

# **The Corporation of the Township of Guelph/Eramosa**

## **By-law Number 16/2012**

### **A By-law to authorize the Township of Guelph/Eramosa to recover costs of doing a matter or thing and to authorize the adding of such costs to the tax roll and collecting them in the same manner as property taxes.**

**WHEREAS** *Section 446(3) of the Municipal Act, S.O. 2001, s. 25* as amended, authorizes a municipality to recover costs of doing a matter or thing by adding the costs to the tax roll and collecting them in the same manner as property taxes;

**WHEREAS** the Council of the Corporation of the Township of Guelph/Eramosa considers it necessary and desirable to recover costs afforded in the removal of encroachments and other matters pertaining to the unauthorized placement of a material or thing on public property, including municipal roadways and parks, within the Township of Guelph/Eramosa;

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

1. Without limiting the remedies the Township may, at law, have the Township may by notice direct the removal of an encroachment onto public property, failing which, the Township may do so and can all expenses incurred by the Township in connection with the removal of an encroachment, restoration of Township owned lands, and all other expenses in carrying out other actions shall be paid by the owner of the lands adjacent to the encroachment or other responsible party and shall be due within thirty (30) days of the billing date set out on the invoice and, in the event of failure to pay the entire amount due within the said thirty (30) days, interest may be applied at the rate of 15% per annum [see s.446(5)] and:
2. Without limiting such other remedies the Township may, at law, have the discretion of the Township and subject to applicable legislation, the outstanding balance of the invoice plus interest may thereafter be added to the tax roll of the property from which the unauthorized encroachment emanates for the year in which the expenses were billed and collected in the same manner as taxes; or
3. THAT this by-law shall come into force and effect on the day of final passing thereof.

READ three times and finally passed  
this **16th** day of **April, 2012**.

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Chris White, Mayor

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Janice Sheppard, CAO/Acting Clerk