

# Memorandum to Council

Legal and Enforcement Services

Enforcement Services Division



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**To:** Mayor and Members of Council

**CC:** Francesco Santaguida, Commissioner of  
Legal and Enforcement Services/Town  
Solicitor

**From:** Andre Gratton, Manager of Enforcement  
Services

**Date:** October 2, 2023

**File #:** N/A

**Subject:** Proposed Administrative Amendments to  
the Property and Boulevard Maintenance  
By-law # 6937-15

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**Acknowledged by M. Gaskell,  
Chief Administrative Officer**

Staff have identified that the Town's Property and Boulevard Maintenance By-law # 6937-15, as amended, requires an administrative amendment to address inefficiencies, to improve service, and to eliminate unnecessary costs. A highlight of the proposed changes has been appended as Attachment # 1.

Currently the service of Orders is restricted to personal delivery or registered mail. This creates unnecessary restrictions for services which also creates additional costs to the Corporation. Generally, registered mail is a legal requirement for prosecution purposes and is not necessary for municipal by-laws which permit contracted clean ups.

Staff reviewed the long grass and weeds provisions/by-laws from other local Durham Region municipalities, which revealed that all have multiple options for service including posting of Orders/Notices on both vacant and occupied properties.

Staff recommend that Section 6.4 of the Property and Boulevard Maintenance By-law # 6937-15, as amended, be further amended to add greater flexibility in service options to include the posting of orders. Staff also recommend that an additional section be added to clarify when posting would be deemed served.

## **Attachment # 1**

### **Current language**

- 6.4 An order issued pursuant to Section 6.2 of this by-law may be served by personal delivery to the owner or occupant or by sending it by registered mail to the last known address of the owner or the address of the owner as shown on the most recent assessment roll from the premises or by sending it by registered mail to the occupant at the last known address of the occupant.
- 6.5 Service of an order pursuant to Section 6.4 of this by-law shall be deemed to have been effected on the date that it is delivered personally or three days after it was mailed as the case may be.

### **Proposed revised language (additions highlighted below)**

- 6.4 An order issued pursuant to Section 6.2 of this by-law may be served by personal delivery to the owner or occupant, or by posting the order in a visible, conspicuous location within the subject property or by sending it by registered mail to the last known address of the owner or the address of the owner as shown on the most recent assessment roll from the premises or by sending it by registered mail to the occupant at the last known address of the occupant.
- 6.5 Service of an order pursuant to Section 6.4 of this by-law shall be deemed to have been affected on the date that it is delivered personally, twenty-four hours after the order was posted, or three days after it was mailed as the case may be.