

THE CORPORATION OF THE TOWN OF INGERSOLL

BY-LAW No. 01-3986

A by-law to prescribe Standards for the Maintenance and Occupancy of Property.

WHEREAS the Official Plan for the County of Oxford includes provisions relating to conditions of maintenance and occupancy of properties.

AND WHEREAS Section 15.1 of the Building Code Act provides that the Municipal Council of The Corporation of the Town of Ingersoll may pass a by-law with respect to the prescribing standards for the maintenance and occupancy of property, and requiring property that does not conform with the standards to be repaired and maintained with the standards on the site to be cleared of all buildings, structures, debris or refused and left in graded and leveled condition;

AND WHEREAS Section 220.1 of the Municipal Act, R.S.O. 1990, Chapter m45, as amended by Section 10 of Schedule M of the Savings and Restructuring Act, 1996 provides that the Council may by by-law impose fees for services and activities provided or done by or on behalf of The Corporation of the Town of Ingersoll;

THEREFORE the Municipal Council of The Corporation of the Town of Ingersoll hereby enacts as follows:

SHORT TITLE PROPERTY STANDARDS BY-LAW

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**PART 1
DEFINITIONS AND GENERAL REQUIREMENTS**

1.1 DEFINITIONS

Definitions for the purpose of this by-law are:

- 1.1.1 ACCEPTABLE**, means:
- (a) accepted by the Chief Building Official of the Town of Ingersoll with respect to matters under the Building Code;
 - (b) accepted by the Chief Fire Official of the Town of Ingersoll with respect to matters under the Fire Code;
 - (c) accepted by the Property Standards Officer (referred to as "Officer") with respect to the standards set out in this by-law.
- 1.1.2 ACT**, means the Building Code Act, 1992, S.O. 1992, c23, as amended.
- 1.1.3 BUILDING CODE**, means the regulations made under Section 34 of the Act.
- 1.1.4 (a) TOWN**, means The Corporation of the Town of Ingersoll.
(b) COUNTY, means The Corporation of the County of Oxford.
- 1.1.5 EXTERIOR PROPERTY AREAS**, means the property excluding buildings.
- 1.1.6 FENCE-DEFINED**, includes privacy or other screen.
- 1.1.7 GROUND COVER**, means organic or non-organic material applied to prevent erosion such as concrete, flagstone, gravel, asphalt, grass or other equivalent landscaping.
- 1.1.8 HABITABLE SPACE**, means a room or area used or intended to be used for living, sleeping, cooking or eating purposes and including a washroom.
- 1.1.9 MAINTAINED**, means to carry out any repairs, reconstruction, refinishing, or replacement of any part or parts of a structure or building or appurtenances including mechanical equipment required so they may properly perform the intended function.

1.2 WORD – TERM – NOT DEFINED – MEANING

Any word or term not defined in this by-law shall have the meaning ascribed to it in the Act or the Building Code.

**PART 2
GENERAL DUTY TO REPAIR**

2.1 Owners – Shall Repair and Maintain

Owners of property that does not conform to the standards of this by-law, shall repair and maintain the property to conform with the standards of the by-law or to clear it of all buildings, structures, debris or refuse and left in a graded and leveled condition.

2.2 Repairs – Manner Acceptable

All repairs to comply with this by-law shall be carried out with suitable and sufficient materials in a manner acceptable to the Officer as good and workmanlike for the trades concerned.

2.3 Repairs – Inside – Outside – Unused Building – Remedy Unsafe Condition

Nothing in this by-law shall require repairs to be carried out inside or outside an unused building or inside an unused part thereof, except as necessary to remedy any unsafe condition to persons outside of the building or to remedy any unsafe condition to persons in an occupied portion of the building.

2.4 Repairs – Unused Building – Occupied

Notwithstanding 2.3, all repairs to be carried out inside an unused building or inside an unused part thereof shall be carried out before the unused building or unused part is used or occupied.

2.5 Repairs Required – Section 15.1 Act

This by-law is applicable to repairs required under Section 15.1 of the Act but not any other section of the Act, Fire Code or any other provincial act or regulation.

2.6 Dimension – Specified – Officer Accept – Level of Performance

Whenever a dimension, either maximum or minimum is specified the Officer may accept a dimension that is more or less than the requirement, provided it will not reduce the level of performance required by the by-law.

PART 3 ENVIRONMENT

3.1 EXTERIOR PROPERTY AREAS

3.1.1 Exterior – Maintained – Neat and Tidy

Exterior property areas shall be maintained in a neat and tidy condition.

3.1.2 Neat and Tidy Includes

Without restricting the generality of subsection 3.1.1, maintained in a neat and tidy condition includes removal of:

- (a) rubbish, garbage, brush, waste, litter and debris;
- (b) injurious insects, termites, rodents, vermin and other pests;
- (c) growth of weeds in excess of 30.5 cm (12")
- (d) ground cover, hedges and bushes which are unreasonably overgrown;
- (e) dead, decayed or damaged trees or other growth and the branches and limbs thereof which create an unsafe condition;
- (f) wrecked, dismantled, inoperative, discarded, unused, or unlicensed vehicles or trailers, except in an establishment licensed or authorized to conduct or operate a wrecking business;

- (g) machinery or parts thereof, or other objects or parts thereof, or accumulation of material that creates an unsafe condition or which is not in keeping with the neighbouring properties;
- (h) dilapidated or collapsed structures or erections, and the filling or protecting of any uncovered cavities such as wells, cisterns, septic tanks.

3.1.3 Drives, Ramps – Surfaced – Marked

Driveways, ramps, parking areas, paths, outside stairs and landings shall be:

- (a) all areas used for vehicular traffic and parking shall have a surface covering of asphalt, concrete, or compacted stone or gravel and shall be kept in good repair free of dirt and litter.

3.1.4 Exterior – Regrading – Prevent Unstable Soil

- (a) Exterior property areas shall be regraded and/or provided with ground cover as appropriate to prevent unstable soil conditions or erosion.
- (b) prevent ponding of storm water

3.1.5 Lighting – Maintained

Lighting fixtures, lamps and their supports and connections shall be maintained in a safe and complete condition without visible deterioration and in working order.

3.1.6 All Conditions – Maintained

All conditions of development and redevelopment including, but not limited to, drainage, ground cover, hedges, trees, landscaping and recreation equipment shall be maintained. The officer may accept alternatives provided the intent of the original conditions of approval are maintained.

3.2 ACCESSORY BUILDINGS

3.2.1 Accessory Buildings – Maintained

Accessory buildings shall be maintained in structurally sound condition and in good repair.

3.3 FENCES

3.3.1 Fences – Maintained

Fences shall be maintained, in structurally sound condition and in good repair.

3.4 RETAINING WALLS

3.4.1 Retaining Walls – Maintained

Retaining walls shall be maintained and, where a retaining wall in excess of 600mm (24 inches) forms part or is adjacent to a means of egress, a guard shall be provided unless access is restricted to the retaining wall.

3.5 REFUSE STORAGE AND DISPOSAL

3.5.1 Refuse – Collected – Stored

All refuse shall be collected, stored and placed for pick-up and disposal in accordance with the Town's/County's current Waste Collection By-law.

3.5.2 Collection – Comply

Without limiting the generality of subsection 3.5.1, the collection, handling, storage and disposal of refuse shall comply with the following:

- (a) it shall facilitate collection and disposal as required by the municipal corporation or private collecting agency, as applicable;
- (b) refuse storage facilities within a building shall be readily accessible to all occupants for whom the storage facility is provided, or in the alternative be readily accessible by an operable refuse chute provided for this purpose in compliance with all regulations applicable thereto;
- (c) refuse storage facilities shall be maintained in a clean sanitary and odour controlled condition;
- (d) it shall not obstruct an emergency route, recreation facility, parking area, driveway or walkway; and
- (e) where refuse compactor is provided it shall not be connected to an electrical or other source of power unless provisions are made to prevent unauthorized operation.

3.5.3 Outside – Storage of Refuse

Where refuse is permitted by an owner to be stored for disposal outside the enclosing walls of a building, the storage of refuse by that owner shall;

- (a) be kept at all times in a litter free condition and in a manner that will not attract pests or create a health or safety hazard due to the nature of the storage or through deterioration, wind or misuse of the storage facility;
- (b) except for single and semi-detached residential buildings be screened if less than 60m (196 ft) from a public highway, street, walkway, park or residential property so as not to be visible from such locations; and
- (c) the required screening in (b) above shall:
 - (ii) extend from the grade to a height of 0.3m (1 ft) above the height of the storage container(s),
 - (ii) consist of a continuous opaque visual barrier when viewed at 90 degrees to the surface,

- (iii) be maintained in a clean, sanitary and odour controlled condition.

3.5.4 **Refuse – Inside**

Where refuse is stored or placed for disposal inside the enclosing walls of a building the storage and placement for disposal shall:

- (a) comply with the Fire Code;
- (b) be large enough to contain all refuse generated between collection by the occupants served.

3.5.5 **Refuse Chute System – Maintained**

Where a refuse chute system was originally provided in a multiple floor building, the system shall be maintained except that acceptable alternatives may be provided if readily accessible to occupants.

3.5.6 **Temporary Storage – Provided**

Notwithstanding the requirements of this section, temporary storage resulting solely from the construction, demolition or alteration of a building or part thereof may be placed on the property provided:

- (a) it is removed frequently and in its entirety from the property;
- (b) it will not cause risk to the health or safety of any person.

PART 4 BUILDINGS

4.1 STRUCTURAL

4.1.1 Structural Systems – Capable

A building and every structural system or component serving a part thereof, shall be capable of sustaining its own weight together with the loads that may be imposed by the use and occupancy therein and by natural causes such as snow and winds.

4.1.2 Doubt – Structural Condition – Engineer’s Report

If, in the opinion of the officer, there is doubt as to the structural condition of a building or structure or parts thereof, the officer may order that such buildings or structure or parts thereof be examined by a professional engineer, licensed to practice in Ontario and employed by the owner of the building or authorized agent, and that a written report, which may include drawings for any recommended remedial work designed by the engineer, and giving details of the findings of such examination to be submitted to the officer.

4.1.3 Report Acceptance

The officer may accept the findings in the report pursuant to subsection 4.1.2 as the requirements for compliance with the required repairs provided the officer is satisfied all deficiencies have been identified and appropriately dealt with by the report.

4.2 FOUNDATIONS, WALLS, COLUMNS, BEAMS, FLOOR AND ROOF SLABS

4.2.1 Foundations, Walls – Maintained

The foundations, walls, columns, beams, floor and roof slabs of a building including ancillary structures such as parking garages shall be maintained.

4.2.2 Maintenance – Includes

Without restricting the generality of subsection 4.2.1 the maintenance may include:

- (a) extension of the wall foundations below grade or regarding to provide adequate frost cover;
- (b) installing subsoil drains where such would be beneficial;
- (c) repairing or replacing decayed, damaged or weakened sills, piers, posts or other supports;
- (d) grouting, waterproofing, cladding or replacing as necessary so as to be weather tight;
- (e) the replacement, cladding or treatment with other methods to restore the wall to its original or acceptable equivalent appearance;
- (f) the applying of acceptable materials to preserve all wood, metal work or other materials not inherently resistant to weathering or wear;
- (g) the restoring, or replacing of:
 - (i) the foundations, walls, columns, beams, floor and roof and roof slabs; and
 - (ii) components, cladding, finishes and trims forming a part thereof;

4.3 DOORS, WINDOWS AND SKYLIGHTS

4.3.1 Apertures – Provided – Perform

Apertures on the exterior surface of a building designed for doors, windows or skylights shall be provided with a door, window or skylight capable of performing the intended function.

4.3.2 Doors, Windows – Maintained

All doors, windows, skylights and shutters, including storm and screen doors and windows shall be maintained.

4.3.3 Maintenance – Includes

Without restricting the generality of subsection 4.3.2, the maintenance includes:

- (a) the refitting, replacing or renewing of damaged, decaying or defective doors, windows, frames, sashes, casings, shutters, hatchways or screen.
- (b) reglazing, cracked, broken or missing glass
- (c) replacing or providing defective or missing hardware
- (d) re-screening or weatherstripping where such is defective or missing
- (e) painting or the applying of a similarly effective preservative.

4.3.4 **Required Opening – Protected**

When an opening is used or required for ventilation or illumination and is not required to be protected by a door, window or similar closure it shall be protected with a:

- (a) wire mesh screen, metal grille or other equivalent durable material; or
- (b) other protection so as to effectively prevent the entry of rodents or vermin.

4.3.5 **Door/Window – Latch or Secure**

All entrance doors to a dwelling and all opening windows in a dwelling unit shall be provided with the means of being latched or secured from within.

4.3.6 **Windows – Screens**

All windows that can be or are required to be openable in a dwelling unit shall be provided with screens to effectively prevent the entry of insects, from May 15th to September 15th annually.

4.3.7 **Screens – Acceptable**

Where compliance with subsection 4.3.6 is not practicable screen shall be installed in an acceptable manner.

4.4 **ROOFS AND ROOF STRUCTURES**

4.4.1 **Roof/Related Roof Structure – Maintained**

Every roof including related roof structures, fascias, soffits, eavestroughs, roof gutters, down pipes, guards and lightning arrestors shall be maintained.

4.4.2 **Chimneys – Maintained**

Chimney, smoke or vent stacks and other roof structures shall be maintained and free from:

- (a) loose bricks and mortar and loose or broken capping.

- (b) loose or rusted stanchions, guy wires, braces and attachments or other unsafe conditions.

4.5 FLOORS, STAIRS, VERANDAS, PORCHES, DECKS, LOADING DOCKS AND BALCONIES

4.5.1 Floors, Stairs – Maintained

Every floor, stairs, verandah, porch, deck, balcony and every appurtenance and surface finishing attached or laid thereto shall be maintained.

4.5.2 Maintenance – Includes

Without restricting the generality of subsection 4.5.1, the maintenance includes:

- (a) repairing or replacing floors, treads and risers, including finishes such as linoleum and carpet that contain depressions, protrusions or are broken, torn warped, loose or otherwise defective;
- (b) renewing or strengthening structural members that are rotted, deteriorated or loose;
- (c) repainting or the re-applying of other equivalent preservative, if required.

4.5.3 Guard – Provided

A guard with a minimum height of 900 mm (35 inches) shall be provided and maintained along the open sides of balconies, mezzanines, landings or other areas where the vertical drop exceeds 600 mm (24 inches), except that a guard of 710 mm (28 inches) minimum height is acceptable for exterior porches, decks and balconies where the vertical drop from the open side exceeds 600 mm (24 inches) but does not exceed 1,800 mm (71 inches).

4.5.4 Stairs – Guards Required

Except as provided in subsection 4.5.5, every interior stair with more than 6 risers and every interior stair with more than 2 risers shall be protected with guards on all open sides having a minimum height of 800 mm (31 inches) measured vertically above a line drawn through the outside edge of the stair nosing except that a guard of 710 mm (28 inches) minimum height is acceptable where the stair serves an exterior porch, deck, balcony or exterior landing with a floor height less and 1,800 mm (71 inches) above finished grade.

4.5.5 Stair – Unfinished Basement – Guard

A stair within a dwelling unit serving an unfinished basement need only have a guard or a wall on one side.

4.5.6 Guard – Openings

Guards for residential occupancies shall have no openings which would permit the passage of a spherical object having a diameter of 100 mm (4 inches) unless it can be shown that

the location and size of such openings which exceed this limit does not represent a hazard.

4.5.7 Guards – Not to Facilitate Climbing

Guards around exterior balconies, porches and decks of buildings of residential occupancy shall be constructed not to facilitate climbing.

4.5.8 Handrail – Provided – Maintained

A handrail shall be provided and maintained on all stairs having more than three (3) risers. Handrails shall have a maximum uniform height of 920 mm (36 inches) when measured vertically from a line drawn through the outside edge of the stair nosing and minimum uniform height of 800 mm (31 inches).

4.5.8.1 Handrails – Both Sides

A handrail shall be provided on both sides for any stair wider than 1,100mm (3' 7") unless serving a single dwelling unit.

4.5.8.2 Handrail – Central

Except as provided in 4.5.8.1, one handrail may be provided centrally for stairs up to 2.4m (8') wide.

4.5.9. Stairs – Interior – Single Dwelling

The stair tread rise and run for residential interior single dwelling unit shall not exceed the following dimensions:

- (a) maximum rise 230mm (9")
- (b) minimum tread 230mm (9")
- (c) minimum tread 200mm (8")
- (d) if run is less than 240mm (9 ½"), a 25mm (1") nosing is required.

4.5.9.1 Stairs – Residential – Not Within

The stair tread rise and run for residential stairs not within dwelling unit shall not exceed the following dimensions:

- (a) maximum rise 210mm (8 ¼")
- (b) maximum tread 240mm (9 ¼")
- (c) minimum run 212mm (8 ½")
- (d) if run is less than 240mm (9 ½"), a 25mm (1") nosing is required.

4.5.9.2 Stairs – Non-residential

The stair tread rise and run for non-residential stairs shall not exceed these dimensions:

- (a) rise minimum 125mm (5") maximum 200mm (8")
- (b) minimum run of 230mm (9"), must be uniform
- (c) if run is less than 240mm (9 ½"), a 25mm (1")

- nosing is required.
- (d) existing winders of not more than 3 in 90° and not more than 1 set between floors are permitted and where each tread is not less than 30° and each tread is not greater than 45°.

4.5.9.3 Stairs – Service Rooms – Curved/Spiral

Stairs may exceed the requirements in 4.5.9, 4.5.9.1, 4.5.9.2 if service spaces and other rooms used in industrial occupancies serving equipment and machinery; or existing curved and spiral stairs in dwelling units.

4.6 EXTERIOR SURFACES

4.6.1 Exterior Surfaces – Maintained

All exterior surfaces on a building shall be maintained.

4.6.2 Remove – Stains – Defacement

Appropriate measures shall be taken to remove any stains or other defacement occurring on the exposed finished exterior surfaces and, where necessary, to restore the surface and adjacent areas to, as near as possible, their appearance before the staining or defacement occurred.

4.6.3 Temporary Barricades – Finish compatible

Exterior surfaces of materials used for the temporary barricading of openings to the interior of a building shall be surfaced with a finish compatible with the surrounding finishes.

4.7 INTERIOR CLADDING AND FINISHES

4.7.1 Interior – Maintained

Interior cladding and finishes of walls and ceilings including elevator cages shall be maintained.

4.7.2 Interior – Free – Stains, Defacement

Interior cladding and finishes of walls and ceilings of common areas shall be kept free of stains and other defacement.

4.8 HUMAN HABITATION AND OCCUPANCY STANDARDS

4.8.1 Habitable Space – Human Habitation

Only habitable space shall be used for human habitation.

4.8.2 Dwelling – Use – Human Habitation

No dwelling unit or lodging unit shall be used for human habitation unless:

- (a) interior cladding and finishes of walls, ceilings and floors are in accordance with Sections 4.5 and 4.7;
- (b) doors and windows are in accordance with Section 4.3;
- (c) a heating system is provided and maintained in accordance with Section 5.2;
- (d) plumbing and drainage systems are maintained in accordance with Section 5.3;
- (e) electrical systems are maintained in accordance with Section 5.4;
- (f) the minimum floor areas are in accordance with subsection 4.8.11 or 4.9.2;
- (g) the minimum headroom is in accordance with subsection 4.8.5.

4.8.3 No owner – Disconnect – Any Service

No owner, nor anyone acting on his behalf, shall cease, disconnect or caused to be disconnected any service, supply of fuel or utility providing light, heat, refrigeration, water or cooking facilities for a dwelling unit occupied by a tenant or lessee, except for such reasonable period of time as may be required for the purpose of repairing, replacing or altering such service or utility.

4.8.4 No Toilet – Located

No toilet or urinal shall be located in a room used for or intended to be used for sleeping or preparing, consuming or storing food.

4.8.5 Headroom – Heights

The minimum floor to ceiling headroom for habitable space shall be:

- (a) not be less than 1.95m (6 ft 5in) over the floor area and in any location that would normally be used as a means of egress; or
- (b) not be less than 1.95m (6 ft 5in) over at least 50% of the floor area, provided that any part of the floor having a clear height of less than 1.4m (4 ft 7in) shall not be considered in computing the floor area. However, a minimum height of 1.95m (6 ft 5in) shall be required for all floor area used as a means of egress.
- (c) except as required in Section 4.8.5(a), headroom may have a lower requirement if serving only service rooms and service spaces.
- (d) not be less than 1,800mm (5 ft 11 in) over stairs and landing.

4.8.6 Ventilation – Provided – Maintained

Ventilation shall be provided and maintained as follows:

- (a) every habitable room except for a living room and a dining room shall be provided with:
 - (i) natural ventilation which shall:
 - (1) consist of an opening or openings with a minimum aggregate unobstructed free flow area of 0.278m² (3 sq ft), and
 - (2) be located in the interior walls or through openable parts of the skylights, or
 - (ii) mechanical ventilation which shall change the air once each hour;
- (b) every washroom shall be provided with an opening or openings for natural ventilation located in an exterior wall or through openable parts of skylights and all such openings shall have a minimum aggregate unobstructed free flow area of 0.092m² (1 sq ft.);
- (c) an opening for natural ventilation may be omitted from a bathroom or toilet room where a system of mechanical ventilation has been provided, such as an exhaust fan with a duct leading to outside the dwelling.
- (d) every enclosed attic or roof space shall be vented by openings to the exterior to provide at least 0.092 m² (1 sq ft) of unobstructed vent area for every 27.9 m² (300 sq ft) of attic or roof space;
- (e) the vents required by clause (d) may be roof, eave or gable-end type or any combination thereof;
- (f) a crawl space or non-habitable basement space shall be adequately ventilated to the exterior by natural or mechanical means;
- (g) in residential buildings with multiple dwelling units, every laundry room, garbage disposal room, boiler room, storage garage, public corridors another similar public rooms or spaces of the building shall be adequately ventilated.

4.8.7 Occupancy – Maximum

The maximum number of residents in a dwelling unit or lodging house shall not exceed one (1) person per 9.3 m² (100 sq ft) of habitable floor space.

4.8.8 Windows – Provided

Living rooms, dining rooms and bedrooms shall be provided with one or more windows and/or skylights that have a total light transmitting area of 5% of the

floor area in the case of living and dining rooms and 2.5% of the floor area in the case of bedrooms.

4.8.9 Cooking Facilities – Equipped

Each dwelling unit shall have cooking facilities:

- (a) equipped with a sink that:
 - (i) is provided with potable hot and cold water; and;
 - (ii) is maintained;
- (b) equipped with electrical or other service, fuel or utility outlets suitable for refrigerator and cooking stove; and
- (c) equipped with an impervious splashback and counter top around the kitchen sink; and
- (d) when equipped with a refrigerator, cooking stove, kitchen fixtures and fittings have such appliances, fixtures and fittings maintained.

4.8.10 Enclosed Sanitary Facilities – One Containing

Each dwelling unit shall have enclosed sanitary facilities with at least one containing:

- (a) toilet;
- (b) wash basin;
- (c) bathtub or shower;
- (d) water resistant floor;
- (e) water resistant wall around the bathtub or shower; and
- (f) a door in the enclosure that can be secured from the inside and can be opened from the outside in an emergency.

4.8.11 Minimum – Area – Dwellings

The minimum floor areas for a dwelling unit shall be as follows:

- (a) living areas within dwelling units, either as separate rooms or in combination with other spaces, shall have an area not less than 13.5 m² (145 sq ft);
- (b) where the area of a living space is combined with a kitchen and dining area, the living area alone in a dwelling unit that contains sleeping accommodation for not more than 2 persons shall not be less than 11 m² (118 sq ft);
- (c) a dining space in combination with other space shall have an area of not less than 3.25 m² (35 sq ft.)
- (d) dining rooms not combined with other space shall have a minimum of 7 m² (75 sq ft.);
- (e) kitchen areas within dwelling units either separate from or in combination with other spaces, shall have an area of not less than 4.2 m² (45 sq ft) including the area occupied by the base cabinets, except that in

dwelling units containing sleeping accommodation for not more than 2 persons, the minimum area shall be 3.7 m² (40 sq ft);

- (f) except as provided in clause (g) and (h), bedrooms in dwelling units shall have an area not less than 7 m² (75 sq ft) where built-in cabinets are not provided and not less than 6 m² (65 sq ft) where built-in cabinets are not provided;
- (g) except as provided in clause (h), not less than one bedroom in every dwelling unit shall have an area of not less than 9.8 m² (105 sq ft) where built-in cabinets are not provided and not less than 8.8 m² (95 sq ft) where built-in cabinets are provided;
- (h) bedroom spaces in combination with other spaces in dwelling units shall have an area not less than 4.2 m² (45 sq ft);
- (i) in every dwelling unit, an enclosed space of sufficient size shall be provided to accommodate a water closet, wash basin and bathtub or shower stall.

4.8.12 Facilities – Maintained

In multiple dwellings where a voice communications system between each dwelling unit and the front lobby and security locking and release facilities for the entrance, have been provided and are controlled from each dwelling unit, such facilities shall be maintained.

4.9 LODGING HOUSES

4.9.1 Lodging House – Requirement

Each lodging house shall have at least one toilet, one wash basin and one bathtub or shower for every five (5) tenants and all tenants shall have access to a kitchen sink.

4.9.2 Cooking Facilities – Equipped

Where a lodging house has cooking facilities they shall be:

- (a) equipped with a sink that
 - (i) is provided with potable hot and cold water; and:
 - (ii) is maintained;
- (b) equipped with electrical or other service, fuel or utility outlets suitable for refrigerator and cooking stove; and;
- (c) equipped with an impervious splashback and counter top around the kitchen sink; and
- (d) when equipped by the owner with a refrigerator, cooking stove, kitchen fixtures and

fittings have such appliances, fixtures and fittings maintained.

4.9.3 Sanitary Facilities – Contained

Each lodging house shall have enclosed sanitary facilities containing:

- (a) toilet;
- (b) wash basin;
- (c) bathtub or shower;
- (d) water resistant floor;
- (e) water resistant around the bathtub or shower; and
- (f) a door in the enclosure that can be secured from the inside and can be opened from the outside in an emergency.

4.10 PEST INFESTATION

4.10.1 Free of Pests

All buildings shall be kept free of rodents, vermin and insects at all times and methods used for exterminating rodents or insects or both shall be in accordance with the provisions of the Pesticides Act, R.S.O. 1990, Chapter P.11, as amended, and all regulations enacted pursuant thereto.

**PART 5
BUILDING SERVICES, SYSTEMS AND FACILITIES**

5.1 ELEVATING DEVICES

5.1.1 Elevating Devices – Maintained

Elevating devices shall be maintained:

- (a) in accordance with the requirements of the Elevating Devices Act, R.S.O. 1990, Chapter E.8 and the Fire Code;
- (b) with all the part and appendages, including lighting fixtures, lamps, elevator buttons, floor indicators and ventilation fans in good repair and operational; and
- (c) repaired as expeditiously as possible.

5.2 HEATING, VENTILATING AND MECHANICAL SYSTEMS

5.2.1 Heating, Ventilating and Mechanical Systems – Maintained

Heating, ventilating and mechanical systems including factory built stoves, fireplaces and chimneys, fans, air conditioners, pumps, filtration and other equipment provided to supply heat and air conditioning or other services shall be maintained.

5.2.2 Heating system – Capable – Temperatures

The heating system shall be capable of maintaining the residential dwelling unit with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 Degrees Celsius (70 degrees F) in the occupied dwelling unit.

5.2.3 Portable Heating – Not Used – Primary Source

Portable heating equipment shall not be used as the primary source of heat for any rented or leased dwellings or living accommodations.

5.3 PLUMBING AND DRAINAGE SYSTEMS

5.3.1 Plumbing and Drainage – Maintained

Plumbing and drainage systems shall be provided and installed so that such systems:

- (a) are free from leaks and adequately protected from freezing;
- (b) supply potable hot and cold water commensurate with the normal requirements of the use and or occupancy served;
- (c) operated to provide at the hot water outlets in each dwelling unit hot water at a temperature of not less than 43°C (109°F).

5.3.2 Washing Machine and Plumbing Fixtures – Maintained

Where washing machines and plumbing fixtures are provided they shall be maintained.

5.3.3. Air Conditioners – Prevent Condensation

Air conditioners shall be equipped with proper devices to prevent condensation draining onto publicly owned sidewalks, walkways, entrances and other pedestrian routes.

5.3.4 Septic Tanks – Field Beds – Maintain

Septic tanks, field beds and dry wells shall be maintained.

5.3.5 Decommissioning – Septic Tanks – Drywell

To decommission, tanks or dry wells, they shall be pumped dry and contents disposed at a suitable disposal site and a receipt of the disposal fee shall be submitted to the Oxford County Health Department. The tanks or dry wells may be broken up and buried, cavities shall be filled with sand or another suitable material and the ground graded to match existing grades. Existing building drain(s) not being reused shall be removed from the foundation wall and the foundation wall shall be repaired and made impervious to water.

5.4 ELECTRICAL SYSTEMS

5.4.1 Provide – Outlets

Dwelling units and, where required by the Ontario Electrical Code, buildings and all parts thereof shall be provided with outlets to receive electricity from an electrical supply system.

5.4.2 Wall Switch – Provided

Except as provided in subsection 5.4.3, a lighting outlet with fixture controlled by a wall switch shall be provided in kitchens, bedrooms, living rooms, dining rooms, washrooms, vestibules and hallways in dwelling units.

5.4.3 Receptacle Controlled

Where a receptacle controlled by a wall switch is provided in bedrooms or living rooms, such rooms need not conform to the requirements of subsection 5.4.2.

5.4.4. Capacity of Connection – Conform – Ontario Electrical Code

The capacity of the connection to the building or parts thereof and the system of circuits and electrical outlets distributing the electrical supply within the building shall conform to the Ontario Electrical Code.

5.4.5 Lighting Outlet – Provided – Maintain

A lighting outlet with a fixture shall be provided and maintained in every laundry room, furnace room, garbage room, utility room, storage room, service room, unfinished basements in dwelling units and any other public spaces in residential buildings.

5.4.6 Exit, Public Corridor or Corridor – Access – Lighting Provided – Maintained

Every exit, public corridor or corridor providing access to exit for the public and storage garages shall be provided and maintained with lighting fixtures which furnish an average illumination level of 50 lux (4.6 foot candles) at floor or tread level.

5.4.7 Electrical Systems – Central Station – Maintained

Electrical systems and central station connections shall be maintained as required by the Ontario Electrical Code and the Fire Code.

5.5 RECREATIONAL FACILITIES

5.5.1 Amenities – Provided – Maintained

Recreational amenities, facilities, rooms and play area surfaces and equipment provided by the owner shall be maintained in accordance with the appropriate section in this by-law.

**PART 6
APPEAL TO COMMITTEE**

6.1 Fee for Appeal – Required

An owner who appeals an Order shall pay the fee for the appeal as set out in Schedule “B” at the time the appeal is filed.

**PART 7
ESTABLISHMENT OF A COMMITTEE**

7.1 Council – Establish – Committee

Town Council shall establish a Committee of not fewer than three (3) to hold office for up to a three (3) year period.

7.2 Forthwith Fill – Vacancy

Council shall forthwith fill any vacancy that occurs in the membership of the Committee.

7.3 Council – Remuneration – Committee

Council shall provide remuneration to members of the Committee who are not members of Council.

7.4 Committee – Elect – Chair

The Committee shall elect a chair from among themselves and when the chair is absent, may appoint an acting chair.

7.5 Majority – Quorum

A majority of numbers constitutes a quorum for transacting the Committee’s business.

7.6 Secretary – Committee

The members shall provide for a secretary of the Committee.

7.7 Secretary – Retain – Records

The secretary shall keep on file the records of all official business of all applications and minutes of all decisions respecting those applications.

7.8 Committee – Rules and Procedures

The Committee, may subject to subsection 7.9, adopt its own rules and procedures and any member may administer on this.

7.9 Committee – Notice of Hearing

The Committee shall give notice or direct that notice be given of the hearing of an appeal to such persons as the Committee considers advisable.

**PART 8
CERTIFICATE OF COMPLIANCE**

8.1 Officer – On Request – Issue Certificate

Following the inspection of a property, the officer may, or on the request of the owner shall, issue to the owner a certificate on compliance if, in his or her opinion, the property is in compliance with the standards of the Property Standards By-law passed under Section 15.1 of the Building Code Act.

8.2 Fee – Payable – Certificate of Compliance

A fee shall be payable to the Town prior to the issuance of a Certificate of Compliance where it is issued at the request of the owner in the amounts prescribed by Schedule “A” to this by-law.

**PART 9
VALIDITY**

9.1 Servability

In the event that any provision of this by-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining provisions of this by-law.

**PART 10
REPEAL**

10.1 By-laws – Repealed

All By-laws inconsistent with this by-law are hereby repealed.

10.2 Planning Act Repealed – By-laws Repealed – Order Continuous

Despite the repeal of Section 31 of the Planning Act and the repeal of all preceding by-laws passed pursuant to Section 31 of the Planning Act, an Order made under any repealed Property Standards By-law is continued as an Order made under Section 15.1 of the Act.

**PART 11
COMMENCEMENT**

11.1 This by-law shall come into force on the day of passing of this by-law.

READ a first and second time in Open Council this 9th day of October, 2001.

READ a third time and passed in Open Council this 9th day of October, 2001.

Michael Hennessy, Mayor

Edward A. Hunt, Clerk Administrator

SCHEDULE 'A'
of BY-LAW NO. 01-3986

FEE SCHEDULE FOR ISSUANCE OF CERTIFICATE OF COMPLIANCE

<i>CATEGORY</i>		<i>COST</i>
Residential Property, Multiple, Commercial and Industrial Buildings	Number of Inspected Charge Units per Building	
	1 – 2 units	\$60.00 per unit
	More than 2 – not more than 5 units	\$30.00 per unit
	More than 5 – not more than 15 units	\$25.00 per unit
	More than 15 – not more than 25 units	\$25.00 per unit
	More than 25 units	\$25.00 per unit
Free Standing Industrial and Commercial Buildings (Single Occupancy)		\$60.00
Vacant and Derelict Property		\$60.00

1

SCHEDULE 'B'

to By-law No. 01-3986

FEE

**Appeals to Order issued under 15.3(1) of
the Building Code Act.**

\$100.00