

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

BY-LAW NO. 2024-XX

**A BY-LAW TO AMEND BY-LAW 2019-83 BEING A BY-LAW UNDER
THE BUILDING CODE ACT RESPECTING CONSTRUCTION,
DEMOLITION, CHANGE OF USE, OCCUPANCY PERMITS,
TRANSFER OF PERMITS, INSPECTIONS AND ASSOCIATED FEES.**

WHEREAS pursuant to the *Building Code Act 1992, S.O. 1992, c .23* as amended, the Lieutenant Governor in Council has established a *Building Code* which is in force throughout Ontario;

AND WHEREAS Section 7 of the *Building Code Act 1992, S.O. 1992, c .23* as amended, empowers Council to pass by-laws respecting construction, demolition, change of use, transfer of *permits*, inspections, required documentation and submission of such with an application for *permit*, and setting and refunding of fees;

AND WHEREAS the Council of the Corporation of the Township of West Lincoln now deems it expedient to amend Section 5.7 of By-law 2019-83 which sets out the process for administering refunds under By-law 2019-83

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP
OF WEST LINCOLN HEREBY enacts as follows:**

1. That, By-law 2019-83, as amended, be further amended by adding thereto the following:
 - a. 5.7.4 “Where monies paid under a deposit remain unclaimed for a period of not less than seven (7) years, the *Township* may send notice to the permit applicant’s last known address advising such applicant that the *Township* holds unclaimed funds in the form of a building permit deposit and such funds may be subject to forfeiture. The applicant may within forty-five (45) days of receiving the notice provide in writing claims to such deposit and provide proof and evidence of completion of work for which the deposits were taken to the satisfaction of the *Chief Building Official*. The *Township* shall also advertise a general notice on the *Township’s* website and through applicable local newspapers where available and social media that, in the opinion of the *Chief building official* or Director of Planning and Building Or the *Township Treasurer* that sufficient general circulation throughout the *Township*, stating that permit deposits being held by the *Township* for a period of more than seven (7) years or more will be considered forfeit by the applicants if such deposits have not been claimed within forty-five (45) days. If through no fault of the *Township*, the deposit has not been refunded after the expiry of the forty-five (45) day period, the *Township* may without further notice declare the deposit forfeited, whereupon the deposit shall become the property of the *Township* free of all claims.

2. That this new By-law take effect on April xxth, 2024.

**READ A FIRST, SECOND
AND THIRD TIME AND
FINALLY PASSED THIS 22nd
DAY OF APRIL, 2024.**

MAYOR CHERYL GANANN

NANCY FIORENTINO, CLERK