

**THE CORPORATION OF THE TOWNSHIP OF  
ALFRED AND PLANTAGENET**

**BY-LAW NO. 47-2001**

Being a By-law for prescribing standards for the maintenance and occupancy of property within the Township of Alfred and Plantagenet and prohibiting the use of any property that does not conform to the standards and requiring such properties to be repaired, maintained, or cleared of buildings, structures, debris, or refuse and prohibiting the remove of any notice, sign, or placard placed thereon in accordance with this By-law.

**WHEREAS** under Section 15.1 (3) of the Building Code Act, S.O. 1992, c.23, a by-law may be passed by the Council of a municipality prescribing the standards for the maintenance and occupancy of property within the municipality provided the official plan for the municipality includes provisions relating to property conditions;

**AND WHEREAS** the Official Plans for the former Corporations of the Township of Alfred, of the Village of Alfred, of the Township of North Plantagenet and of the Village of Plantagenet include provisions relating to property conditions;

**AND WHEREAS** the Council of The Corporation of the Township of Alfred and Plantagenet is desirous of passing a by-law under Section 15.1 (3) of the Building Code Act, S.O. 1992, c.23;

**AND WHEREAS** Section 15.6 (1) of the Building Code Act, S.O. 1992, c.23 requires that a by-law passed under Section 15.1 (3) of the Building Code Act, S.O. 1992, c.23 shall provide for the establishment of a Property Standards Committee;

**NOW THEREFORE** the Township of Alfred and Plantagenet hereby enacts the following:

## SECTION 1

### GENERAL

#### 1.1 SHORT TITLE

This By-law may be cited as the AProperty Standard By-Law@

## SECTION 2

### DEFINITIONS

In this By-law:

- 2.1 "Accessory Building" means a detached building or structure, not used for human habitation, that is subordinate to the primary use of the same property.
- 2.2 "Apartment Building" means a building containing more than four dwelling units with individual access from an internal corridor system.
- 2.3 "Approved" means acceptance by the Property Standards Officer.
- 2.4 "Balustrads" 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.
- 2.5 "Basement" means that space of a building that is partly below grade, which has half or more of its height, measured from floor to ceiling above the average exterior finished grade.
- 2.6 "Bathroom" means a room containing at least a washbasin and toilet and bathtub or shower, or two rooms which contain in total at least one washbasin and one toilet and one bathtub or shower.
- 2.7 "Boarding House" means a building or portion thereof other than a hotel where lodging with or without meals is provided for compensation to not more than 6 persons exclusive of the proprietor and his family.
- 2.8 "Building" means a structure used for or intended for supporting or sheltering any use or occupancy.
- 2.9 "Cellar" means that space of a building that is partly or entirely below grade, which has more than half of its height, measured from floor to ceiling below the average exterior finished grade.
- 2.10 "Commercial Property" means a property used for the sale of goods and for services and for the purposes of this By-law shall include office buildings, public halls, licensed premises and private clubs, and any building that is used in conjunction with these.
- 2.11 "Committee" means the Property Standards Committee established under The Ontario Buidling Code Act, Section 15.6.
- 2.12 "Corporation" means the corporation of the Township of Alfred and Plantagenet.

- 2.13 "Dwelling" means a building or structure or part of a building or structure, occupied or capable of being occupied, in whole or in part for the purpose of human habitation.
- 2.14 "Dwelling Unit" means a room or a suite of rooms operated as a house-keeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking, eating, sleeping, and sanitary facilities.
- 2.15 "Family" means one or more individuals whether or not related by blood, marriage or legal adoption and including domestic servants, nursing aids and gratuitous guests, who live together in one dwelling unit and maintain a common household provided that a family which is not related by blood, marriage or legal adoption shall not exceed four individuals.
- 2.16 "Fire Resistance Rating" means the time in hours or fraction thereof that a material or assembly will withstand the passage of flame and the transmission of heat when exposed to fire under specified conditions of test and performance criteria, or as determined by extension or interpretation of information derived therefrom as prescribed in the Ontario Building Code.
- 2.17 "First Storey" means that part of a building having a floor area closest to grade with a ceiling height of more than 1.8 metres (6 ft.) above grade.
- 2.18 "Floor Area" means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls or partitions, but not including exits, assemblies, vertical service spaces and their enclosing.
- 2.19 "Guard" means a protective barrier installed around openings in floor areas or on the open sides of a stairway, a landing, a balcony, a mezzanine, a gallery, a raised walkway, and other locations as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through them. -
- 2.20 "Habitable Room" means any room in a dwelling unit used for or capable of being used for living, cooking, sleeping or eating purposes.
- 2.21 "Industrial Property" means a property use for the manufacturing and/or processing of goods or used for the storage of goods or raw material and any property that is used in conjunction with these uses.
- 2.22 "Maintenance" means the preservation and keeping in repair of a property.
- 2.23 "Means of Egress" means a continuous, unobstructed path of travel provided by a doorway, hallway, corridor, exterior passage way, balcony, lobby, stair, ramp, or other exit facility used for the escape of persons from any point within a building, a floor area, a room, or a contained open space to a public thoroughfare or an approved area of refuge usually located outside the building.
- 2.24 "Medical Officer of Health" means the Medical Officer of Health of the Eastern Ontario Health Unit.
- 2.25 "Multiple Dwelling" means a building containing three or more dwelling units.
- 2.26 "Multiple Use Building" means a building containing both a dwelling unit and a non-residential property.
- 2.27 "Non-Habitable Room" means any room in a 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 for public use, 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.
- 2.28 "Non-Residential Property" means a building or structure or part of a building or structures not occupied in whole or in part for the purpose of human habitation, and
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includes the lands and premises appurtenant and all of the outbuildings, fences or erections thereon or therein.

- 2.29 "Occupancy" means the use or intended use of a building or part thereof for the shelter or support of persons, animals or property.
- 2.30 "Occupant" means any person or persons over the age of eighteen years in possession of the property.
- 2.31 "Officer" means a Property Standards Officer who has been assigned the responsibility for enforcing and administering this By-law.
- 2.32 "Owner" includes,
- 1.2\_ the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person's own account or as agent or trustee of any other person, or who would so receive the rent if such land and premises were let, and;
- (b) a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of property;
- 2.33 "Person" means an individual, firm, corporation, association or partnership.
- 2.34 "Property" means a building or structure or part of a building or structure and includes the lands and premises appurtenant thereto and all mobile structures, mobile homes, mobile buildings structures, outbuildings, fences and erections thereon, whether heretofore or hereafter erected and includes vacant property.
- 2.35 "Public Building" means a building which is staffed by government personnel for the purpose of servicing the public.
- 2.36 "Repair" includes the provision of facilities, the making of additions or alterations or the taking of any other action that may be required to ensure that a property conforms with the standards established in this by-law.
- 2.37 "Residential Property" means any property that is used or designated for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any lands or buildings that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces, and fences associated with the dwelling or its yard.
- 2.38 "Roomer or Lodger" means a person harboured, received or lodged, in a lodging house or boarding house in return for compensation.
- 2.39 "Sewage System" means the municipal sanitary sewer system or a private sewage disposal system approved by the Eastern Ontario Health Unit.
- 2.40 "Standards" means the standards of the physical condition and of occupancy prescribed for property by this By-law.
- 2.41 "Toilet Room" means a room containing a water closet and a wash basin.
- 2.42 "Yard" means the land other than publicly owned land whether it is vacant or around or appurtenant to the whole or any part of a residential or non-residential property and used or capable of being used in connection with the property.

### SECTION 3

#### GENERAL STANDARDS FOR ALL PROPERTY

- 3.1 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, the Ontario Fire Code and the Fire Prevention and Protection Act where applicable.

### 3.2 YARDS

3.2.1 Every yard, including vacant lots shall be kept clean and free from:

- (1) rubbish or debris and objects or conditions that may create a health, fire, or accident hazard;
- (2) wrecked, dismantled, discarded or abandoned machinery, vehicles, trailers or boats unless it is necessary for the operation of a business enterprise lawfully situated on the property;
- (3) long grass, brush, heavy undergrowth and noxious weeds as defined by the Weed Control Act; (such as ragweed, poison ivy, poison oak and poison sumach);
- (4) dilapidated, collapsed or partially constructed structures; which are not currently under construction;
- (5) injurious insects, termites, rodents, vermin or other pests; and
- (6) dead, decayed or damaged trees or other natural growth.✓
- (7) accumulations of material, wood, debris or other objects that create an unsafe or unsightly condition, deleterious to the neighbouring environment.

### 3.3 SURFACE CONDITIONS

3.3.1 Surface conditions of yards shall be maintained so as:

- (1) to prevent ponding of storm water;
- (2) to prevent instability or erosion of soil;
- (3) to prevent surface water run-off from entering basements;
- (4) not to exhibit an unsightly appearance;
- (5) to be kept free of garbage and refuse;
- (6) to be kept free of deep ruts and holes;
- (7) to provide for safe passage under normal use and weather conditions, day or night; and
- (8) not to create a nuisance to other property.

### 3.4 SEWAGE AND DRAINAGE

3.4.1 Sewage shall be discharged into an approved sewage system.

3.4.2 Sewage of any kind shall not be discharged onto the surface of the ground, whether into a natural or artificial surface drainage system or otherwise.

3.4.3 Roof drainage shall not be discharged onto sidewalks, stairs, or adjacent property.

### 3.5 PARKING AREAS, WALKS AND DRIVEWAYS

3.5.1 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.

- 3.5.2 Steps, walks, driveways, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions day or night.

### 3.6 ACCESSORY BUILDINGS, FENCES, AND OTHER STRUCTURES

- 3.6.1 Accessory buildings, fences and other structures appurtenance to the property shall be maintained in structurally sound condition and in good repair.

- 3.6.2 Accessory buildings, fences, and other structures shall be protected from deterioration by the application of appropriate weather resistant materials including paint or other suitable preservative and shall be of uniform colour unless the aesthetic characteristics of the said structure are enhanced by the lack of such material.

### 3.7 GARBAGE DISPOSAL

- 3.7.1 Every building, dwelling, and dwelling unit shall be provided with a sufficient number of suitable receptacles to contain all garbage, refuse and ashes that may accumulate on the property between the regularly designated collection days. Such receptacles shall be constructed of watertight material, provided with a tight fitting cover, and shall be maintained in a clean and odour free condition at all times.

- 3.7.2 All garbage, refuse, and ashes shall be promptly placed in a suitable container and made available for removal in accordance with the municipal garbage by-law where applicable.

- 3.7.3 Garbage storage areas shall be screened from public view.

### 3.8 COMPOST HEAPS

- 3.8.1 The occupant of a residential property may provide for a compost heap in accordance with the health regulations, provided that the compost pile is no larger than one square meter and 1.8 meters in height and is enclosed on all sides by concrete block, or lumber, or in a forty-five gallon containers a metal frame building with a concrete floor, or a commercial plastic enclosed container designed for composting.

### 3.9 SIGNS

- 3.9.1 All signs shall be maintained in a good state of repair.

- 3.9.2 Signs which are damaged or broken, or which are excessively weathered or fade, or, upon which the finish is worn, peeled or cracked, shall with their fastenings and supporting members, be removed or refinished and put in a good state or repair.

### 3.10 BURNT MATERIAL AND DEMOLISHED MATERIAL

- 3.10.1 In the event of fire or explosion, damaged or partially burnt material and demolished material shall be forthwith removed from the premises, except that such material may be temporarily stored within the barricaded fire damaged building or unit.

## MAINTENANCE OF BUILDINGS AND STRUCTURES

### 4.1 Structurally Sound

- 4.1.1 Every tenant, or occupant or lessee of a property shall maintain the property or part thereof and the land which they occupy or control, in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis, in accordance with municipal by-laws.
- 4.1.2 Every tenant, or occupant or lessee of a property shall maintain every floor, wall, ceiling and fixture, under their control, including hallways, entrances, laundry rooms, utility rooms, and other common areas, in a clean, sanitary and safe condition.
- 4.1.3 Accumulations or storage of garbage, refuse, appliances, or furniture in a means of egress shall not be permitted.
- 4.1.4 Every part of a property shall be maintained in a structurally sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use having a level of safety as required by the Ontario Building Code.
- 4.1.5 Materials which have been damaged or show evidence of rot or other deteriorating shall be repaired or replaced.
- 4.1.6 All exterior surfaces shall be of materials which provide adequate protection from the weather.

### 4.2 Pest Prevention

- 4.2.1 All property shall be kept free of rodents, vermin, and insects at all times and methods used for exterminating rodents, vermin, or insects shall be in accordance with the provisions of the Pesticides Act.
- 4.2.2 Openings and windows or ventilators used or required for ventilation, and any other openings in a basement or cellar including a floor drain, that might permit the entry of rodents, shall be screened with wire mesh, metal grill or other durable material which will effectively exclude rodents.

### 4.3 Foundations

- 4.3.1 Foundations shall be of masonry, concrete or other acceptable materials, and designed to adequately support the loads imposed and provide a dry basement or crawl space. They shall be free of leaks and defective mortar joints or masonry. Foundation walls shall be waterproof and dampproof to prevent the entry of moisture or water into the basement, cellar or crawl space.
- 4.3.2 Every basement, cellar and crawl space in a dwelling or building shall be adequately drained, and adequately ventilated to the outside air.

### 4.4 Basement and Cellar Floors

- 4.4.1 Every basement and cellar shall have a floor of concrete, masonry or other impervious material and where a floor drain is necessary it shall be located at the lowest part of the said floor and connected to the storm sewer system, if

possible.

- 4.4.2 Basements, cellars or crawl spaces which are not served by a stairway leading from the building or from outside the building may have a dirt floor provided it is covered with a moisture proof covering.

#### 4.5 Dampness

- 4.5.1 The interior floors, ceiling and walls shall be kept free from dampness arising from the entrance of moisture through an exterior wall or a roof, or through a cellar, basement or crawl space floor.
- 4.5.2 The insulation requirements of the Ontario Building Code as amended from time to time, shall be complied with where necessary and practical.

#### 4.6 Exterior Walls

- 4.6.1 The exterior walls, and other parts of the building shall be free from loose, rotted, warped and broken materials and objects. Such materials and objects shall be removed or repaired.
- 4.6.2 All exterior surfaces shall be of materials which provide adequate protection from the weather.
- 4.6.3 The exterior walls and their components shall be adequate to support the loads upon them and shall have an acceptable cladding or covering, free of holes, cracks or excessively worn surfaces, to prevent the entry of moisture into the structure and provide reasonable durability and shall be so maintained by painting, restoring or repairing of the walls, coping or flashing and by the waterproofing of joints and of the walls themselves.
- 4.6.4 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.
- 4.6.5 Exterior walls of a dwelling and their components shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.

#### 4.7 Roof

- 4.7.1 All roof construction components shall provide adequate support for all probable loads, and form a suitable base for the roof covering. The roof including the fascia board, soffit, cornice and flashing shall be maintained in a watertight condition so as to prevent leakage of water into the building, and where necessary shall be maintained by the repair of the roof and flashing, or by applying waterproof coatings or coverings.
- 4.7.2 All roof construction components shall provide adequate support for all probable loads, and form a suitable base for the roof covering.
- 4.7.3 Dangerous accumulations of snow or ice or both shall be removed from the roof of a dwelling or building.

#### 4.8 Doors and Windows

- 4.8.1 Windows, doors, skylight, and basement or cellar hatchways shall be maintained in good repair, weather tight and reasonably draught-free, to prevent heat loss and infiltration by the elements. Maintenance includes painting, replacing damaged doors, frames and other components, window frames, sashes and casings, replacement of non-serviceable hardware and re-glazing where necessary. Where screening is provided on windows and doors it shall also be maintained in good repair.

4.8.2 All windows that are intended to be opened and all exterior doors shall have suitable hardware so as to allow locking or otherwise securing from inside the dwelling unit. At least one entrance door to a dwelling unit shall have suitable hardware so as to permit locking or securing from either inside or outside the building.

4.8.3 Every window in a leased dwelling unit that is located above the first storey of a multiple dwelling shall be equipped with an approval safety device that would prevent any part of the window from opening greater than would permit the passage of a 100mm diameter (3.9 inches) sphere. Such safety device shall not prevent the window from being fully opened during an emergency situation by an adult without the use of tools.

#### 4.9 Stairs, Porches and Balconies

4.9.1 Inside or outside stairs, balconies, porches or landings, shall be maintained so as to be free of holes, cracks and other defects which constitute accident hazards, existing stairs 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.

4.9.2 A guard shall be installed and maintained in good repair on the open side of any stairway ramp containing three (3) or more risers including the landing of height of 600 mm (24") between adjacent levels. A handrail shall be installed and maintained in good repair in all stairwells. Guardrails shall be installed and maintained in good repair around all landings, porches, balconies. Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

#### 4.10 Walls and Ceilings

4.10.1 Every walls and ceiling finish shall be maintained so as to be free of holes, cracks, loose coverings or other defects which would permit flame or excessive heat to enter the concealed space. Walls surrounding showers and bathtubs shall be impervious to water.

4.10.2 Where dwelling units are separated vertically, the dividing walls from the top of the footings to the underside of the roof deck, and any space between the top of the wall and the roof deck shall be tightly sealed by caulking, mineral wool or similar non-combustible material, and such walls shall conform to the fire resistance ratings contained in the Ontario Building Code.

#### 4.11 Floors

4.11.1 Every floor shall be smooth and level and be maintained so as to be free of all loose, warped, protruding, broken or rotted boards that might cause an accident and all defective floor boards shall be repaired or replaced.

4.11.2 Where floor boards have been covered with linoleum or some other covering that has become worn or torn so that it retains dirt or might cause an accident, the linoleum or other covering shall be repaired, replaced or removed.

4.11.3 Every floor in a bathroom, toilet room, kitchen, shower room and laundry room shall be maintained so as to be impervious to water and readily cleaned.

#### 4.12 Egress

4.12.1 Every required exit from a residential building shall open directly to a street or

outer court. In the case of a one family dwelling, there shall be at least two exits suitably remote from each other, from the first storey.

4.12.2 Every dwelling which contains dwelling units located other than on the ground floor shall be provided with a second means of egress.

4.12.3 In the case of a multiple dwelling, wherever there are not two means of egress from each apartment, suitably remote from each other, there shall be ready access to at least two means of egress leading to separate and independent exits.

4.12.4 A required exit shall not pass through an attached garage, or built-in garage or an enclosed part of another dwelling unit.

4.12.5 All Commercial, Institutional and Industrial building shall be provided with exits of size and number so as to be in compliance with the requirements of the Ontario Building Code, as amended from time to time for the appropriate group and division.

#### 4.13 Air Conditioners

4.13.1 All air conditioners shall be maintained in a safe mechanical and electrical condition and shall not adversely affect areas beyond the limits of the property by reason of noise or condensation drainage.

### SECTION 5

#### STANDARDS FOR USE AND OCCUPANCY OF BUILDINGS

##### 5.1 Cleanliness

5.1.1 Every floor, wall, ceiling and fixture in any building shall be maintained in a clean and sanitary condition, and the building shall be kept free from rubbish, debris or conditions which constitute a fire, accident or health hazard.

##### 5.2 Water

5.2.1 Every dwelling unit, commercial, institutional or industrial building shall be provided with an adequate supply of drinkable running water from a source approved by the Medical Officer of Health.

5.2.2 Every sink, washbasin, bathtub, or shower required by this by-law shall have an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 43 degrees celcius (110° f).

5.2.3 Adequate running water shall be supplied to every water closet.

##### 5.3 Plumbing

5.3.1 Sewage shall be discharged into the sewerage system or a system approved by the Eastern Ontario Health Unit.

5.3.2 All plumbing, drain pipes, water pipes and plumbing fixtures in every building and every connecting line to the sewage system shall be maintained in good working order and be protected from freezing.

5.3.3 The plumbing system shall provide satisfactory hot and cold water supply, drainage, venting and operation of fixtures.

5.3.4 Every water heater shall have sufficient capacity to provide an adequate supply of hot water at all times in all parts of every building, dwelling unit, or shared facility.

5.3.5 All plumbing fixtures and piping shall conform to all Federal and Provincial legislation and regulations and to Municipal By-laws.

#### 5.4 Toilet, Kitchen and Bathroom Facilities

5.4.1 Every dwelling unit except as provided in subsection 5.4.2 hereof, shall contain plumbing fixtures consisting of at least:

- (a) water closet,
- (b) a kitchen sink,
- (c) a washbasin,
- (d) a bathtub or shower

5.4.2 The occupants of not more than two dwelling units may share a water closet, washbasin and bathtub or shower, provided:

- (a) not more than a total of eight persons occupy both dwelling units,
- (b) access to the fixtures can be gained without going through rooms of another dwelling unit or outside the dwelling.

5.4.3 In a rooming house there shall be a water closet, washbasin and bathtub or shower for not more than eight persons and these facilities shall be located on the same storey as, or on the next storey up or down from the storey on which the room or dwelling unit is located.

5.4.4 Every Commercial, Institutional and Industrial building shall contain plumbing fixtures in accordance with the appropriate Provincial legislation.

5.4.5 All bathrooms and toilet rooms shall be located within and be accessible from within the building which it serves, unless otherwise approved by the Medical Officer of Health.

5.4.6 All bathrooms and toilet rooms shall be fully enclosed and have a door capable of being locked so as to provide privacy for the occupant.

5.4.7 Where practical a washbasin shall be located in the same room as the water closet.

5.4.8 No facilities for the preparation, cooking, storage or consumption of food or for sleeping shall be within a room that contains a toilet.

#### 5.5 Kitchens

5.5.1 Every kitchen area shall be equipped with a sink served with hot and cold running water, storage facilities and counter top work area and space shall be provided for a stove and a refrigerator.

5.5.2 The back splash and counter top around the kitchen sink shall have an impervious surface.

5.5.3 Every kitchen shall be provided with an adequate and approved gas or electrical supply for cooking purposes and there shall be at least 76 centimetres clear space above any exposed cooking surface.

#### 5.6 Garbage, Refuse Storage Rooms and Chutes

5.6.1 Where garbage, refuse storage rooms and chutes are provided they shall be in conformity with the Ontario Building Code as amended from time to time, and maintained in a clean and sanitary condition.

#### 5.7 Heating System

- 5.7.1 Every dwelling and/or dwelling units shall be provided with a suitable heating system capable of maintaining a room temperature of 21 degrees Celsius and not less than 16 degrees Celsius. In an unfinished basement or clear crawl spaces no heat is needed.
- 5.7.2 The heating system required by Section 5.7.1 shall be maintained in good condition so as to be capable of heating the dwelling safely to the standard.
- 5.7.3 No heating appliance or device shall be located closer than 60 centimetres to any combustible material unless protected, nor placed so as to impede the free movement of persons within the room where it is located.
- 5.7.4 A space that contains a heating unit shall have natural or mechanical means of supplying air in such quantities to provide adequate combustion.
- 5.7.5 Where a heating system, or part of it, or any auxiliary heating system, burns solid or liquid fuel, a space or receptacle for the storage of the fuel shall be provided and maintained in a convenient location and properly constructed so as to be free from fire or accident hazards.
- 5.7.6 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.
- 5.7.7 Every chimney, smoke pipe and flue shall be maintained so as to prevent gas from leaking into the dwelling.
- 5.7.8 All flues shall be kept clear of obstructions, all open joints shall be sealed and all broken and loose masonry shall be repaired.
- 5.7.9 Fireplaces and similar construction used or intended to be used for burning fuels in open fires shall be connected to an approved chimneys and shall be installed so as not to create a fire hazard to nearby or adjacent combustible materials structural members.
- 5.7.10 Auxiliary heaters shall not be used as a primary source of heat.
- 5.7.11 In multiple dwelling provided with a central heating system, the heating unit shall be located in a separate room having walls, ceilings and doors all of which shall have the appropriate fire resistance rating as required by the Ontario Building Code.
- 5.7.12 In all commercial, institutional or industrial buildings provided with a fuel fired appliance, the said fuel fired appliance shall be located in a separate room, having walls, ceiling, and doors, all of which have the appropriate fire resistance rating as required by the Ontario Building Code.
- 5.7.13 An adequate supply of fuel shall be available at all times.

## 5.8 Electrical Service

- 5.8.1 Electrical installations, including the service capacity of the installation and the number and distribution of circuits, shall conform to the Ontario Electrical Safety Code made pursuant to the Power Commission Act of Ontario, as amended from time to time.
- 5.8.2 Every habitable room, except for a kitchen, shall contain at least one electrical duplex convenience outlet. There shall be an additional duplex convenience outlet for each 9.3 square metres of floor area in excess of 11.1 square meters.

- 5.8.3 Every kitchen shall have at least two electrical duplex convenience outlets, which shall be on separate circuits. One such outlet shall be provided over the counter top work surface and one shall be provided at the refrigerator space. In addition, an outlet shall be provided in a dining area forming part of a kitchen.
- 5.8.4 Fuses or overload devices shall not exceed limits set by the Hydro Electric Power Commission of Ontario.
- 5.8.5 An electrical permanent light fixture shall be installed in every bathroom, toilet room, laundry room, furnace room, kitchen, hallway, basement, cellar and non-habitable work or storage room.
- 5.8.6 Extension cords shall not be permitted on a permanent basis.
- 5.8.7 The electrical wiring and all electrical fixtures located or used in any building shall be installed and maintained in good working order and in conformity with the regulations of the Hydro Electric Power Commission of Ontario, as amended.
- 5.8.8 The electrical wiring and all equipment and appliances shall be installed and maintained in good working order so as not to cause a fire or electrical shock or other hazard.

## 5.9 Light

- 5.9.1 Every habitable room, except for a kitchen, shall have a window or windows, skylights or translucent panels that face directly outside at least 15 centimetres above the adjoining finished grade with an unobstructed light transmitting area of not less than ten percent of the floor area of such rooms. The glass area of a sash door may be considered as a portion of the required window area.
- 5.9.2 Every public hall and stair in all buildings shall be illuminated at all times so as to provide safe passage.
- 5.9.3 Every stairway, halls, cellar and basement, and every laundry, furnace and non-habitable work room in a dwelling shall have a permanently installed artificial lighting fixture that shall be maintained in good working order.

## 5.10 Ventilation

- 5.10.1 Every habitable room in a dwelling unit, including kitchens, bathroom or toilet rooms, shall have openings for ventilation providing an unobstructed free flow of air of at least 0.28 square metres (3 sq. ft.), or an approved system of mechanical ventilation that would provide the adequate hourly air exchanges.
- 5.10.2 Openings for natural ventilation may be omitted from a kitchen, living room or living-dining room, basement, cellar and crawl space if mechanical ventilation is provided which changes the air once every hour.
- 5.10.3 All system of mechanical ventilation or air conditioning shall be maintained in good working order.
- 5.10.4 Every basement, cellar, and unheated crawl space shall be adequately vented to the outside air by means of screened windows which can be opened or by louvres with screened openings if no mechanical ventilation is provided.

## 5.11 Fire escapes, alarms and detectors

- 5.11.1 A listed 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 when sleeping accommodations are provided where a public corridor or exit serves not more than four dwelling units or individual leased sleeping rooms.

5.11.2 In addition to the provisions of subsection 5.11.1 hereof, in every dwelling unit in a building, a listed smoke alarm, approved by the Canadian Standards Association or Underwriters Laboratories of Canada, or detectors of the single station alarm type, audible within bedrooms when interconnecting doors are closed, shall be installed by the occupant between bedrooms or the sleeping area and the remainder of the dwelling unit, such as in a hallway or corridor serving such bedrooms or sleeping area. The products of combustion detector referred to shall;

( ) be equipped with visual or audio indication that they are in operating condition; and

( ) be mounted on the ceiling or on the wall between 15 and 30 centimeters (6 to 12 inches) below the ceiling

## SECTION 6

### OCCUPANCY STANDARDS FOR DWELLINGS

- 6.1 The number of occupants, residing on a permanent basis in a individual dwelling unit, shall not exceed one person for every nine square metres (97 sq. ft), of habitable floor area. For the purpose of computing habitable floor area, any area with the minimum ceiling height less than 2.1 metres (7 ft.) shall not be considered.
- 6.2 No room shall be used for sleeping purposes unless it has a minimum width of two metres (6.6 ft.), and no floor area of at least seven square metres (75 sq.ft.). A room used for sleeping purposes by two or more persons shall have a floor area of at least four square metres (43 sq.ft) per person.
- 6.3 Any basement, or portion thereof, used as a dwelling unit shall conform to the following requirements:
- (a) each habitable room shall comply with all the requirements set out in this By-law;
  - (b) floors and walls shall be constructed so as to be damp proof and impervious to water leakage;
  - (c) each habitable room shall be separated from service rooms by a suitable fire separation and approved under the Ontario building Code;
  - (d) access to each habitable room shall be gained without passage through a service room.

## SECTION 7

### VACANT LANDS AND BUILDINGS

- 7.1 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 where applicable.
- 7.2 VACANT LANDS
- 7.2.1 Vacant land shall be maintained to the standards set out in Section 3, subsection 3.02, of this By-Law.
- 7.2.2 Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent ponding of water.

### 7.3 VACANT BUILDINGS

- 7.3.1 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.
- 7.3.2 The owner or agent of a vacant building shall board up the building to the satisfaction of the Property Standards Officer by covering all openings through which entry may be obtained with at least 12.7 mm (0.5 inch) weatherproof sheet plywood securely fastened to the building and painted a colour compatible with the surrounding walls.

## SECTION 8

### ADMINISTRATION AND ENFORCEMENT

- 8.1 This By-Law shall apply to all property within the limits of the Township of Alfred and Plantagenet.

- 8.2 The imperial measurements contained in this By-Law are given for reference only.

### 8.3 OFFICERS

- 8.3.1 The Council of the municipality shall appoint a Property Standards Officers (s) to be responsible for the administration and enforcement of this By-Law.

### 8.4 PROPERTY STANDARDS COMMITTEE

- 8.4.1 Council shall appoint, by resolution no fewer than three (3) persons of the municipality to the Property Standards Committee for a term of office concurrent with Council.

- 8.4.2 Every person who initiates an appeal of an Order made under section 15.2 (2) of the Ontario Building Code Act, S.O. 1992, c23, shall submit a Notice of Appeal in the time frame and the manner as prescribed in section 15.3 (1) of the Act.

### 8.5 COMPLIANCE

- 8.5.1 The owner of any property which does not conform to the standards as set out in this By-Law shall repair and/or maintain said property to comply with the standards or the property shall be cleared of all buildings, structures, debris or refuse and left in a levelled and graded condition.

### 8.6 VALIDITY

- 8.6.1 If an article of this By-Law is for any reason held to be invalid, the remaining articles shall remain in effect until repealed.
- 8.6.2 Where a provision of this By-Law conflicts with the provision of another By-Law in force within the municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

### 8.7 TRANSITIONAL RULES

- 8.7.1 After the date of the passing of this By-Law, it shall not apply 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 municipality shall have been concluded.

8.8 ISSUANCE OF COMPLIANCE CERTIFICATE

- 8.8.1 Following the inspection of a property, the officer may, or upon request from the owner shall, issue to the owner a certificate of compliance if, in his opinion, the property is in compliance with the standards of this By-law.
- 8.8.2 If a certificate of compliance is issued at the request of the owner, the owner shall pay a fee of (\$50.00) fifty dollars.

SECTION 9

AUTHORITY

- 9.1 This By-law shall be read subject to The Building Code Act, S.O., 1992, c23, as amended from time to time, and whenever the provisions of this By-law conflict or are otherwise inconsistent with provisions of The Building Code Act, the provisions of The Building Code Act shall be deemed to be incorporated in this By-law.
- 9.2 That By-law 55-86 of the former Township of Alfred, By-law 354-87 of the former village of Alfred, By-law no.83-140 of the former Township of North Plantagenet, By-law no. 86-8 of former village of Plantagenet are hereby repealed.
- 9.3 This By-law shall come into force on the date it is passed by the Council of the Corporation of the Township of Alfred and Plantagenet.

Read a First, Second and Third time and finally passed this 9<sup>th</sup> day of July 2001.

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Mayor, Jean-Claude Trottier

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Clerk,