

Access to Adjoining Property By-law

A-6 – Enacted – November 15, 1993

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ADMINISTRATIVE

By-law A-6
A by-law to provide for the
ENTRY UPON ADJOINING LANDS

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WHEREAS by paragraph 64 of section 210 of the Municipal Act, R.S.O. 1990, c. M.45, as amended, by-laws may be passed by the councils of local municipalities for permitting an owner or occupant of any building, fence or other structure or the agent or employee of such owner or occupant to enter upon any adjoining land for the purpose of making repairs, alterations or improvements to such building, fence or other structure, but only to the extent necessary to effect such repairs, alterations or improvements;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

SHORT TITLE
ACCESS TO ADJOINING PROPERTY BY-LAW

Part 1
ENTRY - ADJOINING LANDS

1.1 Repair - alteration - improvement - entry - permitted

Subject to section 1.2 of this by-law, an owner or occupant of any building, fence or other structure in the City of London or the agent or employee of such owner or occupant is hereby permitted to enter upon any adjoining land for the purpose of making repairs, alterations or improvements to such building, fence or other structure but only to the extent necessary to effect such repairs, alterations or improvements.

1.2 Notice - 48 hours - required - except with consent

Except with the consent of the occupier of the adjoining land, no person shall enter upon such adjoining property pursuant to section 1.1 of this by-law without at least 48 hours before such entry, notifying the occupier of such adjoining property, where such notification is capable of being given having regard to all the circumstances.

1.3 Property - condition of - upon leaving

Every owner or occupant who enters upon any adjoining property pursuant to section 1.1 of this by-law shall leave the property in the same condition it was in prior to such entry.

**Part 2
CIVIL ACTIONS**

2.1 Rights - not affected

Nothing in this by-law affects a right to bring a civil action for damages or otherwise arising out of the entry upon any adjoining property.

**Part 3
REPEAL - ENACTMENT**

3.1 By-law - previous

By-law A.-4942-346 is hereby repealed.

3.2 Effective date

This by-law comes into force on November 15, 1993.

Passed in Open Council on November 15, 1993.

T.C. Gosnell
Mayor

K.W. Sadler
City Clerk

First Reading - November 15, 1993
Second Reading - November 15, 1993
Third Reading - November 15, 1993