endorsement certifying that The Corporation of the Township of Blandford-Blenheim and any other affiliated party(s) as additional insured;
- c) an endorsement to the effect that the policy or policies will not be altered, cancelled or allowed to lapse without thirty days prior written notice to Blandford-Blenheim Township.

18.3 If deemed necessary by the Department Head, a Contractor's Liability Insurance Policy shall not contain any exclusions of liability for damage, etc. to property, building or land arising from:

- a) the removal or weakening of support of any property, building or land whether such support be natural or otherwise;
- b) the use of explosives for blasting, only when blasting is required under the contract;
- c) the vibration from pile driving or caisson work, provided that the minimum coverage for any

such loss or damage shall be \$5,000,000.00. This coverage will only be required if activities are being undertaken that involve the significant use of explosives, or may result in the significant weakening of support of any property, building or land.

### **Section 19: Administration**

- 19.1 No contract or purchase shall be divided to avoid any requirements of this By-law.
- 19.2 In all purchases, price shall be the prime selection criteria prior to any special provisions or add/delete calculated into the bid price, providing that all specification requirements are met. Such specifications are to be generic or "as equivalent". All factors influencing the purchasing decision are to be included in the specifications.
- 19.3 Blandford-Blenheim Township may participate with other units of government, their agencies or public authorities in co-operative purchase ventures when the best interest of Blandford-Blenheim Township will be served. Where such participation is at variance with the Township's Procurement By-law, Council shall first authorize any participation.
- 19.4 Performance evaluations may be undertaken on suppliers and providers of service.
- 19.5 All invoices and accounts from vendors shall be authorized prior to payment. Authorization in the form of signatures of the Department Head and staff denoting clerical accuracy, budgetary or specific resolution approval and indication that goods and services were received in good order must be in place. These required signatures will be deemed to authorize payment.
- 19.6 Notwithstanding the provisions of this procedure, the Township shall have the right to reject the lowest or any bid at its absolute discretion. The Township also reserves the right to reissue the bid document in its original format or modified as best suits the requirements of the Township.
- 19.7 After the adoption of the budget, the Department Head is authorized to pay the accounts and to pay contract accounts upon receipt of evidence of value received.

### **Section 20: Expenses Prior to Budget Adoption**

- 20.1 Prior to the adoption of each year's budget, operating supplies and services purchased shall continue at the level set out in the prior year's operating budget. This shall include the payment of accounts or previously approved capital items and projects. Other Capital expenditures shall not be made until the current year's budget is approved or Council approval is obtained.

### **Section 21: Prohibitions**

- 21.1 Elected officials, appointed officers and employees shall not knowingly cause or permit anything to be done or communicated to anyone in a manner which is likely to cause a potential supplier to have an unfair advantage or disadvantage in obtaining a contract for the supply of goods and/or services to the Township. This also includes a contract with another municipality, local board, or public body involved in the purchase of goods and/or services either jointly or in cooperation with the Township.



- 21.2 Elected officials shall separate themselves from the procurement process and have no involvement whatsoever in specific procurements. Elected officials should not see any documents or receive any information related to a particular procurement while the procurement process is ongoing. Elected officials who receive inquiries from suppliers related to any specific procurement shall immediately direct those inquiries to the Township Department Head in charge of the specific procurement process.
- 21.3 No bidder who has been awarded a contract shall engage in any contact or activities in an attempt to influence any elected official or any employee of the Township with respect to the purchase of additional enhancements, options, or modules. However, a contractor may communicate with the appropriate Department Head in charge of the contract, for the purposes of administration of the contract during the term of the contract.

**Section 22: Retention of Documentation**

- 22.1 All background information, information submitted by vendors, purchase orders and other relevant information involved in obtaining prices for goods and services exceeding \$5,000.00 shall be retained in the department/division for the entire budget year and five (5) years in records retention.

**Section 23: Enactment/Repeal**

- 23.1 Where any previous by-law or policy passed prior to this by-law conflicts with this by-law, the terms of this by-law will prevail.
- 23.2 This by-law shall become effective on the date of enactment.

By-law **READ** a **FIRST** and **SECOND** time this 15<sup>th</sup> day of April, 2020.

By-law **READ** a **THIRD** time and **ENACTED** in Open Council this 15<sup>th</sup> day of April, 2020.

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Mark Peterson, Mayor

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Rodger Mordue, CAO/Clerk



# TOWNSHIP OF BLANDFORD-BLENHEIM

## Agenda Item

**To:** Members of Council                                  **From:** Rodger Mordue, CAO/Clerk

**Reviewed By:** N/A    **Date:** April 9, 2020

**Subject:** Plattsville Estates Letters of Credit                  **Council Meeting Date:** April 15, 2020

**Report #:** CAO-20-05

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### Recommendation:

That Report CAO-20-05 be received as information; and,

That Council authorize the following Letter of Credit reductions on the recommendation of the Township's Consulting Engineer:

- Plattsville Estates stage 3A from \$134,693.73 to \$66,088.73
- Plattsville Estates stage 3B from \$214,343.50 to \$17,511.00

### Background:

When a subdivision is developed all infrastructure (ie roads, sidewalks, drainage, etc.) are installed by the developer. Ultimately all of this infrastructure will become the responsibility of the municipality so it's in the municipality's best interest to ensure that the work is being done properly. Through the subdivision agreement the Township retains securities in the form of a Letter of Credit (LC) issued by a financial institution to ensure that work is completed to the Township's satisfaction. If not the municipality has the authority to draw upon that LC to do that job right.

All work that is needed to be done is identified early on when the subdivision agreement is entered into. As the work is completed the developer has the opportunity to apply to the municipality to have a portion of the retained securities related to the completed works released to them.

### Analysis/Discussion:

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Stages 3A and 3B of the Plattsville Estates subdivision are nearing completion. The original Letter of Credit values at the start of the developments covered the total value of work on the infrastructure that would be eventually transferred to the municipality. Over time work has progressed and those LC amounts have been reduced. The Township recently received further requests from the developer's engineer to reduce the amount of securities held by the municipality for both of these stages. The Township's Consulting Engineer has reviewed these requests and is recommending the following reductions:

Stage	Total value of work	Amount of previous LC	Recommended LC amount
3A	\$1,222,006.70	\$134,693.73	\$66,088.73
3B	\$1,071,211.80	\$214,343.50	\$17,511.00

**Financial Considerations:**

The Township has received recommendations to reduce the LC's for stages 3A and 3B of the Plattsville Estates subdivision. The recommended revised LC amount from the Township's Consulting Engineer will be ample to cover the works that still need to be completed and/or the maintenance period of the works completed.

**Attachments:**

- Recommendations from Township's Consulting Engineer.

Respectfully submitted by:

Rodger Mordue  
CAO/Clerk



**K. SMART ASSOCIATES LIMITED**  
CONSULTING ENGINEERS & PLANNERS

85 McIntyre Drive  
Kitchener, ON N2R 1H6

Tel: 519-748-1199  
Fax: 519-748-6100

April 8, 2020

File No. 08-183

Mr. Rodger Mordue CAO/Clerk  
Township of Blandford-Blenheim  
Box 100  
47 Wilmot St. South  
Drumbo, ON NOJ 1G0

**Re: Plattsville Estates stage 3A – LC Reduction**

Dear Rodger:

The developer is now asking for a partial release of the Letter of Credit. The only remaining work item is surface works on Todd Way.

I have completed a site inspection with Jim Borton on Oct. 28, 2019 we are in agreement for initial / final acceptance, as noted below, as it relates to **Plattsville Estates, Stage 3A**

**“Commencement of the Maintenance Guarantee Period” on the following:**

Applewood Street English Street (stub) South Leg English Street (stub) North Leg Fulcher Street (stub)	<ul style="list-style-type: none"> <li>• Sidewalk</li> <li>• Boulevard</li> <li>• Driveway Aprons</li> </ul>
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**“Final Acceptance” on the following:**

Walkway Block 115	<ul style="list-style-type: none"> <li>• Fence</li> <li>• Sod</li> <li>• Sidewalk</li> <li>• Retaining Wall</li> </ul>
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The following is a breakdown showing the value of the work completed and the work not completed:

<u>Description</u>	<u>Value of Work Completed</u>	<u>Value of Work Not Completed</u>
Item A – Roadway construction	\$0.00	\$0
Item B – Road Construction Surface	\$68,605.00	\$26,550.00
Item C – Sanitary Sewer	\$0.00	\$0
Item D – Drainage Works	\$300,232.25	\$0
Item E – Water System	\$0.00	\$0
Item F – Street Light, Power and Comm.	\$0.00	\$0
Item G – Street Signs	\$0.00	\$0
<b>Total</b>	<u>\$368,837.25</u>	<u>\$26,550.00</u>

10% of work completed	(\$368,837.25) =	\$36,883.73
110% of work not completed	(\$26,550) =	<u>\$29,205.00</u>
	<b>Total: =</b>	<b>\$66,088.73</b>



**K. SMART ASSOCIATES LIMITED**  
CONSULTING ENGINEERS & PLANNERS

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85 McIntyre Drive  
Kitchener, ON N2R 1H6

Tel: 519-748-1199  
Fax: 519-748-6100

Therefore, it is our recommendation that the value of the letter of credit be reduced from \$134,693.73 to \$66,088.73. If you have any questions or comments, please call our office.

Yours truly,

K. Death, C.E.T.

encl

cc: Steve Peterson, C.E.T., MTE Consultants Inc.  
Jim Borton, Township of Blandford- Blenheim



**K. SMART ASSOCIATES LIMITED**  
CONSULTING ENGINEERS & PLANNERS

85 McIntyre Drive  
Kitchener, ON N2R 1H6

Tel: 519-748-1199  
Fax: 519-748-6100

April 8, 2020

File No. 11-254

Mr. Rodger Mordue CAO/Clerk  
Township of Blandford-Blenheim  
Box 100, 47 Wilmot St. South  
Drumbo, ON NOJ 1G0

**Re: Plattsville Estates stage 3B – LC Reduction**

Dear Rodger:

The developer is now asking for a partial release of the Letter of Credit. There are no remaining work items.

I have completed a site inspection with Jim Borton on Oct 28, 2019 we are in agreement for initial / final acceptance, as noted below, as it relates to **Plattsville Estates, Stage 3B:**

**“Commencement of the Maintenance Guarantee Period” on the following:**

English Crescent Fulcher Street	<ul style="list-style-type: none"> <li>• Sidewalk</li> <li>• Driveway Aprons</li> </ul>
Along Hofstetter Road	<ul style="list-style-type: none"> <li>• Fence</li> </ul>

**“Final Acceptance” on the following:**

English Crescent Fulcher Street	<ul style="list-style-type: none"> <li>• Granular A &amp; B</li> </ul>
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The following is a breakdown showing the value of the work completed and the work not completed:

<u>Description</u>	<u>Value of Work Completed</u>	<u>Value of Work Not Completed</u>
Item A – Roadway construction	\$0.00	\$0
Item B – Road Construction Surface	\$143,455.00	\$0
Item B.1 – Sidewalk	\$28,575.00	\$0
Item C – Sanitary Sewer	\$0.00	\$0
Item D – Drainage Works	\$0.00	\$0
Item E – Water System	\$0.00	\$0
Item F – Street Light, Power and Comm.	\$0.00	\$0
Item G – Street Signs	\$3,080.00	\$0
Item H – Fencing	\$0	\$0
<b>Total</b>	<u>\$175,110.00</u>	<u>\$0</u>

10% of work completed	(\$175,110.00) =	\$17,511.00
110% of work not completed	(\$0) =	<u>\$0</u>
	<b>Total: =</b>	<b>\$17,511.00</b>

Therefore, it is our recommendation that the value of the letter of credit be reduced from \$214,343.50 to \$17,511.00. If you have any questions or comments, please call our office.

Yours truly,

A handwritten signature in black ink, appearing to read 'K. Death', written in a cursive style.

K. Death, C.E.T.

encl

cc: Tom Gillelan, MTE Consultants Inc.  
Jim Borton, Township of Blandford- Blenheim

THE CORPORATION OF THE  
TOWNSHIP OF BLANDFORD-BLENHEIM  
BY-LAW NUMBER 2182-2020

**BEING** A By-law respecting NOISE OR VIBRATION within the Township of Blandford-Blenheim.

**WHEREAS** section 129 of the Municipal Act 2001, amended, permits local municipalities to prohibit and regulate noise and vibration and to require that a permit be obtained for the making of noise or vibration:

**AND WHEREAS** the people of the Township of Blandford-Blenheim have the right to an environment free from unusual, unpleasant, unnecessary or excessive noise or vibration:

**NOW THEREFORE**, the Council of the Corporation of Township of Blandford-Blenheim enacts as follows:

**SECTION 1: INTERPRETATION**

For the purpose of this By-Law the following terms shall have the corresponding meaning:

- a) **Council** means the Council of the Township of Blandford-Blenheim;
- b) **Emergency** means a situation or an impending situation, often dangerous, caused by the forces of nature, an accident, an intentional act or otherwise, which rises suddenly and calls for prompt action;
- c) **Emergency Vehicle** includes a land ambulance, an air ambulance, a fire department vehicle, a police vehicle and a motor vehicle being used to respond to an emergency;
- d) **Industrial Area** means an area designated as industrial in the zoning By-Law of the Township of Blandford-Blenheim, as may be amended from time to time;
- e) **Noise** means sound that is unusual or excessive and likely to disturb the quiet enjoyment of the inhabitants of the municipality;
- f) **Residential Area** means an area designated as residential in the zoning By-Law of the Township of Blandford-Blenheim, as may be amended from time to time;
- g) **Township** means the Corporation of the Township of Blandford-Blenheim.

**SECTION 2: GENERAL PROVISIONS**

- a) No person shall make, cause or permit to be made, any noise or vibration, at any time, which is likely to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants of the Township.

**SECTION 3: PROHIBITIONS BY TIME AND PLACE**

- a) No person shall make, cause or permit to be made those noises or vibrations specifically listed in **Schedule 2** within the prohibited time shown for residential



areas if those noises or vibrations are likely to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants of the Township.

**SECTION 4: SPECIFIC PROHIBITIONS**

- a) No person shall make, cause or permit to be made, any of the noises or vibrations, at any time, outlined in **Schedule 1**.

**SECTION 5: EXEMPTIONS**

- a) Notwithstanding any other provisions of this By-Law, it shall be lawful in an Emergency to make, cause or permit to be made, any noise or vibration in connection with Emergency measures.
- b) Notwithstanding any other provisions of this By-Law, this By-Law shall not apply to a person who makes, causes or permits to be made, any noise or vibration in connection with;
  - (i) An authorized Emergency Vehicle;
  - (ii) Machines, vehicles or equipment by or on behalf of the Township;
  - (iii) Bells, tones, whistles utilized as traffic control devices including those at traffic signal locations and railway crossings;
  - (iv) Regimental salutes;
  - (v) Snow removal equipment, while in the operation of snow removal;
  - (vi) The bells for any church, chapel, meeting house or religious service;
  - (vii) Parades or events permitted or sanctioned by the Township;
  - (viii) Agriculture operations and agriculture processing operations;
  - (ix) Concrete finishing operations on construction projects when such is duly certified as essential to the project; or,
  - (x) Work undertaken for the immediate health, safety or wellbeing of the inhabitants of the Township;
  - (xi) Normal activities of industry in any "M" Zone, as defined within the Township of Blandford-Blenheim Zoning By-Laws.

**SECTION 6: EXEMPTION GRANTED BY PERMIT BY COUNCIL**

- a) Notwithstanding any other provision of this By-Law, any person may make an application to Council to be granted an exemption permit from any of the provisions of this By-Law and Council may, by resolution, refuse or grant any exemption. Council may also grant an exemption permit to a greater or lesser extent.
- b) Any exemption granted by Council shall specify the time period during which it is effective and may contain such terms and conditions as Council see fit.
- c) An application for any exemption permit from the provisions of this By-Law shall be made in writing to the Clerk of the Township, or his/her designate, at least 60 days prior to the event for which the exemption is sought and shall include the following:
  - (i) The name and address of the applicant;
  - (ii) The name and address of the organization represented by the applicant, if applicable;

- (iii) The source of the noise or vibration in respect of which the exemption permit is sought;
  - (iv) The provisions of this By-Law from which the exemption permit is sought;
  - (v) The date and time of commencement of the event for which the exemption permit is sought;
  - (vi) The time of conclusion for each day of the event for which the exemption permit is sought;
  - (vii) The location of the event for which the exemption permit is sought;
  - (viii) The rationale for granting an exemption permit;
  - (ix) The name of the contact person or persons who will be supervising the event;
  - (x) Payment of the permit processing fee in the amount set by Council and in effect at the time of application; and,
  - (xi) Proof of publication within the preceding ten (10) days, in a newspaper of general circulation within the Township, of a notice of intention to apply for an exemption permit under this By-Law, containing the information required by clauses (i) through (x) hereof, and further stating the date upon which it is intended that application will be made to Council.
- d) Any breach of the terms and conditions of the exemption permit granted by Council shall render the exemption permit null and void.

#### **SECTION 7: ENFORCEMENT**

- a) The following persons are appointed to enforce this By-Law are, and not limited to, the Ontario Provincial Police, Township By-Law Officer, and/or persons appointed by the Municipality.

#### **SECTION 8: OFFENCE AND PENALTIES**

- a) Every person who contravenes any provisions of this By-Law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, C.P.33.

#### **SECTION 9: PAYMENT OF FEES**

- a) Every person responsible for the payment of any and all fees, costs and fines under this By-Law shall make payment in full upon demand by the Corporation.
- b) The payment of any fees and charges as required under this By-Law does not constitute partial or full payment of any fines imposed by a court of competent jurisdiction for any offence committed under this or any other By-Laws.
- c) The Township Treasurer may add any charges payable to the tax roll of any property owner and collect the amount in the same manner as taxes.

#### **SECTION 10: SEVERABILITY**

- a) If a court of competent jurisdiction should declare any section or part of a section of this By-Law to be invalid, such section or part of a section shall not be construed as

having persuaded or influenced Council to pass the remainder of the By-Law and is hereby declared that the remainder of this By-Law shall be valid and remain in full force and effect.

**SECTION 11: REPEAL**

- a) By-Law Number 1314-2000 is hereby repealed.
- b) By-Law Number 1681-2011 is hereby repealed.

**SECTION 12: SHORT TITLE**

- a) This By-Law shall be referred to as the "Noise Control" By-Law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED ON THIS 15TH DAY OF APRIL, 2020.**

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MAYOR: Mark Peterson

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CAO/CLERK: Rodger Mordue

## SCHEDULE 1

### **SPECIFIED PROHIBITIONS**

- 1) The operation of a motor vehicle in such a way that the tires squeal.
- 2) The operation of any combustion engine, pneumatic device or construction equipment without an effective exhaust or intake-muffling device in good working order and in constant operation.
- 3) The operation of an engine in, or on, any motor vehicle or item of attached auxiliary equipment for a continuous period exceeding five minutes, anywhere within the geographic area of the Township of Blandford-Blenheim, where the point is in a Residential Area or Industrial Area unless:
  - a) The original equipment manufacturer specifically recommends a longer idling period for normal and efficient operation of the motor vehicle in which case such recommended period shall not be exceeded; or
  - b) The operation of such engine or motor is essential to a basic function of the vehicle or equipment including but not limited to, the operation of a ready-mix concrete truck, lift platforms or refuse compactor; or
  - c) Weather conditions justify the use of heating or refrigeration systems powered by the motor of an engine for the safety and the welfare of the operator, passengers or animals, or the preservation of perishable cargo and the vehicle is stationary for the purpose of delivery or loading; or
  - d) Prevailing low temperatures make longer idling periods necessary immediately after starting the motor or engine; or
  - e) The idling is for the purpose of cleaning and flushing the radiator and associated circulation system for seasonal change of antifreeze, cleaning of the fuel system, carburetor or the like when such work is performed other than for profit.
- 4) The operation of a motor vehicle horn or other warning device except where required or authorized by By-Law or in accordance with good safety practices.
- 5) The operation of a stereo or other electronic device designed to amplify sound in, or on, a motor vehicle in such a way that the sound can easily be heard outside of the motor vehicle.

Schedule 2

**PROHIBITIONS BY TIME IN RESPONSE AREAS**

<b>PROHIBITED BY TIME</b>	<b>PROHIBITED PERIOD OF TIME</b>
1) The discharge of firearms	At all times
2) The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers, or other electro-mechanical transducer, and intended for the production, reproduction or amplification of sound in a Residential Area	2300hr (11:00pm) one day until 0700hr (07:00am) next day or 0900hr (09:00am) on Sundays
3) The operation of any motorized conveyance other than on a highway or other place intended for its operation	2100hr (09:00pm) one day until 0700 (07:0am) next day or 0900hr (09:00am) on Sundays
4) Yelling, shouting, hooting, whistling or singing	2300hr (11:00pm) one day until 0700hr (07:00am) next day or 0900hr (09:00am) on Sundays

Schedule 3

**TOWNSHIP OF BLANDFORD-BLENHEIM**

**Part 1 Provincial Offences Act**

**Short Form Wording and Set Fines**

<b>Item</b>	<b>Short Form Wording</b>	<b>Column 2 Offence Creating Provisions</b>	<b>Column 3 Set Fines</b>
1	Causing or permitting noise by squealing tires	Section 5(a)	\$125.00
2	Causing or permitting noise by operating a combustion engine without exhaust in good working order	Section 5(a)	\$125.00
3	Causing or permitting noise from the idling of a vehicle	Section 5(a)	\$125.00
4	Causing or permitting noise from a vehicle horn or other warning device	Section 5(a)	\$125.00
5	Causing or permitting noise from a vehicle stereo or other electronic device	Section 5(a)	\$125.00

THE CORPORATION OF THE  
TOWNSHIP OF BLANDFORD-BLENHEIM  
BY-LAW NUMBER 2183-2020

**BEING** A By-law to regulate matters related to the health, safety and well-being of the inhabitants of the Township of Blandford-Blenheim.

**PURSUANT** to provisions of the Municipal Act 2001.

**NOW THEREFORE**, the Council of the Corporation of Township of Blandford-Blenheim enacts as follows:

**SECTION 1: DEFINITIONS**

For the purpose of this By-Law the following terms shall have the corresponding meaning:

1. **Disturb the Peace** means offensive acts to include but not limited to shouting, yelling, including profanities, writing graffiti and profanities;
2. **Lewd Activities** means lustful and/or indecent acts;
3. **Loitering** means to hang about idly;
4. **Nuisance** means something or someone harmful, offensive, annoying or disagreeable;
5. **Public Health and Safety** means the health and safety of resident and public of the Township of Blandford-Blenheim.

**SECTION 2: PROHIBITED MATTERS**

- a) No person shall disturb the peace by shouting or yelling, including profanities, within the Township of Blandford-Blenheim.
- b) No person shall urinate in a public place within the Township of Blandford-Blenheim.
- c) No person shall commit lewd activities in a public place within the Township of Blandford-Blenheim.
- d) No person shall loiter on the streets or sidewalks or public place within the Township of Blandford-Blenheim.
- e) No person shall create a nuisance to residents of the Township of Blandford-Blenheim.

**SECTION 3: PENALTY SECTION**

- a) Every person who contravenes any provision of this By-Law is guilty of an offence and on conviction may be subject to a fine as provided for in the Provincial Offences Act. (See Set Fine Schedule)

**SECTION 4: ENFORCEMENT**

- a) The following persons are appointed to enforce this By-Law are, and not limited to, the Ontario Provincial Police, Township By-Law Officer, and/or persons appointed by the Municipality.

**SECTION 5: SEVERABILITY**

- a) If a court of competent jurisdiction should declare any section or part of a section of this By-Law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-Law and is hereby declared that the remainder of this By-Law shall be valid and remain in full force and effect.

**SECTION 6: PAYMENT OF FEES**

- a) Every person responsible for the payment of any and all fees, costs and fines under this By-Law shall make payment in full upon demand by the Corporation.
- b) The payment of any fees and charges as required under this By-Law does not constitute partial or full payment of any fines imposed by a court of competent jurisdiction for any offence committed under this or any other By-Laws.
- c) The Township Treasurer may add any charges payable to the tax roll of any property owner and collect the amount in the same manner as taxes.

**SECTION 7: SHORT TITLE**

- a) This By-Law shall be referred to as the "Public Nuisance" By-Law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED ON THIS 15TH DAY OF APRIL, 2020.**

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MAYOR: Mark Peterson

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CAO/CLERK: Rodger Mordue



SET FINE SCHEDULE

**TOWNSHIP OF BLANDFORD-BLENHEIM**

**Part 1 Provincial Offences Act**

**Short Form Wording and Set Fines**

<b>Item</b>	<b>Short Form Wording</b>	<b>Column 2 Offence Creating Provisions</b>	<b>Column 3 Set Fines</b>
1	Disturbing the Peace	Section 2(a)	\$250.00
2	Urinating in a Public Place	Section 2(b)	\$250.00
3	Lewd Activities in a Public Place	Section 2(c)	\$350.00
4	Loitering in a Public Place	Section 2(d)	\$250.00
5	Creating a Nuisance	Section 2(e)	\$350.00

THE CORPORATION OF THE  
TOWNSHIP OF BLANDFORD-BLENHEIM  
BY-LAW NUMBER 2184-2020

Being a By-Law to regulate ANIMAL CARE AND CONTROL, and to provide for a system of licensing, permits, approvals or registrations respecting the matter including the imposing of fees and charges.

**WHEREAS** sections 9 to 11 of the Municipal Act, 2001, S.O. 2011, c.25, as amended (hereinafter referred to as “Municipal Act), confer the power to pass by-laws regulating or prohibiting animals to a lower-tier municipality:

**AND WHEREAS** section 8(3)(c) of the Municipal Act confers the power upon a municipality, in exercising its powers to regulate and prohibit respecting a matter, to provide for a system of licenses, permits, approvals or registrations respecting the matter, and to impose conditions as a requirement of obtaining, continuing to hold or renew a license, permit, approval or registration;

**AND WHEREAS** section 103 of the Municipal Act confers a power upon a municipality to pass a by-law to provide for the seizure and impounding of animals being at large or trespassing and the sale of impounded animals under certain conditions;

**AND WHEREAS** section 391 of the Municipal Act enables a municipality to pass by-laws imposing fees or charges on any class of person for services or activities provided or done by or on behalf of it;

**AND WHEREAS** the Dog Owners’ Liability Act, 1990, R.S.O. 1990, c.D16, as amended, including amendments made by the Public Safety Related to Dogs Statute Law Amendment Act, 2005, provides for the control of dogs;

**AND WHEREAS** the Ontario Police Services Act, R.S.O. 1990 Chapter P. 15 as amended provides that Council may appoint Municipal Law Enforcement Officers to enforce all municipal By-Laws;

**AND WHEREAS** Council deems it expedient to ensure that animals are kept and treated in a humane manner and that the owners of animals provide good quality care to them;

**NOW THEREFORE** the Council of the Corporation of the Township of Blandford-Blenheim enacts as follows:

## **SECTION 1: DEFINITIONS**

In this By-Law:

- 1.1. **Animal** means any member of the animal kingdom, other than human, as defined in the Municipal Act;
- 1.2. **Animal Enclosure** means an enclosed place for the keeping of animals but shall not include the yard of a property where fencing has been erected on or along the property lines for the purposes of enclosing, in whole or in part, the yard itself;
- 1.3. **Animal Control Officer** means the By-Law Enforcement Officer as well as a person or company or corporation, or their employees, under contract with the Municipality to enforce the requirements of this by-law, or an employee of the Corporation of the Township of Blandford-Blenheim employed to administer and enforce the requirements of this by-law or any Police Officer;
- 1.4. **Animals for Research Act** means Animals for Research Act – R.S.O., 1990, c. A22, as amended;
- 1.5. **At Large** or **Trespass** means an animal being at any place other than the premises of the owner of the animal and not under the control of the owner or a person acting on behalf of the owner, and in case of dogs including not being put on a leash, except where the owner of the property, other than the animal owner's property, permits the animal to be on his or her property;
- 1.6. **Cat** means a domesticated feline animal, male or female, spayed or neutered or natural, and harboured or kept by any person;
- 1.7. **Certificate of Registration** means a certificate of registration issued by an association incorporated under the Animal Pedigree Act, R.S.C., 1985, c. 8 (4th Supp.) for an animal of a distinct breed or issued by the Canadian Kennel Club, American Kennel Club or by the United Kennel Club;
- 1.8. **Commercial Dog Kennel** means any building, pen or other structure, but not including a building used for human habitation, in which a dog or dogs not belonging to the owner of the property, in return for payment of a fee, are kept for breeding or boarding;
- 1.9. **Corporation** means the Corporation of the Township of Blandford-Blenheim;
- 1.10. **Council** means the Council of the Corporation of the Township of Blandford-Blenheim;
- 1.11. **Dangerous Dog** means a dog that in the absence of any mitigating factor has bitten or attacked a person or domestic animal or has behaved in a manner that poses a menace to the safety of persons or other domestic animals. Dangerous

dog also means a dog, previously designated as a potentially dangerous dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog;

1.12. **DOLA** means the Dog Owners' Liability Act, 1990, R.S.O. 1990, c.D16 as amended, including amendments made by the Public Safety Related to Dogs Statute Law Amendment Act, 2005.

1.13. **Domestic Animal** means an animal kept by or living with human beings;

1.14. **Dog** means a domesticated canine animal, male or female, spayed or neutered or natural, harboured or kept by any person;

1.15. **Dog Kennel** means any building, pen or structure, but not a building used for human habitation, in which registered purebred dogs are kept as pets for show and/or breeding or a Boarding facility, or Hunting/Sporting Kennel, but does not include a veterinary facility or the Ontario SPCA or affiliated society;

1.16. **Dog License** means a license issued for a dog pursuant to section 3.1 of this By-law as evidenced by the license records of the Township;

1.17. **Dwelling Unit** means one (1) or more habitable rooms occupied or capable of being occupied by a person or a family as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the use of such person or family, with a private entrance from outside the building or from a common hallway or stairway inside the building in which the dwelling unit is located;

1.18. **Excrement** shall mean the waste matter expelled from the bowels of an animal;

1.19. **Extreme Weather** means a cold warning, heat warning or other weather warning issued by either or both Southwestern Public Health or Environment Canada for weather in Oxford County.

1.20. **Herding Dog** shall mean a dog that has been trained and is actively being used in a bona fide farming operation for the purposes of controlling livestock on the farm;

1.21. **Household Pet** means a domestic animal that is taken into the care of one or more persons for the purpose of personal enjoyment or protection which normally spends time in the dwelling unit of the owner and shall include but not be limited to caged birds, caged rodents or rabbits, cats, dogs, tropical fish and non-poisonous indigenous reptiles;

1.22. **Hunting/Sporting Kennel** means any building, structure, dog run or other facility, or part thereof, other than a dwelling unit that provides shelter for three or

more dogs, that are routinely entered into dog sled or other similar races or hunting events or other authorized sporting competitions;

1.23. **Identification Microchip** shall mean an object which may be permanently implanted in a dog by injection or surgical procedure, which is programmed to store a unique and permanent identification number and is capable of using radio-frequency signals to relay the stored information to a scanning device;

1.24. **Impounded** shall mean seized, delivered, received or taken into the pound or any authorized vehicle operated by an officer pursuant to the provisions of the by-law;

1.25. **Keep** means to have temporary or permanent control or possession of an animal;

1.26. **Kennel License** means a license issued for a Commercial Dog Kennel, Purebred Kennel or Hunting/Sporting Kennel, as evidenced by the license records of the Township;

1.27. **Leash** means rope, chain or other restraining device suitable to the size of the dog which may not exceed 3.5 meters (11.5 feet) in length, except for pit bull dogs the leash for which shall not exceed 1.8 meters (5.9 feet) in length;

1.28. **License** when used in reference to a dog shall mean a dog license, when used in reference to a pit bull shall mean a pit bull license and when used in reference to a kennel, shall mean a kennel license;

1.29. **Livestock Guardian Dog** shall mean a dog that works and/or lives with domestic farm animals to protect them while repelling predators and is used exclusively for that purpose;

1.30. **Mitigating Factor** means circumstances which excuses aggressive behaviour of a dog without limiting the generality of the foregoing, may include circumstances where:

1.30.1. The dog was, at the time of the aggressive behaviour, acting in defense to an attack from a person or domestic animal;

1.30.2. The dog was, at the time of the aggressive behaviour, acting in defense of its young or reacting to a person or domestic animal trespassing on the property of its owner, or

1.30.3. The dog was, at the time of the aggressive behaviour, being teased, provoked or tormented.

1.31. **Muzzle** shall mean a humane fastening or covering device of adequate strength which when placed over the mouth of a dog will then prevent that dog from biting;

- 1.32. **Muzzle Order** means an Order issued by the Animal Control Officer or an Officer for a muzzle to be placed on a dog;
- 1.33. **Officer** is the Animal Control Officer designated by the Council, a Municipal By-Law Enforcement Officer designated by the Council and/or the Ontario Provincial Police;
- 1.34. **Owner** means a person who keeps, harbours or has custody of an animal, and, in the case of a minor, "Owner" means the person responsible for the custody of the minor. If there is more than one owner of an animal, they are jointly and severally the owner;
- 1.35. **Person** means an individual, partnership, association, firm or corporation;
- 1.36. **Pit Bull** means the breed of dog which includes:
- 1.36.1. A pit bull terrier,
  - 1.36.2. A Staffordshire bull terrier,
  - 1.36.3. An American Staffordshire terrier,
  - 1.36.4. An American pit bull terrier, or
  - 1.36.5. A member of a class of dog that have the appearance and physical characteristics that are substantially similar to the dog referred to above. In determining whether a dog is a pit bull, regard may be had to breed standards established, for dogs referred in above, by the Canadian Kennel Club, the United Kennel Club, the American Kennel Club or the American Dog Breeders Association.
- 1.37. **Police Work Dog** means a dog trained for and engaged in law enforcement by any federal, provincial or municipal government agency;
- 1.38. **Potentially Dangerous Dog** means a dog that in the absence of any mitigating factors, chases or approaches any person or domestic animal, anywhere other than on the property of its owner, in a menacing fashion or apparent attitude of attack, including but not limited to, behaviour such as growling or snarling or shows the disposition or tendency to be threatening or aggressive.
- 1.39. **Pound** means those premises designated by the Corporation for the detention, maintenance or disposal of animals that have been impounded by an officer and shall include any building or buildings and enclosures maintained on behalf of the Corporation by any person or organization as is duly authorized to do so for the purposes of carrying out the provisions of this by-law or the Dog Owner's Liability Act and such building or buildings and enclosure shall conform to the Animals for Research Act, 1990, as may be amended;

1.40. **Pound Keeper** shall mean the person or organization responsible for maintaining the pound on behalf of the Corporation for the purpose of enforcing and carrying out the provisions of this by-law;

1.41. **Premises** includes a dwelling unit, a house or building and the land or premises on which the building or house is situated or attached;

1.42. **Prohibited Dog** means:

1.42.1. A pit bull dog that is not restricted,

1.42.2. A pit bull dog, previously designated as a restricted dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog, or

1.42.3. A dog previously designated as a potentially dangerous dog or a dangerous dog, which is kept or permitted to be kept by its owner in violation of the requirement for such dog.

1.43. **Protective Care** means the temporary keeping of an animal as a result of an eviction, incarceration, medical or fire emergency, or any other situation that an Officer deems appropriate for the health and safety of the animal;

1.44. **Purebred** means a recognized breed, unmixed by crossbreeding; that is eligible for registration with an association incorporated under the Animal Pedigree Act (Canada);

1.45. **Restricted Dog** means a dog that is a pit bull that is owned by a resident on August 29, 2005, or was born before the end of the 90-day period beginning on August 29, 2005, and that has been registered by the owner with the Corporation and maintains a valid municipal dog license;

1.46. **Sanitary Condition** means a condition that does not result in an accumulation of fecal matter, odour, insect infestation, or rodent attractants which endanger the health, comfort or convenience of any person or animal;

1.47. **Sanitize** means to clean for the purpose of controlling disease-producing organisms and "sanitized" has a corresponding meaning;

1.48. **Service Animal** means a guide dog and other trained service animal identifiable by a harness and used principally to assist persons with a visual, hearing or other impediment;

1.49. **Veterinarian** means a member of the College of Veterinarians of Ontario.

## **SECTION 2: ADMINISTRATION AND ENFORCEMENT**

2.1 The Animal Control Officer of the Corporation shall be responsible for the administration of this by-law, and the Animal Control Officer of the Corporation shall be responsible for the enforcement of this by-law.

### **SECTION 3: LICENSING OF DOGS**

#### **Requirements of a License**

3.1. Every owner of a dog within the municipality shall obtain an annual license for each dog owned by him/her.

3.2. A person who acquires a dog during the year shall obtain from the Corporation a tag within fourteen (14) days after acquiring the dog.

3.3 The owner of any dog(s) who does not have a current license for his/her dog(s) may be subject to a fine as noted in Schedule "A" of this By-Law.

3.4 A dog license shall be valid only for the fiscal year in which it is issued.

3.5 The Animal Control Officer shall maintain a registry with the serial number of the dog tag along with the name, address, and telephone number of the owner, the name, breed, colour/markings, gender of the dog and the date that the dog tag is furnished to the owner. Any changes to the status of the information must be reported promptly to the Township of Blandford-Blenheim Clerk's Department.

3.6 No tag issued for a dog pursuant to the provisions of this by-law is transferrable between dogs or between owners without the written permission of the Corporation.

3.7 No person shall own, possess or harbour a dog within the municipality or allow a dog to be owned, possessed or harboured on the premises of that person unless a dog tag has been obtained, as required by this by-law and every owner of a dog shall keep the tag securely fixed on the dog at all times.

3.8 Where a dog tag issued pursuant to the provisions of this by-law has been lost or destroyed, the owner on application to the Township of Blandford-Blenheim Clerk's Department may be issued a new dog tag upon payment of the replacement fee as set out in the Fees and Charges By-law.

3.9 Every dog owner who takes up residence within the municipality and where a current tag has been issued by another municipality shall be required to obtain a new tag from the Corporation.

3.10 Licenses and tags will be issued by the Township of Blandford-Blenheim Clerk's Department.



3.11 Every officer appointed under this by-law or any other by-law has the authority to issue a Notice of Offense to the owner of any dog that has not been registered/licensed in accordance with the provisions of this by-law. The owner of the dog may be subject to a fine in accordance with the amount as set out in the Fees and Charges By-law.

**Exceptions:**

3.12 The requirement for a dog license does not apply to a pet shop whose business includes the sale of dogs.

3.13 The requirement for a dog license shall not apply to a police work dog trained for and engaged in law enforcement by any federal, provincial or municipal government agency.

3.14 The requirement for a dog license shall not apply to a service animal.

3.15 The requirement for a dog license does not apply to a person who has a Kennel License by March 15th of each calendar year, and the kennel license fee in the Township's Fees and Charges By-law shall be paid. The kennel license entitles the owner to a dog tag for each purebred dog kept as a pet. It shall be the responsibility of those individuals who purchase dogs from a kennel to obtain the license and tag as per Section 3.1 and 3.2 of this by-law.

3.16 The requirement for a dog license does not apply to any person or organization authorized by the Municipality to be a pound keeper for the Municipality and shall be exempt from paying the annual kennel license fee.

3.17 The requirement for a dog license does not apply to any organization mentioned in Section 4.5 of this by-law.

3.18 Proof of up-to-date rabies inoculation shall be provided when requested by the Animal Control Officer.

3.19 Herding dogs and livestock guardian dogs are exempt from wearing a collar and tag provided they have identifying tattoos or microchips. Such information must be provided to the Township office at the time of obtaining a dog license.

**SECTION 4: KEEPING OF ANIMALS**

**General Provisions**

4.1. Every owner of an animal shall treat the animal in a humane manner, including but not limited to the provision of:

4.1.1. A shelter for the animal that is waterproof and that protects the animal from exposure to the elements;

- 4.1.2. A shelter for the animal that is adequate for its size and breed;
  - 4.1.3. Adequate amounts of potable water for the animal; and
  - 4.1.4. Food of a type and in amounts nutritionally adequate for the animal.
- 4.2. No person shall keep an animal in unsanitary conditions.
- 4.3. Except as otherwise provided in this by-law, no person shall keep, or permit to be kept more than three of any one species of household pet, at any premises unless such keeping is in compliance with the Township Zoning By-law.
- 4.4. If more than three livestock guardian dogs or herding dogs are required, written permission must be obtained from the Township office.
- 4.5. Whether temporarily, permanently, or otherwise, no more than 3 domestic dogs of any age in excess of 3 months shall be kept, harboured, maintained or possessed at any location within the Municipality.
- 4.6. Despite section 4.3 hereof, a person who on March 6, 2013, kept or permitted to be kept more than three dogs for which valid dog licenses were issued pursuant to By-Law No. 1362-2002 with respect to a dwelling unit, may continue to keep the said dogs until they are no longer in the possession of their owner, and said dogs shall not be replaced in such dwelling unit.
- 4.7. Sections 4.3 does not apply to:
- 4.7.1. Pet Shops in the Municipality;
  - 4.7.2. A police work dog in a Police Canine Unit;
  - 4.7.3. Dog kennels and commercial dog kennels located in with the Municipality's zoning by-law and the Ontario Building Code Act, 1992, as amended, and licensed by the Corporation;
  - 4.7.4. Security firms' licenses and authorized by the Province of Ontario to provide guard dog services;
  - 4.7.5. The keeping of animals on lands zoned for agricultural purposes.
  - 4.7.6. An animal hospital or clinic that is lawfully operated and supervised by a veterinarian licensed by the Ontario Veterinary Association;
  - 4.7.7. A pound or shelter lawfully operated by the Corporation, or the Ontario Society for the Prevention of Cruelty to Animals (OSPCA):
  - 4.7.8. Any organization permitted by law to provide protection and humane treatment of animals;
  - 4.7.9. Any person while rendering emergency treatment to an injured or abandoned animal;

- 4.7.10. The Corporation or other governmental authority while lawfully operating a public park, exhibition, or zoological garden, and maintaining animals therein;
- 4.7.11. Any person in charge of a traveling circus, exhibition, or road show, or any employee thereof, lawfully displaying animals;
- 4.7.12. Persons operating premises registered as research facilities under the Animals for Research Act, R.S.O. 1990, c.A-22, as amended, or the persons in charge, or the employees thereof, during the course of their duties;
- 4.8. No person shall keep, or cause to be kept, a reptile, insect or amphibian permitted under this by-law outside a building or structure unless it is in an appropriate animal enclosure.

#### **4.9. Keeping of Animals Prohibited**

- 4.9.1. No person shall keep, or permit the keeping of an animal or animals of any of the following classes anywhere within the Township of Blandford-Blenheim:
- a) All marsupials (such as kangaroos and opossums)
  - b) All non-human primates (such as gorillas and monkeys)
  - c) All felids, except the domestic cat
  - d) All canids, except the domestic dog
  - e) All viverids (such as mongooses, civets, and genets)
  - f) All mustelid, except the ferret (such as skunks, weasels, otters and badgers)
  - g) All ursids (bears)
  - h) All artiodactylus ungulates, except the domestic buffalo, deer, cattle, goats, pigs and sheep
  - i) All procyonids (such as raccoons, coatis and cacomistles)
  - j) All hyenas
  - k) All perissodactylus ungulates, except the domestic horse and ass
  - l) All elephants
  - m) All pinnipeds (such as seals, fur seals, and walruses)
  - n) All snakes of the families pythonidae and boidae
  - o) All venomous reptiles and amphibians
  - p) All diurnal and nocturnal raptors (such as eagles, hawks and owls)
  - q) All edentates (such as anteaters, sloths and armadillos)
  - r) All bats

- s) All crocodilians (such as alligators and crocodiles)
- t) All arachnids (such as tarantulas)

4.9.2 No person shall sell, offer to sell, permit the sale or otherwise make available in any way to any person residing in the Township, any of the animals listed in 4.9.1.

4.9.3 No person shall keep, or permit to be kept, more than three cats, over the age of eight (8) weeks, at any premises. This section does not apply to cats that are kept on lands zoned agricultural and used for agricultural operations as defined in the Farming and Food Production Protection Act, 1998, S.O. 1998, c.1.

#### **4.10. General Restrictions**

4.10.1. No person shall keep, harbour or possess a prohibited dog in the Township of Blandford-Blenheim.

4.10.2. No person who operates a business within the Township that includes the sale of pets or other animals shall sell, offer to sell, or otherwise make available in any way, to any person, a prohibited dog.

4.10.3. No owner of an animal shall allow it to enter onto a splash pad unless such animal is acting as a Service Animal for a person with a disability who is on the splash pad.

#### **4.11. Pit Bulls – Special Requirements**

4.11.1. No person shall:

- 4.11.1.1 Own a pit bull, except a restricted pit bull;
- 4.11.1.2 Breed a pit bull;
- 4.11.1.3 Transfer a pit bull by sale;
- 4.11.1.4 Transfer a pit bull by gift or bequest; if the person to whom the pit bull is transferred will own more pit bulls after August 29th, 2005 than on that day (maximum number of dogs per premises is three);
- 4.11.1.5 Transfer more than one pit bull by gift or bequest to a person who did not own a pit bull on August 29, 2005;
- 4.11.1.6 Abandon a pit bull other than to a pound operated by or on behalf of the Municipality, the province or a designated body;
- 4.11.1.7 Allow a pit bull in his or her possession to stray; or
- 4.11.1.8 Train a pit bull for fighting.

#### **4.12. Pit Bulls – Other Requirements**

4.12.1.1 All other requirements regarding Pit Bulls specifically shall be in accordance with the Dog Owners Liability Act, 1990 (DOLA), as amended,

including regulations pertaining to DOLA, and the Animals for Research Act, 1990, as amended.

4.12.1.2 The Animal Control Officer is authorized to issue pit bull licenses on behalf of the Township.

4.12.1.3 Every application for a pit bull license shall include the following as applicable:

- a) Name, address and phone number of the registered owner
- b) Address of the property where the pit bull is being kept
- c) Description of the pit bull including breed, sex, colour, name
- d) Upon first registration evidence satisfactory to the Animal Control Officer that the pit bull was born in Ontario between August 29, 2005 and November 26, 2005
- e) Evidence satisfactory to the Animal Control Officer that the pit bull has been sterilized, unless a veterinarian's written opinion is provided that the pit bull is physically unfit to be anaesthetized because of old age or infirmity in accordance with section 2(3) of Ontario Regulation 157/05.
- f) License fee.

## **SECTION 5: ANIMAL ENCLOSURES**

### **5.1 General Provisions**

5.1.1 Every owner of an animal shall ensure that the animal enclosure provided for the animal meets the following requirements, regardless of whether the animal enclosure is located indoors or outdoors.

5.1.2 The animal enclosure shall be of a size and in a condition such that the animal may:

- 5.1.2.1 Extend its legs, wings, and body to their full natural extent;
- 5.1.2.2 Stand;
- 5.1.2.3 Sit;
- 5.1.2.4 Perch.

5.1.3 Every reptile, fish, mammal and amphibian shall be provided with an enclosed space adequate for the needs of the species.

5.1.4 The enclosure is of such a nature and condition that the animal contained therein would not be harmed and its health would not be negatively affected for the reason of being placed in such an animal enclosure.

5.1.5 Every animal contained therein may be readily observed unless the natural habits of the animal require otherwise.

5.1.6 The animal enclosure is kept in a clean and sanitary condition.

5.1.7 The animal enclosure is kept free of offensive odour.

5.1.8 The animal enclosure is escape proof.

## **5.2 Additional Provisions for Outdoor Animal Enclosures**

5.2.1 Except for the keeping of animals on lands zoned for agricultural purposes no person shall keep, or cause to be kept, any animal enclosure for an animal outside a building or structure unless:

5.2.2 The animal enclosure is in the rear yard; and

5.2.3 The animal enclosure, is located at least 3.1 metres (10 feet) from the property line and at least 6.1 metres (20 feet) from any school, church, or residential building not located on the same lot; and

5.2.4 No person shall keep an animal tethered on a rope, chain, cord or similar restraining device unless:

5.2.4.1 The tether is of appropriate length for the species tethered;

5.2.4.2 The animal has unrestricted movement within the range of such tether;

5.2.4.3 The animal is not tethered for longer than twelve (12) hours per day;

5.2.4.4 The animal has access to water, food and shelter while tethered;

5.2.4.5 The animal cannot injure itself as a result of the tethering;

5.2.4.6 The tether shall be a minimum of 3.5 metres in length, provided the tether does not permit the animal to go beyond the limits of the animal owner's property, and;

5.2.4.7 No person shall keep an animal tethered where a Choke Collar, a Choke Chain or a Prong Collar forms part of the tether or a rope, chain, cord or similar restraining device is tied directly around the animal's neck.

5.2.5 In addition to the requirements in this part of the by-law, an animal enclosure kept outside shall be:

5.2.5.1 Soundly constructed of hard, durable material;

5.2.5.2 Impervious to water for the housing unit within the enclosure and the housing unit must comply with all animal enclosure requirements;

5.2.5.3 Constructed of a material that may be readily sanitized;

5.2.5.4 Maintained in a good state of repair from cracks, holes, rust and other damage;

5.2.5.5 Kept in a way that minimizes as nearly as practicable the transfer of disease-causing agents; and

5.2.5.6 Adequately ventilated and maintained at a suitable temperature and lighting for the health, welfare and comfort of the animal enclosed therein.

5.2.6 No animal shall be kept outdoors during Extreme Weather unless the animal has access to an enclosure that will adequately protect the animal from the elements

**5.3** Compliance with the requirements under Part 5 of this By-Law does not exempt any person from compliance with other applicable laws and by-laws, including the Building Code Act 1992, as amended, and the municipal zoning by-law, as amended.

**5.4** Every owner shall allow any officer to carry out an inspection of premises where animal(s) of the owner are kept or to make inquiries deemed necessary for the purposes of insuring compliance of this by-law.

## **5.5 Kennels**

5.5.1 Any person or persons who keep more than three (3) dogs, which are over three (3) months of age, at one (1) location shall obtain a dog kennel license and section 4.5.3 and Section 5 of this by-law shall be complied with regarding the location and operation of a kennel.

5.5.2 Unless currently on file, upon first registration with the Township pursuant to the provisions of this By-law, verification that the kennel complies with the Township Zoning By-law.

5.5.3 In the case of a Purebred Kennel upon first registration and annually thereafter, proof of active membership in the Canadian Kennel Club, American Kennel Club, United Kennel Club or any other association incorporated under the Animal Pedigree Act (Canada). This section does not apply to kennels which are licensed by the Township on or before the date of passage of this by-law; and

5.5.4 In the case of a Purebred Kennel upon first registration and annually thereafter pursuant to the provisions of this by-law, a Certificate of Registration for each of the dogs kept therein and annually a Certificate of Registration for any additional dogs kept therein for which registration papers have not been previously provided. This section does not apply to kennels which are licensed by the Township on or before the date of passage of this by-law.

- 5.5.5 In the case of a Hunting/Sporting Kennel, upon proof of first registration and annually thereafter, proof of active membership in the Canadian Kennel Club, American Kennel Club, United Kennel Club or any other association incorporated under the Animal Pedigree Act (Canada) for the purpose of regulating dog sled or other similar races, hunting events or other sporting competitions; and
- 5.5.6 Registration documentation from the applicable governing association indicated in 5.5.5 for each dog kept therein, and annually thereafter for any additional dogs kept therein for which registration papers have not been previously provided; and
- 5.5.7 Upon first registration and annually thereafter, a list of all dogs to be kept at the subject property, and proof of current rabies vaccination for each dog.
- 5.5.8 The applicable license fee.
- 5.5.9 The kennel license must be posted in a conspicuous place on the kennel premises.
- 5.5.10 Kennel licenses are not transferable.
- 5.5.11 The Animal Control Officer may refuse to issue a kennel license with respect to any kennel that does not meet with all of the requirements of this By-law.

## **SECTION 6: EXCREMENT**

- 6.1. Every owner of an animal shall remove forthwith and sanitarly dispose of any excrement left by the animal on any property anywhere in the Township including highways.
- 6.2. Section 6.1 does not apply to:
  - 6.2.1 Persons reliant upon a service animal while that animal is being used in the performance of its' duties to aid a person with a visual, hearing or other impediment;
  - 6.2.2 Permitted farm animals when animals are on lands zoned for agricultural purposes.

## **SECTION 7: ANIMALS AT LARGE**

- 7.1. No owner shall cause or permit an animal to be at large, subject to the provisions of this part of the by-law.



7.2. A dog is not considered to be at large if the dog is:

7.2.1 A service animal or a police work dog; or

7.2.2 On the premises of a person who has consented to the dog on the person's premises.

## **SECTION 8: SEIZURE AND IMPOUNDMENT**

8.1. Any animal found at large contrary to this by-law may be seized by an Officer.

8.2. An Officer may take possession of an animal for the purpose of providing protective care to it at any time when the Officer deems it necessary to provide protective care to the animal.

8.3. A dog seized under this by-law shall be impounded for a period of three (3) days, exclusive of the day on which the dog was impounded and statutory holiday and Sundays, unless:

8.3.1 The dog is redeemed by the Owner during this period of impoundment in accordance with the provisions of this by-law;

8.3.2 The dog was seized for the purpose of providing protective care to it; or

8.3.3 In the opinion of the Animal Control Officer, the dog should be euthanized or receive veterinary care immediately.

8.3.4 A dog is seized for the purpose of providing protective care, in which case it shall be impounded for a period of up to ten (10) days, exclusive of the day on which the dog was impounded and statutory holiday and Sundays, unless the animal is redeemed by the owner during this period if impoundment in accordance with the provisions of this by-law or is euthanized for humane reasons.

8.3.5 Where the pound operator has impounded a dog or a cat that has a tag, name plate or other means of identification, the operator shall take all reasonable steps to find the owner of the dog or cat and shall forthwith notify the owner, if found, that the dog or cat has been impounded and can be redeemed on payment in full of all costs, fines and penalties.

8.4. Any other animal seized under this by-law shall be impounded for a period of three (3) days, exclusive of the day on which the animal was impounded and statutory holidays and Sundays, unless;

- 8.4.1 The animal is redeemed by the owner during this period of impoundment in accordance with the provisions of this by-law; or
  - 8.4.2 In the opinion of the Officer, the animal should be euthanized or should receive veterinary care immediately.
  - 8.4.3 Any other animal seized for the purpose of providing protective care to it shall be impounded for a period of eight (8) days, exclusive of the day on which the animal was impounded and statutory holiday and Sundays, unless the animal is redeemed by the owner during this period of impoundment in accordance with the provisions of this by-law or is euthanized for humane reasons.
- 8.5. The owner of an animal impounded under this by-law may redeem the animal upon payment of the appropriate impoundment and maintenance fees for the time of the impoundment and any fines under this and any other applicable Township by-laws.
- 8.5.1 In addition, the owner of a dog seized and impounded shall produce a valid dog tag for the dog before the owner may redeem it.
  - 8.5.2 If a valid tag cannot be produced the owner of the dog shall obtain a license for the dog and be responsible for the payment of the penalty in Schedule "A" of this by-law.
- 8.6. If an animal is not redeemed within the time period specified in this by-law, the animal shall become the property of the Corporation and may be:
- 8.6.1 Put up for adoption; or
  - 8.6.2 Euthanized by the Animal Control Officer
- 8.7. An Animal Control Officer may euthanize an animal without delay without permitting any person to redeem it if:
- 8.7.1 The animal seized and impounded under this by-law is seriously injured or ill and should be euthanized without delay for humane reasons; or
  - 8.7.2 Euthanasia of the animal seized and impounded under this by-law is necessary for the safety of persons
- 8.8. Where, in the opinion of the Animal Control Officer, an animal seized and impounded under this by-law is injured and requires the services of a veterinary surgeon, the Animal Control Officer shall arrange for such services and, in addition to any amount charged under this Part, be entitled to charge the owner of the animal the cost of the veterinary care to the Animal Control Officer.

## **SECTION 9: QUARANTINE OF ANIMALS**

9.1 If, in the opinion of the local Health Unit or an officer, an animal shall be put in quarantine, the owner of the animal shelter shall:

9.1.1. Comply with the quarantine order of the Health Unit or Officer; and

9.1.2. Be responsible for the costs associated with the quarantine, including the costs of any veterinary care required for the animal and any other applicable fees.

## **SECTION 10: PRECAUTIONS BY DOG OWNERS**

10.1 The owner of a dog shall exercise reasonable precautions to prevent it from:

10.1.1. Biting or attacking a person or domestic animal;

10.1.2. Behaving in a manner that poses a menace to the safety of persons or domestic animals;

10.1.3. Shall ensure the dog is properly leashed when not on the property of the owner, or not on the property of a person who authorizes the dog to be on his/her property;

10.1.4. Persistently barking or howling;

10.1.5. Fail to prevent your dog from biting.

## **SECTION 11: MUZZLE ORDER - DOGS**

### **11.1 General Provisions**

11.1.1. Where an Officer determines that a dog is a potentially dangerous dog or a dangerous dog, the Animal Control Officer may issue a Muzzle Order to the owner of the dog;

11.1.2. The Animal Control Officer may impose conditions on the Muzzle Order to ensure the health and safety of the owner, the dog, and other persons and animals, and the order is effective immediately on issuance.

11.2 A Muzzle Order may be served by:

11.2.1 Delivering it personally to the owner of the dog; or

11.2.2 Sending it by registered mail to the last known address of the owner of the dog.

11.3 Notwithstanding other sections of the By-Law, when a Muzzle Order has been served, the owner of the dog:

11.3.1. Shall not permit the dog to be off the premises of the owner unless it is muzzled, and secured on a leash that shall be no longer than 1.8 metres (5.9 feet);

11.3.2. Shall ensure that the dog does not bite, chase or attack a person or a domestic animal on any property, including that of the owner;

11.3.3. Shall either restrict the dog on a chain capable of restraining the dog or confine it within a fenced yard capable of preventing the dog from escaping;

11.3.4. Shall put the dog under the control of a person at least eighteen (18) years of age when the dog is not on the owner's premises;

11.3.5. Shall notify the Animal Control Officer within five (5) days of transfer if the dog is transferred to a new location or if the ownership of the dog is transferred to another person in the municipality, and the Muzzle Order shall still apply;

11.3.6. Shall ensure that the dog is spayed or neutered;

11.3.7. Shall obtain a warning sign as prescribed by the Animal Control Officer which shall be posted and displayed continuously by the owner in a prominent location in close proximity where the particular dog is kept;

11.3.8. The dog shall be implanted with an identification microchip;

11.3.9. Shall comply with any other conditions imposed in the Muzzle Order.

11.4 A Muzzle Order expires when the dog dies or the Animal Control Officer is satisfied that it no longer resides in the Township.

## **SECTION 12: PAYMENT OF FEES**

### **12.1. General Provisions**

12.1.1. Every person responsible for the payment of any and all fees, costs and fines under this by-law shall make such payment in full upon demand by the Corporation.

12.1.2. The payment of any fees and charges as required under this by-law does not constitute partial or full payment of any fines imposed by a court of

competent jurisdiction for an offence committed under this or any other by-laws.

12.1.3. The Township Treasurer may add any charges payable to the tax roll of any property owned by the animal's owner and collect the amount in the same manner as taxes.

### **SECTION 13: OFFENCE**

13.1. Every person who contravenes any provision of this by-law is guilty of an offence and is liable to a fine and any other penalties imposed pursuant to the Provincial Offences Act, 1990, c. P-33, as amended, the Dog Owner's Liability Act, 1990, as amended, if applicable, and the Pounds Act, 1990, as amended, if applicable.

13.2. Any person who receives a Notice of Offense is required to comply within seven (7) days of its delivery.

### **SECTION 14: VALIDITY**

14.1. If a court of competent jurisdiction declares any section or part of a section of the by-law invalid, it is the intention of Council that the remainder of the by-law shall continue to be in force.

### **SECTION 15: REPEAL AND EFFECTIVE DATE**

15.1. The following Township of Blandford-Blenheim by-laws are hereby repealed:

By-Law 1313-2000  
By-Law 1362-2002  
By-Law 1774-2013

### **SECTION 16: SHORT TITLE**

16.1 This by-law shall be referred to as the "Animal Care and Control" By-Law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED ON THIS 15TH DAY OF APRIL, 2020.**

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MAYOR: Mark Peterson

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Rodger Mordue, CAO/Clerk

SCHEDULE "A" TO BY-LAW 2184-2020,  
as amended: Animal Care and Control

Part 1 Provincial Offences Act

Short Form Wording and Set Fines

Item	Short Form Wording	Column 2 Offence Creating Provisions	Column 3 Set Fines
1	Fail to obtain dog tag	Section 3.1	\$105.00
2	Fail to keep dog license fixed on dog	Section 3.7	\$105.00
3	Fail to obtain dog tag after moving to the Township	Section 3.9	\$105.00
4	Fail to provide proof of rabies inoculation	Section 3.18	\$105.00
5	Fail to protect animal from exposure to elements	Section 4.1.1	\$300.00
6	Fail to shelter animal adequately for size	Section 4.1.2	\$300.00
7	Fail to provide animal with adequate potable water	Section 4.1.3	\$300.00
8	Fail to provide adequate nutritional food	Section 4.1.4	\$300.00
9	Keep animal in unsanitary condition	Section 4.2	\$300.00
10	Keeping more than three (3) dogs	Section 4.5	\$105.00
11	Keeping prohibited animals	Section 4.9	\$105.00
12	Fail to ensure that the animal enclosure is of an appropriate size and/or condition	Section 5.1.2	\$300.00
13	Fail to ensure that the animal enclosure for every reptile, fish, amphibian has an enclosed space adequate for the needs of the species	Section 5.1.3	\$300.00
14	Fail to ensure that the nature and condition of the animal enclosure are such that the animal would not be harmed and its health would not be negatively affected	Section 5.1.4	\$300.00
15	Fail to ensure the animal enclosure is such that the animal can be readily observed	Section 5.1.5	\$300.00
16	Fail to ensure that the animal enclosure is kept in a clean and sanitary condition	Section 5.1.6	\$300.00

17	Fail to ensure that the animal enclosure is kept free of offensive odour	Section 5.1.7	\$300.00
18	Fail to ensure that the animal enclosure is escape proof	Section 5.1.8	\$105.00
19	Fail to keep/cause to be kept an animal enclosure outside a building or structure in a rear yard	Section 5.2.2	\$105.00
20	Fail to keep/cause to be kept an animal enclosure outside a building or structure at least 3.1 meters from the property line	Section 5.2.3	\$300.00
21	Fail to keep/cause to be kept an animal enclosure outside a building or structure at least 6.1 meters from any school, church, or residential building not located on the same lot	Section 5.2.3	\$105.00
22	Fail to tether dog on restraining device more than 3.5 meters	Section 5.2.4.6	\$300.00
23	Fail to allow officer to carry out inspection	Section 5.4	\$105.00
24	Fail to pay annual kennel fee	Section 5.5.8	\$105.00
25	Fail to remove excrement left by an animal on any property	Section 6.1	\$105.00
26	Being an owner of an animal, permitting it to run at large	Section 7.1	\$105.00
27	Fail to prevent dog from biting	Section 10.1.5	\$500.00



THE CORPORATION OF THE  
TOWNSHIP OF BLANDFORD-BLENHEIM  
BY-LAW NUMBER 2186-2020

Being a by-law of the Township of Blandford-Blenheim to provide for procurement procedures.

WHEREAS the Council of the Corporation of the Township of Blandford-Blenheim has deemed it desirable to have a procurement by-law to set out guidelines for the municipality to ensure that all purchases of materials, supplies and services provide the lowest costs consistent with the required quality and service, to provide for an open and honest process, to promote and maintain the integrity of the purchasing process and thereby to protect Council, vendors and staff involved in the process by providing clear direction and accountabilities;

AND WHEREAS The *Municipal Act, 2001, S.O. 2001, c.25, S. 270(1)* states that a municipality and a local board shall adopt policies with respect to its procurement of goods and services,

NOW THEREFORE the Municipal Council of The Corporation of the Township of Blandford-Blenheim enacts as follows:

**Section 1: Definitions**

1. In this by-law:

“Blanket Order” shall mean the agreement wherein a vendor will sell certain items to the Township for an agreed period of time with established terms and conditions.

“Bid” shall mean a submission from a prospective vendor in response to a request for the purchase of goods or services issued by the Township.

“Bid Deposit” shall mean a financial guarantee to ensure the successful bidder will enter into an agreement.

“Bidding System” shall mean an online web-based solution for issuing solicitations and/or receiving online submissions and posting bid results.

“CAO” shall mean the Chief Administrative Officer appointed by the Council to exercise general control and management of the affairs of the municipality.

“Capital Expenditure” shall mean any significant expenditure incurred to acquire or improve land, building, engineering structures, machinery and equipment used in providing municipal services. This expenditure normally confers benefit lasting beyond one year and results in the acquisition of, or extends the life of a fixed asset.

“Council” shall mean the elected members of the Township of Blandford-Blenheim.

“Department Head” shall mean a head of a department operating within the Township of Blandford-Blenheim.

“Electronic Bidding” shall mean a method of issuing solicitations and/or receiving bids through a bidding system over the internet.

“Emergency Purchase” shall mean a purchase made in a crisis situation where immediate action is required to prevent the possible loss of life or property or significant financial loss or environmental impacts.

“Formal Bid” shall mean a sealed bid submission.

“Generic” shall mean that no specific brand or name shall be included as part of the specifications unless such a brand or name is required to identify the intent of a purchase, order or proposal.

“Invoice Approval Stamp” shall mean a stamp prescribed by the Treasury Department to ensure required approvals are applied to an invoice.

“Labour and Material Bond” shall mean a bond issued by a surety company on the Township standard Form of Bond to ensure that the contractor will fulfil its obligations to its employees, subcontractors and suppliers and thereby protects the Township.

“Letter of Agreement to Bond” shall mean a letter or other form issued by a surety company licensed to operate by the Government of Canada or the Province of Ontario advising that if the bidder is successful that the bonding agency will issue the required bonds.

“Mayor” shall mean the Mayor of the Township of Blandford-Blenheim.

“Performance Bond” shall mean a bond issued by a surety company on the Township standard Form of Bond executed in connection with a contract and which secures the performance and fulfilment of the undertakings, covenants, terms, conditions and agreements contained in the contracts. These may also be in the form of “renewable performance bonds”.

“Public Opening” shall mean a specified time and place for the opening of bids, of which will be identified in the formal quotation request or tender advertisement and will be attended by at least two Township staff members and open to the public.

“Purchasing Designate” shall mean a person designated by a Department Head to exercise any or all responsibilities of the Department Head with respect to this By-law.

“Quotation” shall mean a written offer received from a supplier to sell or buy goods or services in response to a direct request.

“Request for Proposal” or “RFP” shall mean a process where a need is identified, but the method by which it will be achieved is not prescribed at the outset. This process allows prospective suppliers to propose solutions or methods to arrive at the desired result.

“Sealed bids” shall mean bids submitted in a sealed envelope to a specified location, by a specified date.

“Services” shall mean items such as telephone, gas, water, hydro, janitorial and cleaning services, consultant services, legal surveys, medical and related services, insurance, leases for grounds, buildings, office or other space required by the Corporation and the rental, repair or maintenance of equipment, machinery, or other personal and real property.

“Single Source Process” shall mean a process for procurement where there is more than one source of the goods and/or services on the open market, but only one source is recommended due to predetermined and approved specifications.

“Sole Source Process” shall mean a process for procurement where the goods and/or services being sought are only available from one supplier.

“Supplies” shall mean goods, wares, merchandise, material and equipment.

“Tender” shall mean a written offer received from a supplier for goods and services in response to a public advertisement, or an invitation to bid requesting sealed tenders.

“The Corporation of the Township of Blandford-Blenheim” herein is also referred to as the “Township” or the “Corporation”.

“Vendor” shall mean any person or enterprise supplying goods or services to the Corporation of the Township of Blandford-Blenheim.

## **Section 2: Goals**

- 2.4.1 Efficient/Effective Procurement: To procure by purchase, rental or lease the required quality and quantity of goods and/or services, including professional and consulting services, from qualified suppliers, in the most efficient and cost effective manner possible in the circumstances.
- 2.4.2 Open Competitive Process: To encourage open competitive bidding for the acquisition or disposal of all goods and services where practicable.
- 2.4.3 Transparency and Accountability: To ensure that the procurement process is undertaken based on a clear definition of the product or service required and a clear outline of the criteria used in the evaluation. With regard to quotations and tenders, the decision to choose the low bidder will be based solely on the requirements as documented, the bidder’s document and the evaluation criteria. Total project costs will be considered including, but not limited to training, maintenance, quality, warranty, payment terms, conversion costs and trade-in value.
- 2.4.4 Fair: The procurement process will be fair, such that no action is undertaken by Municipal staff to allow any given bidder an unfair advantage or disadvantage.
- 2.4.5 Accessibility: In accordance with Ontario Regulation 191/11 – Integrated Accessibility Regulation, the municipality’s commitment to procuring goods, services and facilities that are accessible will be incorporated into specifications for all products and services in the purchasing process. Project Managers will ensure that accessibility specifications are included and communicated where necessary in the procurement process, and that compliance obligations under provincial legislation are met. Accessibility specifications will be demonstrated by suppliers and ranked accordingly

## **Section 3: Purchasing Responsibilities**

### **3.1 Expenditure Authorization**

Council has ultimate authority for all expenditures. Council delegates this authority by the authorization of budgets or by specific resolution. Treasury cannot pay for any item that has not been authorized by Council through budget appropriation or specific resolution. This Procurement By-law provides guidelines outlining how spending authority is to be used.

### **3.2 Department Head Authorization and Responsibilities**

- 3.2.1 The Department Head shall be responsible for approval of accounts within the approved

budget for each department or any amendment to same as approved by Council. Unspecified capital expenditures in the annual estimates require prior Council approval by resolution.

- 3.2.2 Resolutions approving budget amendments, capital expenditures or special appropriations shall contain purpose of expenditure, cost estimates or expenditure limitation, and the fund in which an appropriation has been provided. All staff reports recommending such resolutions shall contain the Department Head and the CAO's endorsement.

### **3.3 Purchasing Designate**

A Department Head may appoint a Purchasing Designate to exercise any or all responsibilities assigned by this By-law.

## **Section 4: Purchasing Mechanisms**

### **4.1 Quotation Purchases**

- 4.1.1 The Department Head shall be authorized to make purchases of goods and services for estimated expenditures exceeding \$5,000.00 and less than \$30,000.00 without requesting and obtaining sealed tenders for the goods and services, unless specifically authorized to do so by a resolution of Council for a particular transaction, from such vendor and upon such terms and conditions as the Department Head deems appropriate. All attempts must be made to obtain at least three (3) written quotations whenever possible. Bid documents and specifications (as applicable) can be issued and received by e-mail and/or fax transmission at the issuing department's location.
- 4.1.2 Exclusions: Single item small capital projects or purchases including those of complex specifications or requirements must be issued in a formal bid document (example, the purchase of a new vehicle). A formal bid document must have a submission label detailing the project name, bidder's name and address.

### **4.2 Tender Purchases**

- 4.2.1 The Department Head shall not order goods or services exceeding \$30,000.00 without requesting and obtaining sealed tenders for the goods and services unless specifically authorized to do so by a resolution of Council for a particular transaction. All attempts must be made to obtain at least three (3) written tenders whenever possible.
- 4.2.2 Council approval of the tender is not required if all of the following conditions have been met:
- a) The project has been approved in the current year estimates.
  - b) The contract is being awarded to the lowest bidder meeting the specifications.
  - c) The total value of the tender is less than \$30,000.00.
  - d) There are no Senior Government requirements for Council approval of a tender.

In the case that Council approval is not required, the Department Head, with the approval of the CAO, shall be authorized to award the tender and the Mayor and CAO are authorized to execute the necessary agreements.

#### **4.3 Requests for Proposals**

- 4.3.1 The Department Head may use a Request for Proposal in place of a tender or quotation when goods or services cannot be specifically stipulated or when alternative methods are being sought to perform certain functions or services. A Request for Proposal shall permit more flexibility on the part of vendors to provide creative and alternative proposals for the supply of products or services.
- i. The evaluation criteria and process shall be approved by the CAO prior to the issuance of the Request for Proposal.
  - ii. When the preferred proposal exceeds \$30,000.00, the Department Head shall submit a report to Council for direction.

#### **Section 6: Exemptions to Tendering Aspects of By-law**

6.1 Notwithstanding the above, adherence to tendering aspects of this Procurement By-law is not required with respect to those items listed below within Section 4 of this by-law, or to a transaction specifically authorized by resolution of Council to be exempt from this By-law.

6.1.1 Purchases for the supply and placement of road material throughout Blandford-Blenheim Township less than \$100,000.00 when clearly identified in the budget.

6.1.2 Purchases for consulting services for a program where services (i.e. bridge inspection/evaluation) have been awarded to a consulting firm on an on-going basis when clearly identified in the budget.

6.1.3 Drainage projects carried out under the *Drainage Act*.

6.2 Sole Source

6.2.1 The purchase may be conducted using a sole source process if the goods and/or services are available from only one supplier for reason of:

- a) Statutory or market based monopoly.
- b) Competition is precluded due to the application of any Act or legislation or/ because of the existence of patent rights, copyrights, licence, technical secrets or controls of raw material.
- c) The complete item, service, or system is unique to one supplier and no alternative or substitute exists.

## 6.3 Single Source

- 6.3.1 The purchase may be conducted using a single source procurement process if the goods and/or services are available from more than one source, but there are valid and sufficient reasons for selecting one supplier in particular, as follows:
- a) An attempt to acquire the required goods and/or services by soliciting competitive bids has been made in good faith, but has failed to identify more than one willing and compliant supplier.
  - b) The confidential nature of the requirements is such that it would not be in the public interest to solicit competitive bids.
  - c) There is a need for compatibility with goods and/or services previously acquired or the required goods and/or services will be additional to similar goods and/or services being supplied under an existing contact (i.e. contract extension or renewal).
  - d) The required goods and/or services are to be supplied by a particular supplier having special knowledge, skills, expertise or experience.
  - e) The goods are purchased under circumstances which are exceptionally advantageous to the Township, such as in the case of a bankruptcy or receivership.
  - f) It is advantageous to the Township to acquire the goods or services from a supplier pursuant to the procurement process conducted by another public body.
  - g) It is advantageous to the Township to acquire the good or services directly from another public body, or public service body.
  - h) Another organization is funding or substantially funding the acquisition and has determined the supplier, and the terms and conditions of the commitment into which the Township will enter are acceptable to the Township.
  - i) The acquisition is for a particular brand of goods or services that are intended solely for resale to the public and no other brand is desirable and the brand is not available from any other source.
  - j) Where due to abnormal market conditions, the goods, services or construction required are in short supply.

## **Section 7: Bid Closing and Opening**

7.1 All bids expected to exceed \$100,000 will be opened to the public at a specified time and place which will be identified in the tender advertisement. Any tenders or RFP's under \$100,000 will not be opened publically.

## **Section 8: Conditions Acceptable to All Bid Submissions**

- 8.1 The following conditions apply to all bid submissions whether they are formal or informal:
- a) Bid documents must be submitted and received in the manner as specified in the bid document. No exceptions will be permitted.
  - b) Attempts to submit bid documents after the specified closing time will be returned to the bidder and/or directed to an “expired” page. No exceptions will be permitted.
  - c) A bidder who has already submitted a bid may submit a further bid at any time up to the official closing time. The last bid received will supersede and invalidate all bids previously received by that bidder.
  - d) A bidder may withdraw a submitted bid at any time up to the official closing time by letter bearing their signature or through the bidding system with verified login of the submitter or approved contact.
- 8.2 Bids may be rejected for any of the following reasons:
- a) Bid received after the specified closing date and time as specified in the bid document. No exceptions.
  - b) Bid does not comply with the requirements at time of closing as specified in the bid document. No exceptions.
  - c) Bids which are incomplete, conditional or obscure, or which contain additions not called for, erasures, alterations or irregularities of any kind.
  - d) Does not meet specification requirements.

## **Section 9: Blanket Orders**

- 9.1 The Department Head may establish Blanket Orders using the applicable bid mechanism based upon the estimated annual expenditure.
- 9.2 In the case of equipment repairs and equipment rentals for amounts not exceeding \$15,000.00, the Department Head shall be authorized to select vendors not solely on the basis of cost, but also on ability, quality or workmanship, service, availability, overall performance and experience without first obtaining quotations.
- 9.3 Blanket Orders shall be issued for a specific time period with all ordering departments responsible for maintaining purchases within budget allocations.

## **Section 10: Purchase of Used Fleet Equipment**

- 10.1 The Department Head is authorized to purchase used fleet equipment that is sold by other municipalities by private sale or public auction; sold through a vendor licensed to sell used equipment; by sealed bid; or by negotiation providing that:

- a) The equipment meets or exceeds the departmental equipment requirements.
- b) It is documented that it is fiscally responsible to purchase a used piece of equipment rather than purchase new.
- c) If the total expenditure per piece of equipment exceeds \$50,000.00, a report will be forwarded to Council detailing purchase information and expenses.

10.2 The Department Head is exempt from the Township's formal quotation/tender/RFP process when purchasing used fleet equipment by any of the methods detailed in 8.1.

### **Section 11: Emergency Purchases**

11.1 The Department Head shall be authorized to make emergency purchases in excess of \$5,000.00 upon the approval of the CAO. The Department Head shall subsequently present a report to Council.

### **Section 12: Purchase by Negotiation**

12.1 A Department Head may purchase by negotiation with one or more vendors under which a formal bid process may be waived under the following conditions:

- a) When market conditions and in the judgement of the CAO and the Department Head, the goods are in short supply.
- b) When there is only one source of supply.
- c) When two or more identical bids have been received, the Department Head may negotiate with the two lowest bidders, keeping all negotiations fair and ethical.
- d) When the lowest bid meeting specifications exceeds the estimated costs by at least 10% and it is not viable or in the best interest of the Township.

12.2 Any expenditure exceeding \$30,000.00 for a purchase which is made through negotiation must be reported to Council.

### **Section 13: Exemptions**

13.1 A Department Head may request exemption from any or all the purchasing methods outlined in this By-law by submission of a report requesting the same to the CAO and Council. Such exemption may be granted by resolution.

### **Section 14: Exclusions**

14.1 Competitive bids shall not be required for goods or services provided by any of the following when such goods or services are not available elsewhere, including, but not limited to:

- a) Utilities, government agencies, Crown corporations, travelling expenses, meals, conferences, seminars, memberships, subscriptions, medical exams, licenses, in-house services and any other goods or services as approved by Council.



- b) As identified elsewhere in this By-law.

### **Section 15: Advertising**

- 15.1 Where effective in the opinion of the Department Head purchases estimated to exceed \$30,000 may be advertised and/or posted on the bidding system unless the project is sole sourced or the vendor is prequalified.

### **Section 16: Bid Deposits**

- 16.1 Bid deposits shall be required to accompany bid submissions for the following circumstances:
  - a) All bids for municipal construction projects.
  - b) Special contracts or scope of work as deemed appropriate by the Department Head.
- 16.2 For estimated expenditures less than \$100,000.00, the Department Head shall determine the amount of the bid deposit.
- 16.3 For estimated expenditures in excess of \$100,000.00, bid deposits shall be no less than 10% of the estimated value of the work prior to bidding or an amount equal to a minimum of 10% of the bid submitted.
- 16.4 A bid deposit shall be provided in one of the following formats:
  - a) A certified cheque made payable to The Corporation of the Township of Blandford-Blenheim.
  - b) Money orders made payable to The Corporation of the Township of Blandford-Blenheim.
  - c) Canadian currency.
  - d) An irrevocable standby letter of credit in favour of the Township of Blandford-Blenheim.
  - e) Agreement to Bond.
- 16.5 The Township does not pay interest on any bid deposits.
- 16.6 The Township is authorized to cash and deposit any bid deposit in the Township's possession that is forfeited as a result of non-compliance with any of the terms, conditions and/or specifications of a sealed bid.

### **Section 17: Bonding Requirements**

- 17.1 Performance Bonds, Labour and Material Bonds are required for all construction projects exceeding \$100,000.00 for a minimum of 50% of the bid amount.
- 17.2 The Department Head may accept alternative security in the form of a certified cheque or

irrevocable Letter of Credit if stated as a requirement in the contract document.

17.3 All bonds must be originals, signed and sealed. No faxed or photocopies will be accepted.

### **Section 18: Insurance**

18.1 The standard insurance minimums are as follows for the following insurance policies if deemed necessary by the Department Head. All coverages must be underwritten by an insurer licensed to conduct business in the Province of Ontario.

\$2 million – general liability policy

\$2 million – automobile liability policy

\$2 million – homeowners (e.g. for rental of facilities)

\$5 million – general liability and automobile liability policies – for contract work done for most Public Works projects

\$2 million – professional errors and omissions liability

Builder's Risk – 1.1 times the contract price

Bid documents must clearly indicate insurance requirements to be provided by the successful bidder.

18.2 When deemed necessary by the Department Head, the successful bidder must furnish the Township proof of a liability insurance policy covering public liability and property damage, 10 days prior to commencing the work, to the satisfaction of the Township, and in force for the entire contract period from commencement of the work until twelve months following substantial completion of the project.

The policy must contain:

- a) a "Cross Liability" clause or endorsement;
- b) an endorsement certifying that The Corporation of the Township of Blandford-Blenheim and any other affiliated party(s) as additional insured;
- c) an endorsement to the effect that the policy or policies will not be altered, cancelled or allowed to lapse without thirty days prior written notice to Blandford-Blenheim Township.

18.3 If deemed necessary by the Department Head, a Contractor's Liability Insurance Policy shall not contain any exclusions of liability for damage, etc. to property, building or land arising from:

- a) the removal or weakening of support of any property, building or land whether such support be natural or otherwise;
- b) the use of explosives for blasting, only when blasting is required under the contract;
- c) the vibration from pile driving or caisson work, provided that the minimum coverage for any

such loss or damage shall be \$5,000,000.00. This coverage will only be required if activities are being undertaken that involve the significant use of explosives, or may result in the significant weakening of support of any property, building or land.

### **Section 19: Administration**

- 19.1 No contract or purchase shall be divided to avoid any requirements of this By-law.
- 19.2 In all purchases, price shall be the prime selection criteria prior to any special provisions or add/delete calculated into the bid price, providing that all specification requirements are met. Such specifications are to be generic or "as equivalent". All factors influencing the purchasing decision are to be included in the specifications.
- 19.3 Blandford-Blenheim Township may participate with other units of government, their agencies or public authorities in co-operative purchase ventures when the best interest of Blandford-Blenheim Township will be served. Where such participation is at variance with the Township's Procurement By-law, Council shall first authorize any participation.
- 19.4 Performance evaluations may be undertaken on suppliers and providers of service.
- 19.5 All invoices and accounts from vendors shall be authorized prior to payment. Authorization in the form of signatures of the Department Head and staff denoting clerical accuracy, budgetary or specific resolution approval and indication that goods and services were received in good order must be in place. These required signatures will be deemed to authorize payment.
- 19.6 Notwithstanding the provisions of this procedure, the Township shall have the right to reject the lowest or any bid at its absolute discretion. The Township also reserves the right to reissue the bid document in its original format or modified as best suits the requirements of the Township.
- 19.7 After the adoption of the budget, the Department Head is authorized to pay the accounts and to pay contract accounts upon receipt of evidence of value received.

### **Section 20: Expenses Prior to Budget Adoption**

- 20.1 Prior to the adoption of each year's budget, operating supplies and services purchased shall continue at the level set out in the prior year's operating budget. This shall include the payment of accounts or previously approved capital items and projects. Other Capital expenditures shall not be made until the current year's budget is approved or Council approval is obtained.

### **Section 21: Prohibitions**

- 21.1 Elected officials, appointed officers and employees shall not knowingly cause or permit anything to be done or communicated to anyone in a manner which is likely to cause a potential supplier to have an unfair advantage or disadvantage in obtaining a contract for the supply of goods and/or services to the Township. This also includes a contract with another municipality, local board, or public body involved in the purchase of goods and/or services either jointly or in cooperation with the Township.

- 21.2 Elected officials shall separate themselves from the procurement process and have no involvement whatsoever in specific procurements. Elected officials should not see any documents or receive any information related to a particular procurement while the procurement process is ongoing. Elected officials who receive inquiries from suppliers related to any specific procurement shall immediately direct those inquiries to the Township Department Head in charge of the specific procurement process.
- 21.3 No bidder who has been awarded a contract shall engage in any contact or activities in an attempt to influence any elected official or any employee of the Township with respect to the purchase of additional enhancements, options, or modules. However, a contractor may communicate with the appropriate Department Head in charge of the contract, for the purposes of administration of the contract during the term of the contract.

**Section 22: Retention of Documentation**

- 22.1 All background information, information submitted by vendors, purchase orders and other relevant information involved in obtaining prices for goods and services exceeding \$5,000.00 shall be retained in the department/division for the entire budget year and five (5) years in records retention.

**Section 23: Enactment/Repeal**

- 23.1 Where any previous by-law or policy passed prior to this by-law conflicts with this by-law, the terms of this by-law will prevail.
- 23.2 This by-law shall become effective on the date of enactment.

By-law **READ** a **FIRST** and **SECOND** time this 15<sup>th</sup> day of April, 2020.

By-law **READ** a **THIRD** time and **ENACTED** in Open Council this 15<sup>th</sup> day of April, 2020.

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Mark Peterson, Mayor

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Rodger Mordue, CAO/Clerk

THE CORPORATION OF THE  
TOWNSHIP OF BLANDFORD-BLENHEIM  
BY-LAW NUMBER 2187-2020

Being a By-law to confirm the proceedings of Council.

**WHEREAS** by Section 5 of the *Municipal Act* 2001, S.O. 2001, c.25, the powers of a municipal corporation are to be exercised by its Council.

**AND WHEREAS** by Section 11 of the *Municipal Act* 2001, S.O. 2001, c.25, the powers of every Council are to be exercised by by-law;

**AND WHEREAS** it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Blandford-Blenheim at this meeting be confirmed and adopted by by-law;

**NOW THEREFORE** the Council of the Corporation of the Township of Blandford-Blenheim hereby enacts as follows:

1. That the actions of the Council of the Corporation of the Township of Blandford-Blenheim in respect of each recommendation contained in the reports of the Committees and each motion and resolution passed and other action taken by the Council of the Corporation of the Township of Blandford-Blenheim, at this meeting held on April 15, 2020 is hereby adopted and confirmed as if all such proceedings were expressly embodied in this by-law.
2. That the Mayor and proper officials of the Corporation of the Township of Blandford-Blenheim are hereby authorized and directed to do all things necessary to give effect to the actions of the Council referred to in the proceeding section hereof.
3. That the Mayor and the CAO / Clerk be authorized and directed to execute all documents in that behalf and to affix thereto the seal of the Corporation of the Township of Blandford-Blenheim.

By-law read a first and second time this 15 day of April, 2020.

By-law read a third time and finally passed this 15 day of April, 2020.

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MAYOR  
MARK PETERSON

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CAO / CLERK  
RODGER MORDUE