

SECTION 3.0 - APPLICATION, ADMINISTRATION & ENFORCEMENT**3.1. Application**

- 3.1.1. The provisions of this Bylaw shall apply to all of the lands within the limits of the City.
- 3.1.2. No person shall use any land, or erect, alter or use any building, structure or part thereof within the limits of the City except in conformity with the provisions of this Bylaw.
- 3.1.3. No person shall use any building, structure or part thereof, erected, or altered in contravention of this Bylaw so long as such building, structure or part thereof, continues to contravene the provisions of this Bylaw.
- 3.1.4. No lot shall be reduced in area by the conveyance, mortgage or other alienation of a part thereof so that any remaining yard or other open space is less than that required by this Bylaw. If any such reduction occurs, such lot and any building or structure thereon shall not thereafter be used by any person unless and until the said yard or requirements of this Bylaw are complied with.
- 3.1.5. Subsection 3.1.4. shall not apply to a lot reduced in area by the conveyance to or expropriation by the City or any other authority having the powers of expropriation.
- 3.1.6. No person shall change the purpose for which any lot, building or structure is used, or erect, alter, or use any building or structure, or sever any lands from any existing lot, if the effect of such action is to cause the original, adjoining, remaining or new building, structure or lot to be in contravention of this Bylaw.

3.2. Interpretation

- 3.2.1. In interpreting and applying the provisions of this Bylaw, they shall be held to be the minimum requirements for the promotion of public health, safety, comfort, convenience, and general welfare.
- 3.2.2. In this Bylaw:
- .1 The word "shall" is mandatory and not permissive; the word "may" is permissive and not mandatory.
 - .2 Words used in the singular include the plural and words used in the plural include the singular.
 - .3 Words used in the present tense include the future tense and words used in the future tense include the present tense.

3.3. Administration

- 3.3.1. This Bylaw shall be administered by the person or persons appointed from time to time by the Council to administer this Bylaw.

3.4. Inspection

- 3.4.1. All persons appointed by the Council to administer this Bylaw may enter or inspect a property or premise at any reasonable hour for the purpose of carrying out their duties under the provisions of this Bylaw.

3.5. Licences and Permits

- 3.5.1. No application shall be approved and no Municipal permit, certificate, or licence shall be issued for a proposed use of land or a proposed use of a building or structure if the proposed use of land, building, or structure would be in violation of any provision of this Bylaw.
- 3.5.2. No application shall be approved and no Municipal permit or licence shall be issued for the proposed erection, enlargement, or alteration of any land, building or structure if the proposed erection, enlargement, or alteration would be in violation of any provision of this Bylaw.

3.6. Violations and Penalties

- 3.6.1. Except as otherwise provided in this Bylaw, no person shall use, nor shall any owner permit anyone to use, any land, buildings, or structures for any purpose unless such purpose is in conformity with the provisions of this Bylaw, and no person shall erect, alter, or enlarge any land, building or structure for any purpose unless it is in conformity with the provisions of this Bylaw.
- 3.6.2. Every person who contravenes any section of this Bylaw is guilty of an offence and, on conviction, is liable to the penalties provided in the Planning Act.
- 3.6.3. Every corporation which contravenes any section of this Bylaw is guilty of an offence and, on conviction, is liable to the penalties provided in the Planning Act.
- 3.6.4. Where this Bylaw requires that any matter or thing be done, the City may, in default of its being done by the person directed or required to do it, enter upon the lands and premises affected and do the work required to be done, at the expense of the said person.
- 3.6.5. Prior to entering on to any property or doing any work as set out in Section 3.6.4, the City shall give ten (10) days notice of its intention to do such work, matter, or thing, to the person required to do such work, matter, or thing.
- 3.6.6. All expenses incurred by the City in doing such work, matter, or thing set out in Section 3.6.4, including, but not limiting the generality of the foregoing, material, labour, equipment, and administration and legal expenses, shall be paid by the person directed or required to do such work, matter, or thing, and shall be charged against the property affected and recoverable in a like manner as municipal taxes or by action in a competent court.
- 3.6.7. All expenses shall bear interest from the date incurred at the rate charged on overdue municipal taxes from time to time, until paid.

3.7. Validity

- 3.7.1. Should any section, clause, or provision of this Bylaw be held, by a court of competent jurisdiction, to be invalid, the validity of the remainder of the Bylaw shall not be affected.

- 3.7.2. Any section, clause, or provision held to be invalid, shall be deemed to be severable and all other sections, clauses, and provisions are separate and independent therefrom and enacted as such.