

The Corporation of the Town of Petawawa

By-law No. 1790/25

Being a By-law for Prescribing Standards for the Maintenance and Occupancy of all Property Within the Town of Petawawa

Whereas the Council of the Corporation of the Town of Petawawa deems it desirable to enact the following by-law for prescribing standards for the maintenance and occupancy of all property within the Municipality and prohibiting the use of such property that does not conform to the standards; and for requiring property below the standards prescribed herein to be repaired and maintained so as to comply with said standards or to be cleared of all buildings and structures, rubbish, debris and the lands left in a graded and level condition;

And Whereas it is Council's intention to apply property standards for purposes of enhancing public safety and regulating public nuisances;

And Whereas the Town of Petawawa has in effect an "Official Plan" that includes provisions relating to property standards as provided in the Ontario *Building Code Act*, 1992, S.O. 1992, c.23, as amended;

Now Therefore the Council of the Corporation of the Town of Petawawa enacts as follows:

PURPOSE AND SCOPE

1.1 Purpose

This by-law has been enacted to:

- 1.1.1** extend the useful life of individual properties;
- 1.1.2** enhance the quality of communities and neighbourhoods;
- 1.1.3** protect the safety, health and well-being of the public; and
- 1.1.4** ensure the continued enjoyment of property for residents and property owners in the Town of Petawawa.

1.2 Scope

This by-law shall apply to all privately owned property in the Town of Petawawa, including those used for residential, commercial, institutional and industrial purposes.

See the Clean Yards By-law (By-law 1791/25) for provisions relating to yard and lot maintenance.

DEFINITIONS

In this by-law, the following definitions shall apply:

- 2.1** “**Accessory**” when used to describe a use, building or structure, means a use, or a detached building or structure, that is customarily incidental, subordinate and exclusively devoted to supporting the principal use, building or structure and located on the same lot therewith. This does not include an accessory residence unless otherwise specified.
- 2.2** “**Approved**” means acceptance by the Officer.
- 2.3** “**Balustrade**” means a protective barrier that acts as a guard around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways, or other locations to prevent accidental falls from one level to another (such barrier may or may not have openings through it).
- 2.4** “**Basement**” means that portion of a building between two floor levels which is partly underground.
- 2.5** “**Bathroom**” means a room, which shall contain a water closet, exhaust, and basin and may contain a bathtub or shower.
- 2.6** “**Building**” means any structure used or designed to be used for shelter, accommodation or enclosure of persons, animals or chattels.
- 2.7** “**Cellar**” means that portion of a building that is partly or entirely below ground and which has more than half of its height, measured from floor to ceiling, below the finished grade level adjacent to the exterior walls of the building.
- 2.8** “**Committee**” means the Property Standards Committee.
- 2.9** “**Day Nursery**” means a building or part thereof duly licensed by the Province of Ontario for use as a facility for the day-time care of children.
- 2.10** “**Dwelling**” means a building or part of a building containing one or more dwelling units.
- 2.11** “**Dwelling, Apartment**” means the whole of a building not otherwise defined herein, which contains four (4) or more dwelling units served by a common entrance or by an independent entrance directly from the outside in which the occupants have the right to use in common any corridors, stairs or elevators contained therein, and the yards appurtenant thereto.

- 2.12** **“Dwelling Unit”** means a suite of habitable rooms which:
- 2.12.1** is located in a building;
 - 2.12.2** is used or intended to be used in common by one or more persons as a single, independent and separate housekeeping establishment;
 - 2.12.3** contains food preparation and sanitary facilities provided for the exclusive common use of the occupants thereof; and
 - 2.12.4** has a private entrance directly from outside the building or from a common hallway or stairway inside the building.
- 2.13** **“Fire Code”** means the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4 as amended and includes the regulations made thereunder.
- 2.14** **“First Storey”** means that part of a building having a floor area closest to grade with a ceiling height of more than 1.8 meters (6 feet) above grade.
- 2.15** **“Graffiti”** means one or more letters, symbols, figures, etchings, scratches, inscriptions, stains, or other markings that disfigure or deface, howsoever made or otherwise affixed or applied to a building, structure, surface, or thing, but does not include an Art Mural, nor a sign authorized under the Town’s Sign By-law.
- 2.16** **“Group Home”** means a single housekeeping unit in a residential dwelling in which up to ten unrelated residents, excluding staff or the receiving family, live as a family under responsible supervision consistent with the requirements of its residents and which is licensed or approved under Provincial statute.
- 2.17** **“Guard”** means a protective barrier, with or without openings through it, that is around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways or other locations to prevent accidental falls from one level to another.
- 2.18** **“Habitable Room”** means a room in a dwelling unit used for or capable of being used for living, cooking, sleeping or eating purposes.
- 2.19** **“Lodging House”** means a building in which bedrooms, common areas, dining areas, games areas and meals are available for the guests of an establishment.
- 2.20** **“Means of Egress”** means a continuous path of travel provided for the escape of persons from any point in a building or contained open space to a separate building, an open public throughfare, or an exterior open space

protected from fire exposure from the building and having access to an open public throughfare. Means of egress includes exists and access to exits.

- 2.21 “Mixed Use Building”** means a building containing one or more dwelling units and other uses not accessory to the dwelling units.
- 2.22 “Non-Habitable Room”** means any room in a dwelling or dwelling unit other than a habitable room and includes a bathroom, a toilet room, laundry, pantry, lobby, corridor, stairway, closet, boiler room, or other space for service and maintenance of the dwelling, and for access to and vertical travel between storeys, and basement or part thereof which does not comply with the standards of fitness for occupancy set out in this By-law.
- 2.23 “Non-Residential Property”** means a building or structure, or part of a building or structure not occupied in whole or in part for the purpose of human habitation and includes the lands and premises appurtenant and all of the outbuildings, fences or erections thereon or therein.
- 2.24 “Occupant”** means any person or persons over the age of eighteen years residing at the property.
- 2.25 “Officer”** means any Municipal Law Enforcement Officer appointed by the Council of the Corporation of the Town of Petawawa.
- 2.26 “Ontario Building Code”** means the Ontario Building Code Act, 1992, S.O. 1992, c.23 as amended, and includes regulations made thereunder.
- 2.27 “Owner”** means the registered owner of the property.
- 2.28 “Person”** means an individual, an association, a chartered organization, a firm, a partnership or a corporation.
- 2.29 “Property”** means a building or structure or part of a building or structure and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected, and includes vacant property, on which there are not structures of any kind.
- 2.30 “Repair”** means the provision of such facilities and the making of additions or alterations or the taking of such action as in restoring, renovating, mending as may be required so that the property shall conform to standards established in this By-law.
- 2.31 “Residential Property”** means land used for residential purposes and includes vacant land. For the purposes of this by-law, this term shall include Rural Property.

- 2.32** “**Rural Property**” means lands zoned Rural (RU) in the Zoning By-law of the Town of Petawawa
- 2.33** “**Sewage**” means liquid or water-borne waste of:
- 2.33.1** Industrial or commercial origin, or
- 2.33.2** Of domestic origin, including human body waste, toilet or other bathroom waste, and shower, tub, culinary, sink and laundry waste.
- 2.34** “**Sewage System**” means the municipal sanitary sewer system or a private sewage disposal system but shall not include a system designed or intended strictly to handle ground water.
- 2.35** “**Shipping Container**” means the trailer portion of a tractor-trailer unit or transport truck, or a rail or seaway container, which is traditionally used for the shipping and transportation of goods and materials.
- 2.36** “**Standards**” means the standards of the physical condition and of occupancy prescribed for property by this By-law.
- 2.37** “**Structure**” means anything constructed or erected, the use of which requires location on or in the ground or attached to something having location on or in the ground.
- 2.38** “**Toilet Room**” means a room containing a toilet.
- 2.39** “**Town**” means the Corporation of the Town of Petawawa.
- 2.40** “**Unsafe condition**” means a condition that poses or constitutes a fire hazard or risk to life, limb or health of any person.
- 2.41** “**Yard**” means an open space on the same lot with a building or structure or excavation, unoccupied and unobstructed except as for such accessory buildings, structures or uses specifically permitted in the Zoning By-law.
- 2.42** “**Zoning By-law**” means any by-law administered by the Municipality passed pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P13, as amended.

GENERAL STANDARDS FOR ALL PROPERTY

3.1 Standards

- 3.1.1** All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned. All new construction or repairs shall conform to the Ontario Building Code,

Ontario Fire Code, and Fire Prevention and Protection Act where applicable.

3.1.2 Every Owner and/or occupant shall ensure their property is maintained in accordance with the provisions of this By-law.

3.1.3 Every person to whom an order is issued under this By-law shall obey such order as required.

3.1.4 All electrical wiring shall be in accordance with the Ontario Electrical Safety Code, and a certificate of inspection shall be filed with the Town.

3.2 Accessory Buildings, Fences, And Other Structures

Accessory buildings, fences and other structures belonging to the property shall be maintained in structurally sound condition and in good repair and shall be appropriate to the nature of the adjacent uses to minimize the visual impact of nuisances to persons at grade, adjacent to the property.

3.3 Exterior Walls

3.3.1 Exterior walls of a building or a structure and their components, including soffits, fascia, windows and doors, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco, and other defective cladding, or trim. Paint or some other suitable preservative or coating shall be applied and maintained to prevent deterioration due to weather conditions, insects or other damage.

3.3.2 Exterior walls of a building or a structure, fencing materials and their components shall be free of unauthorized signs, painted slogans, graffiti and similar defacements including but not limited to offensive materials.

3.4 Guardrail And Balustrades

3.4.1 A guard, handrail or banister shall be installed to prevent accident or injury as required by the Ontario Building Code. A handrail shall be installed and maintained in good repair in all stairwells.

3.4.2 Guards shall be installed and maintained in good repair around all landings, porches and balconies.

- 3.4.3** Guards, handrail or banisters shall be constructed and maintained rigid in nature and to withstand the loads to which they are subject to.

3.5 Shipping Containers

Shipping containers as defined shall only be permitted and used in areas of the Municipality as outlined in the current Zoning By-law.

3.6 Structural Soundness

- 3.6.1** Every part of a building or structure shall be maintained in a sound condition to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use as set out in the Ontario Building Code. Structural members or materials that have been damaged or indicate evidence of deterioration shall be repaired or replaced.
- 3.6.2** Walls, roofs, and other exterior parts of a building or structure shall be free from loose or improperly secured objects or materials.
- 3.6.3** All exterior surfaces shall be of materials which provide adequate protection from the weather.

3.7 Apartment/Commercial Parking Garages

- 3.7.1** Parking facilities shall be maintained in a clean and safe condition.
- 3.7.2** Mechanical ventilation for parking facilities shall conform with the requirements of the Ontario Building Code.
- 3.7.3** If in the opinion of an Officer there is a doubt as to the structural adequacy or condition of a parking garage or appurtenance, the Officer may order that an examination and written report be prepared by a professional engineer, licensed in Ontario, and employed by the Owner or their authorized agent.

STANDARDS AND CONDITIONS FOR RESIDENTIAL PROPERTIES

4.1 General

- 4.1.1** Every residential property shall comply with the standards of this section in addition to the General Standards section of this By-law and all other relevant legislation.

4.2 Foundations

- 4.2.1** Foundation walls of a dwelling shall be maintained to prevent the entrance of insects, rodents and excessive moisture. Required maintenance may include the shoring of the walls to prevent settling, installing sub soil drains at the footings, grouting masonry cracks and waterproofing walls, joints, and floors.
- 4.2.2** Every dwelling, except for slab on grade construction, shall be supported by foundation walls or piers that meet Ontario Building Code standards.

4.3 Exterior Amenities

- 4.3.1** All canopies, marquees, signs, awnings, stairways, fire escapes, standpipes, exhaust ducts, air conditioners and similar overhang extensions shall be:
 - 4.3.1.1** maintained in good repair;
 - 4.3.1.2** properly anchored; and,
 - 4.3.1.3** protected from the elements and against decay and rust by the periodic application of a weather coating material such as paint or other protective treatment.
- 4.3.2** All air conditioners which are installed and operated directly over a public sidewalk shall be equipped with proper devices for the prevention of condensation drainage upon the sidewalk.

4.4 Windows And Doors

- 4.4.1** Windows, doors, skylights, and basement or cellar hatchways shall be maintained in good repair, weather tight and reasonably draught-free, to prevent heat loss and infiltration by wind or rain into the building. Required maintenance may include painting, replacing damaged doors, frames and other components, window frames, sashes and casings, replacement of non-serviceable hardware and reglazing where necessary.
- 4.4.2** Where screening is provided on windows and doors it shall be maintained in good repair.
- 4.4.3** In a dwelling unit, all windows that are intended to be opened and all exterior doors shall have suitable hardware to allow the locking or otherwise securing from inside the dwelling unit. At least one

entrance door to a dwelling unit shall have suitable hardware to permit the locking or securing from either inside or outside the dwelling unit.

4.4.4 Solid core doors shall be provided for all entrances to dwellings and dwelling units.

4.4.5 Every operable window in a leased dwelling unit that is located above the first storey of a building shall be equipped with an approved safety device as set out in the Ontario Building Code.

4.4.6 Windows, skylights and electrical lighting fixtures shall be provided and maintained in order to furnish illumination in all passageways and stairways, and in all stairways provided for use in case of fire or other emergency as required by the Ontario Building Code.

4.4.7 Every habitable room in a dwelling or dwelling unit, shall contain a window or skylight that complies with the Ontario Building Code.

4.5 Roofs

4.5.1 Roofs of dwellings and their components shall be maintained in a weather tight condition, free from loose or unsecured objects or materials. The attic shall be ventilated in conformance with the Ontario Building Code.

4.5.2 Where eavestroughing or roof gutters are provided, they shall be kept in good repair, free from obstructions and shall be properly secured to the building.

4.5.3 Every chimney, smoke or vent stack and other roof structures shall be maintained plumb and in good repair to be free from;

4.5.3.1 Loose bricks, mortar and loose or broken capping;

4.5.3.2 Loose or rusted stanchions, braces and attachments;
and,

4.5.3.3 Fire or accident hazard.

4.6 Walls, Ceilings and Floors

4.6.1 Every wall, ceiling and floor in a dwelling shall be maintained to provide a continuous surface free of holes, cracks, loose coverings or other defects. Walls surrounding showers and bathtubs shall be impervious to water.

- 4.6.2** Every floor in a dwelling shall be reasonably smooth and level and maintained to be free of loose, warped, protruding, broken, or rotted boards or other material that might cause an unsafe condition or allow the entrance of rodents and other injurious pests or insects.
- 4.6.3** Every floor in a bathroom, toilet room, shower room, laundry room and kitchen shall be maintained to be impervious to water.
- 4.6.4** A cellar or crawl space which is not served by a stairway may have a dirt floor provided it is covered with a moisture proof covering.
- 4.6.5** A concrete floor in a basement or cellar shall be free from major cracks, breaks, or such as to create a hazardous condition (i.e., structurally unsound or unsafe).

4.7 Stairs, Porches and Balconies

- 4.7.1** Inside and outside stairs, porches, balconies and landings shall be maintained to be free of holes, cracks, and other defects that may constitute an unsafe condition.
- 4.7.2** Existing stair treads or risers that show excessive wear or are broken, warped or loose and any supporting structural members that are rotted or deteriorated shall be repaired or replaced.

4.8 Kitchen Facilities

- 4.8.1** Every dwelling and every dwelling unit shall contain a kitchen that includes each of the following:
 - 4.8.1.1** a sink that is served with hot and cold running water and is surrounded by surfaces impervious to grease and water;
 - 4.8.1.2** a counter or work area covered with a material that is impervious to moisture and grease and is easily cleanable; and
 - 4.8.1.3** a space sufficient to accommodate cooking and refrigeration appliances including the suitable electrical or gas connections.

4.9 Toilet and Bathroom Facilities

- 4.9.1** Every dwelling unit shall contain a bathroom consisting of at least one fully operational wash basin, a toilet, and a bathtub or suitable shower unit.
- 4.9.2** Every wash basin and bathtub or shower shall have an adequate supply of hot and cold running water.
- 4.9.3** Every toilet shall have a suitable supply of running water.
- 4.9.4** Every required bathroom or toilet room shall be accessible from within the dwelling unit and shall be fully enclosed and provided with a door capable of being locked to allow privacy for the persons using said room.
- 4.9.5** Where toilet or bathroom facilities are shared by occupants of residential accommodation, other than self-contained dwelling units, an appropriate entrance shall be provided from a common passageway, hallway, corridor or other common space to the room or rooms containing the said facilities.
- 4.9.6** Bathroom ventilation shall be provided as per the Ontario Building Code.
- 4.9.7** An opening for natural ventilation may be omitted from a bathroom where a system of mechanical ventilation in proper working order has been provided, such as an exhaust fan with a duct leading to outside the building.
- 4.9.8** All plumbing fixtures shall comply with the minimum requirements of the Ontario Building Code at the time of installation or relocation.

4.10 Plumbing

- 4.10.1** All plumbing fixtures shall comply with the minimum requirements of the Ontario Building Code at the time of installation or replacement. All appropriate plumbing fixtures shall be provided with an adequate supply of hot and cold running water.
- 4.10.2** Every dwelling unit shall be provided with an adequate supply of potable running water.
- 4.10.3** All plumbing, including drains, water supply pipes, water closets and other plumbing fixtures shall be maintained in good working

condition free from leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

- 4.10.4** All plumbing fixtures shall be connected to the sewage system through water seal traps.

4.11 Lighting

- 4.11.1** Lighting fixtures and appliances installed throughout a dwelling unit, including stairways, corridors, passageways, garages and basements, shall provide sufficient illumination to avoid an unsafe condition in normal use.
- 4.11.2** Outdoor lighting shall be of a low-level, low-intensity nature; directed in a manner which will minimize glare and the undue intrusion of light on abutting properties, dwellings and streets.
- 4.11.3** All public hallways and stairs in apartment dwellings shall be always illuminated to provide safe passage.

4.12 Heating, Heating Systems, Chimneys and Vents

- 4.12.1** Every dwelling and building containing a residential dwelling unit or units shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature in accordance with the Ontario Building Code. The heating system shall be maintained in good working condition to be capable of safely heating the individual dwelling units to the required standard.
- 4.12.2** All fuel burning appliances, equipment, and accessories in a dwelling shall be installed and maintained to the standards provided by the Technical Standards and Safety Act, 2000, S.O. 2000, c.16 as amended or other applicable legislation.
- 4.12.3** Where a heating system or part thereof requires solid or liquid fuel to operate, a place or receptacle for such fuel shall be provided and maintained in a safe condition and in a convenient location so as not to create an unsafe condition.
- 4.12.4** Every dwelling shall be constructed or separated to prevent the passage of smoke, fumes, and gases from that part of the dwelling which is not used, designed or intended to be used for human habitation into other parts of the dwelling used for habitation. Such separations shall conform to the Ontario Building Code and the Ontario Fire Code.

- 4.12.5** No room heater shall be placed to cause a fire hazard to walls, curtains and furniture, or to impede the free movement of persons within the room where the heater is located.
- 4.12.6** Where, in the opinion of the Officer, there exists a hazardous condition due to storage in or use of a space adjacent to a heating system, the furnace shall be enclosed in accordance with the provisions of the Ontario Building Code.
- 4.12.7** All fuel shall be stored in a safe manner.
- 4.12.8** Ash removed from a wood burning stove shall be disposed of appropriately and shall not be kept within the building.
- 4.12.9** All fuel burning appliances, equipment, and accessories in a dwelling shall be properly vented to the outside air by means of a smoke-pipe, vent pipe, chimney flue or other approved method.
- 4.12.10** Every chimney, smoke-pipe, flue and vent shall be maintained in good repair to prevent the escape of smoke, fumes or gases from entering a dwelling unit. Maintenance shall include the removal of all obstructions, sealing open joints, and the repair of loose or broken masonry units.
- 4.12.11** Every chimney, smoke-pipe, flue and vent shall be maintained in good condition to prevent the heating of adjacent combustible material or structural members to unsafe temperatures.
- 4.12.12** Auxiliary heaters shall not be used as a primary source of heat.

4.13 Basement, Cellar or Unheated Crawl Space

- 4.13.1** Every basement or unheated crawl space should be adequately vented to the outside air by means of screened windows which can be opened by louvers with screened openings.
- 4.13.2** An opening for natural ventilation may be omitted from the basement or unheated crawl space where a system of mechanical ventilation has been provided which changes the air once each hour.

4.14 Fire Protection

- 4.14.1** All fire protection equipment, including private fire hydrants, sprinkler/standpipe systems, fire hoses and nozzles, fire extinguishers, fire escapes, fire alarm systems and annunciator

panel, and smoke alarms/detectors, shall be maintained in good working order and free of encumbrances so as to effectively perform their intended function. Said equipment shall be installed in conformance to all current codes, standards, legislation and bylaws and shall be maintained in strict conformity with the requirements of the Ontario Building Code, Ontario Fire Code, and the Town of Petawawa Fire Department.

- 4.14.2** All dwellings and dwelling units shall have alarms and/or detectors installed in accordance with the requirements of the Ontario Building Code and the Ontario Fire Code.
- 4.14.3** Private fire hydrants and sprinkler/standpipe connections shall be maintained by the owner in operating condition in accordance with Ontario Fire Code regulations and shall be readily available and unobstructed for use at all times. The Town of Petawawa will not undertake to clear snow on any private hydrants, sprinkler connections or fire escapes.

4.15 Egress

- 4.15.1** Every dwelling and each dwelling unit contained therein shall have a safe, continuous and unobstructed passage from the interior of the dwelling and the dwelling unit to the outside at street or grade level.
- 4.15.2** Each dwelling containing more than one dwelling unit shall have at least two (2) exits, both of which may be common or the one of which may be common and the other may be an exterior stair or fire escape in accordance with the Ontario Building Code and Ontario Fire Code.
- 4.15.3** Access to the stairs or fire escape shall be from corridors through doors at floor level, except access from a dwelling unit may be through a vertically mounted casement window having an unobstructed opening in accordance with the Ontario Building Code.
- 4.15.4** All required means of egress shall be maintained to permit safe, continuous and unobstructed passage at all times.
- 4.15.5** All required exits shall not pass through an attached garage or built-in garage or an enclosed part of another dwelling unit.

4.16 Ventilation

- 4.16.1** All systems of mechanical ventilation shall be maintained in good working order.
- 4.16.2** Every room where people work shall have an opening or openings for natural ventilation which openings shall be in the exterior walls or through operable parts of skylights and shall have a minimum aggregate unobstructed free flow area of one percent of the floor area of the room.
- 4.16.3** An opening for natural ventilation may be omitted from the basement or unheated crawl space where a system of mechanical ventilation has been provided which changes the air once each hour.
- 4.16.4** Where mechanical ventilation is used, the ventilation duct must comply with the Ontario Building Code.

4.17 Elevating Devices

Elevators and other elevating devices including all mechanical and electrical equipment, lighting fixtures, lamps, control buttons, floor indicators, ventilation fans, and emergency communication systems shall be operational and maintained in good condition.

4.18 Disconnected Utilities

Owners of residential buildings or any person or persons acting on behalf of such Owner shall not disconnect or cause to be disconnected any service or utility supplying heat, electricity, gas, refrigeration or water to any residential unit or building occupied by an occupant, except for such reasonable period of time as may be necessary for the purpose of repairing, replacing, or otherwise altering said service or utility.

4.19 Occupancy Standards

- 4.19.1** The number of occupants, residing on a permanent basis in an individual dwelling unit, shall not exceed guidelines set out in the Ontario Building Code.
- 4.19.2** A non-habitable room shall not be used as a habitable room (stairway, closet, etc.).

- 4.19.3** For the purpose of this section, the minimum ceiling height shall be established per the provisions in the Ontario Building Code.
- 4.19.4** No kitchen, bathroom or hallway shall be used for sleeping purposes.
- 4.19.5** Any basement, or portion thereof, used as a dwelling unit shall conform to the requirements of the Ontario Building Code and Ontario Fire Code.

STANDARDS FOR LODGING HOUSES

5.1 Standards

- 5.1.1** Every lodging house shall comply with the standards of this section in addition to the General Standards section of this By-law and all other relevant legislation:
 - 5.1.1.1** Adequate toilet and bathing facilities shall be provided and maintained, with at least one room with access provided by means of an entrance from a common hallway or corridor, containing at least one wash-basin, one toilet and one bathtub, for each five lodgers.
 - 5.1.1.2** Where food is prepared or intended to be prepared, adequate facilities shall be provided for the proper preparation and protection of food, with such equipment to be in safe operating condition at all times.
 - 5.1.1.3** No cooking or heating appliances shall be located or used in cupboards or clothes closets.
 - 5.1.1.4** A fire alarm and a fire detection system, approved by the Canadian Standards Association or Underwriters Laboratories of Canada, shall be provided by the Owners of buildings of residential occupancies where sleeping accommodations are provided for more than ten (10) persons, except that such systems need not be provided where a public corridor or exit serves not more than four (4) dwelling units or individual leased sleeping rooms.

STANDARDS FOR NON-RESIDENTIAL PROPERTY

6.1 General

- 6.1.1** Every Commercial, industrial and institutional property shall comply with the standards of this section in addition to the General Standards section of this By-Law and all other relevant legislation.
- 6.1.2** Conditions of occupancy of commercial, industrial and institutional buildings shall be in accordance with all applicable provincial regulations pertinent to their intended use and application.
- 6.1.3** Commercial, industrial and institutional properties shall be maintained in accordance with their site plan control agreements with the Town.
- 6.1.4** The warehousing or storage of material or operative equipment that is required for the continuing operation of the industrial or commercial aspect of the property shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard or any unsightly condition and shall provide unobstructive access for emergency vehicles.
- 6.1.5** All open storage shall comply with the requirements of the Zoning By-law.

6.2 Lighting

All non-residential establishments shall install and maintain sufficient windows, skylights, and lighting fixtures necessary for the safety of all persons attending the premises or as may be required by the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1, as amended, for industrial and commercial properties. However, lighting shall not be positioned to cause any impairment of use or enjoyment of neighbouring properties.

SPECIAL CIRCUMSTANCES

7.1 Vacant or Damaged Buildings

- 7.1.1** Vacant buildings shall be kept cleared of all garbage, rubbish and debris and shall have all water, electrical and gas services turned off except for those services that are required for the security and maintenance of the property.

7.1.2 Where any building is vacant, unoccupied, or has been damaged by accident, storm, neglect or other causes or intentional damage, the Owner or agent shall protect such building against the risk of accidental or intentional damage to the property, or such damage as may be caused to other properties, arising from the entry of unauthorized persons to the building, by effectively preventing entrance by unauthorized persons to the satisfaction of the Officer.

7.1.3 For Section 7.1.2 above, doors, windows, hatches and other openings through which entry may be obtained are required to be kept in good repair and secured from unauthorized entry, or entry shall be prevented by closing and securing the openings.

7.1.4 Where a vacant or damaged property has not been sufficiently secured, the Officer may issue an Order requiring the Owner to secure the property in any of the following ways:

7.1.4.1 boarding which completely covers the opening with at least 12.7 mm (0.5 in.) weatherproofed sheet plywood securely fastened to the building;

7.1.4.2 rigid composite panels, securely fastened to the building;

7.1.4.3 sheathing boards installed within the reveal of the exterior cladding and securely fastened to the building;

7.1.4.4 brick and mortar securely fastened to the building; or

7.1.4.5 concrete blocking and mortar securely fastened to the building.

The options listed above shall be considered progressively more secure with clause 7.1.4.5 being the most secure. It shall be the Officer's discretion to determine the minimum level of security required.

7.1.5 Where it has been shown that a proper level of security has not been achieved, or the Owner's control, attendance or lack of security measures to protect the property suggests a more secure option be used, the Officer may order the Owner to supply more stringent security measures as may be necessary beyond the options listed in Section 7.1.4.

- 7.1.6** Where a building remains vacant for a period of more than ninety (90) days, or in the opinion of the Officer further measures are required, the Officer shall ensure that all utilities serving the building, which are not required for the safety or security thereof, are properly disconnected or otherwise secured, to prevent accidental or malicious damage to the building or adjacent property.
- 7.1.7** Any such work required under this By-law shall be done in compliance with the Ontario Building Code, other applicable codes and bylaws, including but not limiting the generality of the foregoing, in compliance with the requirement for obtaining building or demolition permits, and with the by-laws applicable to demolition and clearing of property.

7.2 Fire Damaged Buildings

- 7.2.1** Fire damaged buildings shall be kept clear of all garbage, refuse and debris and shall have all water, electrical and gas services turned off except those services that are required for the security and maintenance of the property.
- 7.2.2** Where a building has been damaged by fire, the Officer may order the Owner to restore the building to meet the requirements of this By-law and the Ontario Building Code.
- 7.2.3** When the fire-damaged building or part is occupied again for other than the purpose of repair, the condition of the building and property shall be brought into compliance with all applicable sections of this By-law and the Ontario Building Code.
- 7.2.4** The exterior walls and other surfaces of the building shall have smoke damage or other defacement removed and the surfaces refinished.
- 7.2.5** Where, in the opinion of the Officer, restoration is not possible or economically feasible, the Officer may order the building demolished and debris removed from the property.

ADMINISTRATION AND ENFORCEMENT

8.1 General

- 8.1.1** This By-law shall apply to all property within the limits of the Town.

- 8.1.2** No person shall,
- 8.1.2.1** occupy,
 - 8.1.2.2** use,
 - 8.1.2.3** permit the use of,
 - 8.1.2.4** rent, or
 - 8.1.2.5** offer to rent,
- any property that does not conform to the Standards.

8.2 Officers

- 8.2.1** The Council of the Town has appointed the Chief Building Official and her/his designate as Officer for the administration and enforcement of this By-law.
- 8.2.2** An Officer or any person acting under her/his instructions may at reasonable times and on producing proper identification, enter and inspect any property.
- 8.2.3** An Officer or any person acting under her/his instructions shall not enter any room or place used as a dwelling without the consent of the occupant except under the authority of a Search Warrant issued under Section 21 of the Ontario *Building Code Act*.

8.3 Order to Remedy

- 8.3.1** Where an Officer finds that a property does not conform to any of the standards prescribed in this By-law, the Officer is authorized to, and may, make an Order in accordance with Section 15.2 (2) of the Building Code Act.
- 8.3.2** An Order issued in accordance with Section 8.3.1 of this By-law shall be served in accordance with Section 15.2 (3) of the *Building Code Act*.
- 8.3.3** Service of any Order in accordance with Section 8.3.1 shall be deemed to have been made on the fifth day after mailing of the Order.
- 8.3.4** An Officer is hereby authorized to give immediate effect to any order that is confirmed or modified as final and binding under section 15.3(7) of the Ontario Building Code, to provide for:

- 8.3.4.1** repair of the property; or
- 8.3.4.2** clearing of all buildings, structures or debris from the site and the leaving of the site in a graded and leveled condition, where the cost of doing the work does not exceed an estimated \$50,000.

8.3.5 Where the estimated cost of doing the work exceeds \$50,000, the Officer shall seek the authorization from Council to carry out the requirements of the order.

8.3.6 Upon completion of the work, and if the work was completed by the Town, the Town shall have a lien on the land for the amount spent on repair or demolition. The amount shall be deemed to be municipal real property taxes and may be added by the Town to the collector's roll and collected in the same manner and with the same priorities as municipal real property taxes.

8.4 Rental Properties

8.4.1 If a complaint is received that relates to a rental property, the complainant shall send a letter to their landlord notifying them of the deficiency and give 14 days notice to remedy the problem.

8.4.2 The Officer shall not issue an Order to Remedy unless the occupant provided proper notice to the landlord and the deficiency remains unaddressed following the 14-day period described in 8.4.1.

8.5 Registration Of Order

An Order made under 8.3 may be registered in the proper land registry office and, upon such registration, any person acquiring an interest in the land subsequent to the registration of the Order shall be deemed to have been served under section 8.3 and, when the requirements of the Order have been satisfied, the Clerk of the municipality shall forthwith register in the proper land registry office a certificate that such requirements have been satisfied, which shall operate as a discharge of the Order.

8.6 Property Standards Committee

8.6.1 Council shall appoint, by By-Law no fewer than three (3) Council Members to the Property Standards Committee for a term of office concurrent with Council.

- 8.6.2** The Committee shall elect from among themselves a Chair and shall make provision for a Secretary, said Secretary being an employee of the Town, but not an Officer.
- 8.6.3** Council shall maintain the full membership of the Committee by replacing any member who, for any reason, may fail to serve out his or her term of office.
- 8.6.4** The duties and responsibilities of the Property Standards Committee shall be as dictated in the *Building Code Act*, as amended.
- 8.6.5** When the Owner or occupant upon whom an Order has been served in accordance with Section 8.3 of this by-law is not satisfied with the terms or conditions of the Order, he/she may appeal to the Committee by submitting a notice of appeal in the manner and within the time frame as prescribed in Section 15.3(1) of the *Building Code Act*, as amended.
- 8.6.6** An Order that is not appealed within the time set out in the *Building Code Act*, as amended, is deemed to be confirmed.
- 8.6.7** Upon receipt of the Notice of Appeal, the Secretary shall determine a date, time and place for the hearing of the Appeal which shall take place not less than seven days and not more than thirty days from the date of receipt of the Notice of Appeal and shall give notice of the date, time and place of the appeal to the Applicant, the Committee members and the Officer.
- 8.6.8** Where an Appeal has been taken, the Committee shall hear the Appeal and shall have all the authority and functions as prescribed in Section 15.3(3.1) of the *Building Code Act*, as amended.

8.7 Penalty

A person who fails to comply with an Order that is final and binding under this By-law is guilty of an offence under Section 36(1) of the *Building Code Act*, as amended, and is liable to a penalty or penalties as prescribed in Section 36 of the Act.

8.8 Validity

- 8.8.1** It is hereby declared that each one of the provisions of this By-law is severable and that, if any provision of this By-law should for any reason be declared invalid by any Court, it is the intention and

desire of this Council that each one of the then remaining provisions hereof shall remain in full force and effect to the fullest extent permitted by law.

- 8.8.2** Where a provision of this By-law conflicts with the provision of another by-law in force within the Town, the provisions that establish the higher standards to protect the health, safety and welfare of the public shall prevail.

REPEALED

- 9.** By-law 146/2000 and its amendments are hereby repealed.

TRANSITIONAL RULES

- 10.** After the date of the passing of this By-law, By-Law 146/2000, as amended, shall apply only to those properties in which an Order to Comply has been issued prior to the date of passing of this By-law, and then only to such properties until such time as the work required by such Order has been completed or any enforcement proceedings with respect to such Order, including any demolition, clearance, or repair carried out by the Town shall have been concluded.

SHORT TITLE

- 11.** This by-law may be referred to as the "Property Standards By-law".

EFFECTIVE DATE

- 12.** This by-law comes into force on the day it is passed by Council.

By-law read a first and second time this 1st day of December 2025.

By-law read a third time and passed this 1st day of December 2025.