FACILITY

Chapter 315
GROUP HOMES - REGISTRATION

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Article 1
INTERPRETATION

315.1.1 Applicant - defined
"applicant" includes an association, organization or corporation making an application for a licence.

315.1.2 City of Peterborough - defined
"City of Peterborough" means the geographical area constituting the City and bounded by its municipal boundaries.

315.1.3 Clerk - defined
"Clerk" means the Clerk of The Corporation of the City of Peterborough.

315.1.4 Council - defined
"Council" means the Council for The Corporation of the City of Peterborough.

315.1.5 Group home - defined
"group home" means a residence that is licensed or funded under an Act of the Parliament of Canada or the Province of Ontario or by private endorsement for the accommodation of three (3) to ten (10) persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well being. This does not include a family or boarding house as may be defined by the Zoning By-law, a lodging house as may be licensed under the Lodging House By-law, being Chapter 490 [City of Peterborough Municipal Code], or a foster home.
315.1.6 Person - defined
“person” includes a corporation and a partnership and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

315.1.7 Registrar - defined
“Registrar” means the person designated by Council as the registrar of group homes, or his or her designate.

315.1.8 Singular - plural - masculine - feminine
Where the context permits, words importing the singular number or the masculine gender also include more persons, parties or things of the same kind than one, and females as well as males. By-law 1986-155, 15 September, 1986.

Article 2
REGISTRATION

315.2.1 With Registrar - required
No person shall operate a group home within the City of Peterborough without first having registered the group home with the Registrar.

315.2.2 Application - financial requirements - permits - paid
Notwithstanding the provisions of Section 315.1.5, a person may make application for the registration of a group home which is to be constructed after the date of such application, and the Registrar may register such group home, provided that the applicant shall first:

(a) file with the Registrar a statutory declaration setting out the nature of the proposed group home, the funding for the proposed group home and the name of the Ministry or other government agency which shall licence and supervise the group home; and

(b) perfect a building permit application for the proposed group home, including the payment of all applicable fees and levies.

315.2.3 Registration - void - conditions - time limitation
Any group home which is registered pursuant to Section 315.2.2 shall be deemed not to be registered in the event that:

(a) the group home has not been constructed, and is not substantially complete, as defined in the Construction Lien Act, prior to the expiry of eight (8) months from the date of issuance of the building permit; and
(b) the applicant, having complied with Section 315.2.3(a), does not commence operation of the group home prior to the expiry of twelve (12) months from the date of issuance of the building permit.

315.2.4 **Time limitation - extension - requirements**
Council may, upon written application, extend the time limits specified in Section 315.2.3 in respect of a group home which has been registered pursuant to Section 315.2.2. By-law 91-87, 2 April, 1991.

315.2.5 **Application - contents**
Every application for registration submitted pursuant to this Chapter shall contain the following information:

(a) the name and address of the operator;
(b) the municipal address of the licensed premises;
(c) the maximum number of occupants proposed for the building;
(d) the number of rooms to be used as sleeping facilities for residents;
(e) the zoning for the property;
(f) the name of the owner of the property; and
(g) legislative or other authority under which a group home operates.

315.2.6 **Application - form - satisfactory - to Clerk**
Every application for registration shall be submitted in a form satisfactory to the Clerk.

315.2.7 **Application - submitted - proper - complete**
A registration shall be deemed to be perfected, in accordance with this Chapter when the application has been submitted to the Registrar in proper form and with all the required information.

315.2.8 **Administrative fee - paid - to Registrar**
A registration shall be deemed to be perfected, in accordance with this Chapter when an administrative fee of $25.00 has been paid by the applicant to the Registrar.

315.2.9 **Duly noted - in registration manual**
A registration shall be deemed to be perfected, in accordance with this Chapter when the registration has been duly noted in a registration manual to be kept by the Registrar.
315.2.10 Renewal - annually - before December 31st
Every person operating a group home registered under this Chapter shall, in each year, before the 31st day of December of each year, renew the registration of the group home for the next calendar year. By-law 1986-155, 15 September, 1986.

Article 3
ENFORCEMENT

315.3.1 Fine - for contravention
Every person who contravenes this Chapter is guilty of an offence and is liable to the penalty, as prescribed by applicable law, for each offence. By-law 91-116, 22 April, 1991.

Article 4
ENACTMENT

315.4.1 Effective date
The requirement for registration prescribed in this Chapter shall come into full force and effect on the date of passing thereof. By-law 1986-155, 15 September, 1986.

Note: Except where otherwise expressly provided in this Chapter, and pursuant to other provincial statutes, such as the Planning Act, the maximum fine for violation of the Code is specified in section 62 of the Provincial Offences Act, R.S.O. 1980, c. 400, which indicates that a party guilty of an offence is liable to a fine of not more than five thousand dollars ($5000.00).