

Vacant Building By-law Comparison Report

	City of Brantford	City of Hamilton	City of Welland
By-law Number	By-law 4-2016	By-law 17-127	By-law 2011-64
Definitions of Vacant Building or Derelict Building	<p>“vacant building means any Building that is or appears to be vacant, partially vacant, or unoccupied, or that, by reason of its unfinished or dilapidated condition, is open to the elements and in a state such that there is little to no control over unauthorized entry, but does not include:</p> <ul style="list-style-type: none"> (i) A dwelling unit occupied by the Owner on a seasonal basis but otherwise maintained throughout the year; (ii) A Building, except a dwelling unit, on Property used as a farm; or (iii) A Building that is owned by the City.” 	<p>“vacant building, subject to subsections 3(2) and 3(3), means a building that does not appear to be in use and, without limiting this definition, is deemed to be a building:</p> <ul style="list-style-type: none"> (a) that is not protected from the entry of unauthorized persons; (b) that is not protected from the entry of rain, snow, vermin or birds into the interior of the building; (c) where the supply of any one or more of the electricity, gas or water utilities serving the building is discontinued or disconnected; (d) where one or more of the electricity, gas or water utilities serving the building is not being used; (e) if the building contains 1, 2 or 3 dwellings, where one or more dwellings are not fit for an individual or individuals to live in in accordance with the Building Code Act, 1992 and its regulations, the Fire Protection and Prevention Act, 1997 and its regulations, the Property Standards By-law, the Vital Services By-law or any other applicable statute, regulation or by-law; (f) where 25% or more of the door and window openings to the building are partially or completely boarded up (for example, if there are 8 door and window openings to a building and 2 or more of 	<p>“vacant building means a building that is not used by an owner, and includes a building damaged by fire, a building that is unoccupied, no maintained, unsupervised, or appears abandoned in the opinion of an Inspector”</p>

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		the door and window openings are partially or completely boarded up, no matter what the size of each door or window opening); or (g) where an Application for Rebate or Property Taxes for the entire building has been submitted to the City's Tax Section."	
Registration Fee	\$270 Renewal Fee of \$600/year following registration	\$1,115 (initial administration fee \$291 + the yearly inspection fee \$729.20 + HST)	Free
When to Register Vacant Building	60 consecutive days of becoming vacant	90 days of becoming vacant or within 30 days after notice from the city.	90 days of becoming vacant
Inspections	Municipal Law Enforcement Officer/Property Standards Officer may inspect building at any reasonable time	Municipal Law Enforcement Officers inspect vacant buildings at least 4 times a year and will enforce by-law violations	
Penalty for By-law Contravention	"Every person who contravenes any provision of this By-law is, upon conviction, guilty of an offence and is liable: (a) on a first conviction, to a fine of not more than \$10,000; and, (b) on any subsequent conviction, to a fine of not more than \$25,000. Despite the above, where the person convicted is a corporation, the maximum fine on first conviction is \$50,000 and the maximum fine in any subsequent conviction is \$100,000."	Every person who is found guilty in contravening any provision of this By-law is liable: (a) on a first conviction, to a fine of not more than \$10,000; and, (b) on any subsequent conviction, to a fine of not more than \$25,000. Despite the above, where the person convicted is a corporation, the maximum fine on first conviction is \$50,000 and the maximum fine in any subsequent conviction is \$100,000.	First Offence: Max. \$25,000 Subsequent Offence: Max. \$50,000

