

**THE CORPORATION OF THE TOWNSHIP OF MACHAR**

**BY- LAW NO. 37-11**

**Being a by-law to adopt a policy to enable Municipal Staff to respond to nuisance beaver and beaver dam removal in order to protect private and public lands and the safety of the public.**

WHEREAS The Municipal Act, S.O. 2001, Section 96 and 97, permits a municipality to enter on a land, at a reasonable time to inspect the discharge of any matter into a land drainage system of any person and may conduct tests and remove samples for this purpose.

AND WHEREAS beavers and/or beaver dams may need to be removed or breached periodically to protect, maintain or construct infrastructure or to prevent flooding of private and public lands.

AND WHEREAS work may consist of the removal of beavers and/or beaver dams from around the culvert installations and other areas where there is a possibility of damage to highways, infrastructure, public lands or private lands.

NOW THEREFORE the Council of the Corporation of the Township of Machar hereby enacts as follows:

Once the Township of Machar has been notified or has located beavers and/or beaver dams, inspection of the discharge shall be conducted. If it is determined that a potential hazard exists, a registered letter or hand-delivered letter of concern shall be mailed or will be delivered to the property owner. The content of the letter shall include the property lot and concession, civic address, roll number and registered owner's name. The letter will further indicate the date of the inspection by municipal staff and describe the concerns. Property owners shall be instructed to take immediate action to address and/or control the concerns noted by the municipality. In the event that the property owner fails to comply, a registered letter will be forwarded to the property owner advising that he/she may be held legally responsible for all damages and costs incurred by the municipality, pursuant to Section 446 of the Municipal Act, S.O. 2001, as amended.

READ A 1<sup>ST</sup>, 2<sup>ND</sup> and 3<sup>RD</sup> time and finally passed this 22<sup>nd</sup> day of August, 2011.

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Per Mayor Doug Maeck

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Per Clerk Administrator Brenda Paul, AMCT