

Draft Property Standards By-law Huron-Kinloss

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 to establish a Property Standards Committee and for 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 Section 6.13 of the Official Plan of The County of Bruce includes provisions encouraging the establishment of minimum standards of maintenance and occupancy to conserve, sustain and protect existing and future development;

AND WHEREAS the Council of the Township of Huron-Kinloss 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, 1992, c.23 shall provide for the establishment of a Property Standards Committee;

NOW THEREFORE the Council of The Corporation of the Township of Huron-Kinloss enacts as follows:

1.1 Definitions

1.2 “Accessory Building”- means a detached building or structure, not used for human habitation that is subordinate to the primary use of the same property.

1.3 “Act” -means an enactment or stature of the Province of Ontario.

1.4 “Approved”- means acceptance by the Property Standards Officer.

1.5 “Basement” – shall mean that portion of a building which is partly below grade level and which has at least one-half of its height from floor to ceiling above grade.

1.6 “Building” - means any structure used or intended to be used for supporting or sheltering any use or occupancy

1.7 “Building Code” - means the Building Code Act, 1992, S.O. 1992 as amended and any regulations made under that Act;

1.8 “Chief Building Official” – shall mean the officer or employee of the Corporation having the statutory duty of enforcing the provisions of the Building By-law of the Corporation and the *Ontario Building Code Act*.

1.9 “Township” - shall mean The Corporation of the Township of Huron- Kinloss

1.10 “Code” - means a regulation of the Province of Ontario known,
a) with respect to matters relating to building, as the Building Code;
b) with respect to matters relating to electricity, as the Electrical Safety Code;
c) with respect to matters relating to fire, as the Fire Code; and
d) with respect to matters relating to plumbing, as the Plumbing Code.

1.11 “Committee” - means the Property Standards Committee for the Township of Huron-Kinloss.

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1.12 “Council” - shall mean the Council of the Township of Huron-Kinloss.

1.13 “Dwelling” - means a building, structure, mobile home or recreational vehicle with or without kitchen facilities or a part of such a building or structure, which is, or is intended to be used for the purpose of human habitation, and includes such a building, home or vehicle that would be or would be intended to be used for such purposes, except for its state of disrepair;

1.14 “Dwelling unit” – shall mean a room or group of rooms designed, occupied or intended to be occupied as an independent and separate housing unit, for one or more persons, providing kitchen and sanitary facilities and sleeping accommodations for the exclusive use of the occupants, and having a private entrance from the outside the building or from a common hallway or stairway inside the building.

1.15 “Exterior property area” - means the building lot excluding buildings

1.16 “Fence” –means any structure, wall or barrier, other than a building, erected at grade for the purpose of defining boundaries of property, separating open space, restricting ingress to or egress from property, providing security or protection to property or acting as a visual or acoustic screen.

1.17 “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.

1.18 “Ground cover” - means organic or non-organic material applied to prevent soil erosion such as concrete, flagstone, gravel, asphalt, grass or other landscaping.

1.19 “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.

1.20 “Habitable room” - means any room in a dwelling unit used or designed to be used for the purpose of living, sleeping, eating, cooking or preparation of food and without limiting the foregoing shall include den, library, sunroom or recreational room or any combination thereof;

1.21 “Non-habitable space” - means a bathroom, toilet room, water closet compartment, laundry, pantry, foyer, lobby, hall, corridor, stairway, passageway, closet, storage room, boiler room, furnace room, accessory space for service, maintenance or access within a building or a room or space which does not comply with the minimum standards for residential occupancy.

1.22 “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.

1.23 “Residential Property” – means any property that is used or designed for the use as domestic establishment in which one or more persons usually sleep and prepare and serve meals and include any lands and premises that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces and fences associated with the dwelling or its yard.

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1.24 “Occupant” - means any person or persons over the age of eighteen years in possession of the property.

1.25 “Owner” – includes the owner in trust, a mortgagee in possession, 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 his own account, or as agent or trustee of any other person, or who would receive the rent if the land and premises were let, and shall also include 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;

1.26 “Person” – means and includes any person, firm, partnership, corporation, company, association, or organization of any kind.

1.27 “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.

1.28 “Property Standards Officer” - means a Property Standards Officer who has been appointed by Council for the responsibility of administering and enforcing the provisions of this By-Law.

1.29 “Repair” - includes the provision of such facilities and the making of additions or alterations or the taking of such action as may be required so that the property shall conform to the standards established in this By-Law.

1.30 “Safe condition”- means a condition that does not pose or constitute an undue or unreasonable hazard or risk to life, limb or health of any person on or about the property, and includes a structurally sound condition.

1.31 “Sewage system” – means the Township of Huron-Kinloss system of storm sewers, sanitary sewers and combined sewers, or approved private sewage disposal system;

1.32 “Sign” - means any device or notice, including its structure and other component parts, which is used or capable of being used to identify, describe, illustrate advertise or direct attention to any person, business, service, commodity or use

1.33 “Snow disposal site” -means only those lands on which snow is placed after being brought to the lot from another lot, and shall not include areas to which snow is moved to one portion of a lot after being cleared from the rest of the lot.

1.34 “Snow storage site” -means that portion of lands being used for the storage of snow that has been moved to one portion of a lot after being cleared from another portion or portions of a lot.

1.35 “Vehicle” – includes a motor vehicle, trailer, boat, motorized snow vehicle or other mechanical power driven equipment.

1.36 “Waste”- means any debris, rubbish, refuse, sewage, effluent, discard, or garbage of a type arising from a residence, belonging to or associated with a house or use of a house or residential property and/or from industrial or commercial operations, or belonging to or associated with industry or commerce or industrial or commercial property, which for greater certainty includes all garbage, discarded material or things, broken or dismantled things, and

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materials or things exposed to the elements, deteriorating or decaying on a property due to exposure or the weather

1.37 "Yard" means the land other than publicly owned land 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.

2.1 General Standards for all Property

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.

2.2 Yards

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

- (a) rubbish, garbage, litter and waste;
- (b) injurious insects, termites, rodents, vermin and other pests; and any condition which may promote an infestation.
- (c) trees, bushes and hedges, including any branches or limbs thereof, which are dead, decayed or damaged, and brush;
- (d) noxious weeds pursuant to the Weed Control Act and any excessive growth of other weeds, grass and bushes;
- (e) wrecked, dismantled, inoperative, discarded or unlicensed vehicles, trailers, machinery or parts thereof, except in an establishment licensed or authorized to conduct a salvage, wrecking or repair business.
- (f) dilapidated or collapsed buildings or structures.
- (g) unprotected wells.

2.3 Surface Conditions

2.3.1 Surface conditions of yards shall be maintained so as:

- (a) to prevent ponding of stormwater;
- (b) to prevent instability or erosion of soil;
- (c) to prevent surface water run-off from entering basements;
- (d) not to exhibit an unsightly appearance;
- (e) to be kept free of garbage and refuse;
- (f) to be kept free of deep ruts and holes;
- (g) to provide for safe passage under normal use and weather conditions, day or night; and
- (h) not to create a nuisance to other property.

2.3 Unenclosed Porch – Balcony **[New]**

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2.3.1 Every unenclosed porch or unenclosed balcony, and every exterior and common area shall be kept free of garbage, waste, or appliances.

2.4 Snow Disposal – Storage [New]

2.4.1 A property owner shall cause any snow disposal site or a snow storage site on that property to be:

- a) maintained so as not to cause a hazard on the property; and
- b) maintained in such a manner and location on a property so as to prevent a hazard, flooding, erosion and other damage to neighbouring private or public lands.

2.5 Parking Areas, Walks and Driveways

2.5.1 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.

2.5.2 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.

2.5.3 All parking areas, walks and driveways shall not exhibit an unsightly appearance and shall be kept free of garbage and waste.

2.6 Accessory Buildings, Fences, and Other Structures

2.6.1 Accessory buildings, fences and other structures appurtenant to the Property shall be maintained in structurally sound condition and in good repair,

2.6.2 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 said structure are enhanced by the lack of such material

2.7 Garbage Disposal [New]

2.7.1 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.

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

2.7.3 Garbage storage areas shall be screened from public view.

2.8 Compost Heaps

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- 2.8.1 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 metre and 1.8 metres in height and is enclosed on all sides by concrete block, or lumber, or in a forty-five gallon container, a metal frame building with a concrete floor, or a commercial plastic or wood container designed for composting.

3.1 Exterior Property Areas

3.2 Structural Adequacy - Capacity

- 3.2.1 All repairs and maintenance of property required by the standards prescribed in this By-law shall be carried out in a manner accepted as good workmanship and with materials suitable and sufficient for the purpose.
- 3.2.2 Every part of a property shall be maintained in good repair and in a structurally sound condition so as:
- (a) to be capable of sustaining safely its own weight, and any additional load to which it may normally be subjected;
 - (b) to be capable of safely accommodating all normal structural movements without damage, decay or deterioration;
 - (c) to prevent the entry of moisture that would contribute to damage, fungus growth, decay or deterioration; and
 - (d) to be capable of safely and adequately performing its function subject to all reasonable serviceability requirements.

3.2 Foundation Walls – Basements

- 3.2.1 All foundation walls and the basement, cellar or crawl space floors shall be maintained in good repair and structurally sound.
- 3.2.2 Every basement, cellar and crawl space in a property shall be maintained in a reasonably condition so as to prevent the leakage of water into the building.

3.3 Exterior Walls - Surfaces - Cladding – Masonry

- 3.1.1 All exterior walls and surfaces of every building or structure shall be;
- (a) In good repair free from cracked or broken masonry units, defective or deteriorated wood or metal siding or trim, cracked, broken or loose stucco, loose or unsecured objects; and
 - (b) Shall be so maintained by the painting, restoring or repairing of the walls, coping or flashing, by the waterproofing of joints and the walls themselves, by the installation of or repairing of weathertight finishing, or the installation of termite shields, if required.
- 3.3.2 All exterior surfaces that have previously been covered with paint or other protective or decorative materials shall be maintained in good repair and the covering renewed when it becomes damaged or deteriorated.

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3.3.3 Every part of a building including the exterior shall be maintained in a structurally sound condition and so as to be capable of sustaining safely its own weight and any additional weight that may be put on it through normal use.

3.4 Doors – Windows – Cellar – Hatchways [New]

3.4.2 Windows, skylights, exterior doors and frames, basement or cellar hatchways, attic access doors including storm and screen doors and storm windows shall be maintained in good working order, good repair, in a safe condition and shall be of such construction so as to prevent the entrance of wind, snow or rain into the building and to minimize heat loss through infiltration.

3.4.3 At least one entrance door in every dwelling unit shall have hardware so as to be capable of being locked from inside and outside the dwelling unit.

3.4.4 All windows capable of being opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise secured from inside the building.

3.4.5 Where screening is provided on windows and doors, it shall be maintained in good repair to prevent the passage of insects.

3.5 Roof

3.5.1 Every roof, and all of its components shall be maintained in good repair and in a safe and structurally sound condition.

3.5.2 Without restricting the generality of this Section, such maintenance includes:

- (a) removal of loose, unsecured or rusted objects or materials;
- (b) removal of dangerous accumulations of snow or ice;
- (c) keeping roofs and chimneys in water-tight condition so as to prevent leakage of water into the building; and
- (d) keeping all roof-related structures upright unless specifically designed to be other than vertical.

3.6 Eaves Trough System – Metal Ducts – Flashing [New]

3.6.1 Every eaves trough, roof gutter, rainwater pipe, downspout and flashing shall be properly secured and be kept in good repair, free from obstructions and health hazards.

3.6.2 Metal eaves troughs, rainwater pipes, flashing and all exterior metal ducts shall be kept free from rust by application of a suitable protective material such as paint, and shall be renewed when necessary.

3.6.3 Every roof drainage shall be discharged onto the ground at least 1 metre (39 inches) from the building or structure, when it is physically possible to do so, providing that it does not adversely affect adjacent properties, or cause erosion.

3.7 Chimney Flues [New]

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- 3.7.1 Chimney, vent pipes, smoke stacks, flues, ducts and other similar equipment shall be constructed, installed and maintained free from obstruction and shall prevent:
- (a) entrance of smoke or gases into a building
 - (b) the heating of adjacent combustible materials, walls and structural members to unsafe temperatures; and
 - (c) fire, health or other hazards.

3.8 Garage – Carport **[New]**

- 3.8.1 The construction between an attached or built-in garage or carport and a dwelling unit shall provide an effective barrier to gas and exhaust fumes.
- 3.8.2 A door between an attached or built-in garage and a dwelling unit shall be tight-fitting and weather-stripped to provide an effective barrier against the passage of gases and exhaust fumes and shall be fitted with a self-closing device.
- 3.8.3 Garages and carports, including floors, shall be maintained in good repair and free from hazards.

4.1 Interior of Buildings, Structures and Dwellings **[New]**

4.2 Interior Structure – Columns – Beams **[New]**

- 4.2.1 In every building, all structural components, including but not limited to all joists, beams, studding, and roof rafters, shall be of sound material and adequate for the load to which they are subjected.

4.3 Walls – Ceilings **[New]**

- 4.3.1 Every interior surfaces and finishes of walls and ceilings shall be maintained:
- (a) in good repair, a surface which is reasonably smooth, clean, tight and easily cleaned
 - (b) free of holes, cracks, loose plaster or other material
 - (c) in a safe condition; and
 - (d) so as to possess the fire resistant properties required by the Building and Fire Codes.
- 4.3.2 In any bathroom the walls to a height of forty-two (42) inches above a bathtub equipped with a shower or six (6) feet above the floor of a shower stall, shall be maintained as to be impervious to water and readily cleaned.

4.4 Floors **[New]**

- 4.4.1 Every floor shall be smooth and level and maintained so as to be free of all loose, warped, protruding, broken or rotted boards that may create an unsafe condition or surface.
- 4.4.2 Every bathroom, kitchen, laundry and shower room shall have a floor covering impervious to water and be readily cleaned.

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4.5 Stairs – Handrails – Guards [New]

- 4.5.1 Every inside or outside stair and every porch or landing appurtenant to it shall be maintained so as to be free of holes, cracks and other defects which constitute accident hazards.
- 4.5.2 All handrails and balustrades, stairways, fire escapes, balconies, landings and porches and similar items shall be maintained in good repair so as to be free of holes and other defects which constitute accident hazards, shall be properly anchored so as to be kept in a safe and secured condition, shall be structurally sound for the loads imposed through their normal use and, if metal, shall be protected from rust or similar decay by a periodic application of paint.
- 4.5.3 Handrails shall be installed and maintained in good repair on all exterior stairs that have more than 3 risers and on all interior stairs within dwelling units that have more than 2 risers.

4.6 Elevators [New]

- 4.6.1 Elevating devices in a building, including all parts, lighting fixtures, lamps, elevator buttons, floor indicators and ventilation fans shall be maintained in good repair and operational.

4.6 Means of Egress

- 4.6.1 Every building, structure or dwelling unit shall have a safe, continuous and unobstructed passage from the interior to an exit or the outside of the building at street or grade level.
- 4.6.2 Exterior stairs and fire escapes shall be maintained in a safe state of repair and kept free of ice and snow.
- 4.6.3 The passage required as egress from one dwelling unit shall not pass through any other dwelling unit.
- 4.6.4 In every multi-residential dwelling where a security locking-and-release system has been provided in the front or rear lobby for the entrance into the multiple dwelling and that system is controlled from each dwelling unit, such system shall be maintained in good repair and in an operating condition.
- 4.6.5 Where a non-residential building contains dwelling units located at other than grade level, there shall be a secondary means of continuous and unobstructed egress from such dwelling units.
- 4.6.6 All means of egress within a non-residential property shall be maintained free from all obstructions or impediments.

4.7 Heating [New]

- 4.7.1 Every residential dwelling shall have heating equipment capable of maintaining a temperature of 21°Celsius (70 °Fahrenheit) and their components be installed, operational and maintained in good working order.

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- 4.7.2 No rental residential dwelling unit shall be equipped with portable heating equipment as the primary source of heat.
- 4.7.3 Solid fuel burning appliances shall conform to the standards as set out in the Building Code. Fireplaces and similar construction used or capable of being used for burning fuels in open fires shall be connected to approved chimneys and shall be installed so as not to create a fire hazard to nearby or adjacent combustible materials and structural members.
- 4.7.4 If heating equipment burns solid or liquid fuel, a storage place or receptacle for the fuel shall be provided in a safe place and maintained in a safe condition.
- 4.7.5 Fuel-burning equipment shall be vented to a flue by means of rigid connections leading to a chimney or a vent or flue. All flues shall be kept clear of obstructions
- 4.7.6 Every chimney, smoke pipe and flue shall be maintained so as to prevent gas from leaking into the building.

4.8 Electrical [New]

- 4.8.1 Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system. An adequate supply of electrical power shall be available in all occupied parts of every dwelling, dwelling unit and building.
- 4.8.2 The connection to the building and the system of circuits and outlets distributing the electrical supply within the building shall provide adequate capacity for the use of the building and such connections, circuits, wiring and outlets along with any fuses, circuit breakers and other appurtenances thereto shall be installed and maintained in good working order.
- 4.8.3 Extension cords are not permitted on a permanent basis.

4.9 Ventilation [New]

- 4.9.1 Ventilation shall be provided to and maintained and operated in all rooms and spaces within a building so as to prevent accumulations of heat, dust, fumes, gases, including carbon monoxide, vapours and other contaminants which may create a fire, explosion, toxic hazard or health hazard.
- 4.9.2 Every ventilation system shall be cleaned regularly and maintained in good working condition and good repair
- 4.9.3 When an exterior opening is used or required for ventilation and is not required to be protected by a door, window or similar closure, it shall be protected with screens.
- 4.9.4 An opening for natural ventilation may be omitted from a bathroom or toilet room where a system of mechanical ventilation has been provided.
- 4.9.5 Every basement, cellar, unheated crawl space and attic shall be vented and such vents shall be designed and maintained to prevent entry of snow, rain, rodents and insects:

4.10 Lighting [New]

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- 4.10.1 Every stairway, exterior exit and entrance doorway, bathroom, toilet room, kitchen, hall, cellar, basement, laundry, furnace room and non-habitable work room in a suite, dwelling unit or building shall have a permanently installed lighting fixture that shall be maintained in a safe condition and in good working order.
- 4.10.2 Lighting equipment shall be installed throughout every property to provide adequate illumination for the use of each space so as to provide safe passage.

4.11 Plumbing [New]

- 4.11.1 All plumbing, drain pipes, water pipes and plumbing fixtures in every building;
- (a) shall be connected to a sewage system through water seal traps,
 - (b) shall be maintained in good working order and good repair free from leaks and defects, and
 - (c) shall be maintained in a safe condition protected from freezing.
- 4.11.2 Plumbing systems on the property should be provided, installed and maintained in compliance with the respective requirements of any applicable Act or the Building Code.

4.12 Water Supply [New]

- 4.12.3 Every dwelling and every building to which water is available under pressure through piping shall be provided with:
- (a) adequate supply of hot water with a temperature range from 60 to 73.8 Celsius or 140 to 165 degrees Fahrenheit shall be provided and maintained in all dwelling units; and
 - (b) piping for hot and cold water connected to every kitchen fixture, every washbasin, bathtub, shower, sink and laundry area; and
 - (c) piping for cold water connected to every toilet and hose bib.

4.13 Sewage System [New]

- 4.13.1 Every plumbing fixture in every building shall discharge the water, liquids or sewage into drainage piping, which shall be connected to a municipal sewage system, or a system approved by the authority having jurisdiction and in accordance with all applicable law.
- 4.13.2 Sewage or organic waste shall not be discharged to the surface of the ground, but into a sewage system where such system exists. Where a sewage system does not exist, sewage or organic waste shall be disposed of in a manner according to the Ontario Building Code.
- 4.13.3 The land in the vicinity of a sewage system shall be maintained in a condition that will not cause damage to, or impair the functioning of the sewage system.

4.14 Vermin Control

- 4.14.1 Every property shall be maintained so as to be free from vermin and conditions that may promote an infestation at all times.

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5.1 Addition Requirement for Residential Occupancy [New]

5.2 Occupancy Standards [New]

- 5.1.1 A non-habitable room shall not be used as a habitable room
- 5.1.2 No kitchen shall be used as a bedroom.
- 5.1.3 No basement or portion thereof shall be used as a dwelling unit, unless it meets the following requirements:
 - (a) access to each habitable room shall be gained without passage through a furnace room, boiler room or storage room;
 - (b) each habitable room shall comply with all the requirements for ingress, egress,
 - (c) light, ventilation and ceiling height set out in this By-Law and the Building Code;
 - (d) floors and walls are constructed so as to be impervious to leakage of underground or surface run-off water

5.2 Toilet and Bathroom Facilities [New]

- 5.2.1 Every dwelling unit shall contain plumbing fixtures in good repair and in an operative condition, consisting of a minimum of one toilet, one sink, and one bathtub or shower
- 5.2.2 All bathrooms and toilet rooms shall be located within and accessible from within the dwelling unit.
- 5.2.3 All bathrooms and toilet rooms shall be fully enclosed and maintained so as to provide privacy for the occupant.
- 5.2.4 No toilet or urinal shall be located within a bedroom or a room that is used for the preparation, cooking, storing or consumption of food.

6.0 Non-Residential Property Standards

6.1 Yards

- 6.1.1 Every owner, and every occupant in that part of non-residential property that is occupied or controlled by the occupant, shall maintain to the standards as described in Part 2 of this By-law and:
 - (a) in a sanitary and safe condition, free from litter, refuse and waste including such litter and refuse as may be left by customers or other members of the general public and shall provide containers for the disposal of such litter or refuse;
 - (b) free from objects conditions which are health, fire or safety hazards; and
 - (c) free from rodents, insects or vermin.
- 6.1.2 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

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hazard or any unsightly condition and shall provide unconstructive access for emergency vehicles. Where conditions are such that a neat and orderly fashion is achieved but is still offensive to view, the offensive area shall be suitably enclosed by a solid wall or a painted board or metal fence not less than 1.8 metres (6 ft.) in height and maintained in good repair.

6.2 Means of Egress

- 6.2.1 All means of egress within a non-residential property shall be:
- (a) maintained free from all obstructions or impediments;
 - (b) provided with clear, unobstructed and readily visible exit signs, for every required exit; and
 - (c) provided with lighting facilities capable of illuminating the means of egress to
 - (d) ensure the safe passage of persons exiting the building.

6.3 Guardrails [New]

- 6.3.1 A guard shall be installed and maintained in good repair on the open side of any stairway or ramp containing three (3) or more risers including the landing or a height of 600 mm (24 inches) 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 and mezzanines.

6.4 Ventilation [New]

- 6.4.1 All non-residential properties shall be adequately ventilated by natural or mechanical means and with regard to the operations carried on therein, to ensure that persons within the property are not exposed to conditions deleterious to their health or safety.
- 6.4.2 Mechanical ventilating equipment and the supports for each equipment shall be maintained in good repair and in safe mechanical condition.

6.5 Lighting [New]

- 6.5.1 All non-residential establishments shall install and maintain sufficient windows, skylights, and lighting fixtures necessary for the safety of all persons attending the premises.

7.1 Vacant – Damaged – Demolition

7.2 Vacant Land

- 7.2.1 Vacant land shall be maintained to the standards as described in Part 2, of this By-Law.

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7.2.2 Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent ponding of water.

7.2 Vacant Building

7.2.1 If any building is unoccupied, the owner or the agent shall protect every such building against the risk of fire, accident, or other hazard and shall effectively prevent the entrance thereto of all unauthorized persons.

7.2.2 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.

7.2.3 If a building remains vacant for a period of more than ninety (90) days, the owner or agent thereof, shall ensure that all utilities serving the building are properly disconnected or otherwise and secure the building to prevent accidental or malicious damage to the building or adjacent property, but this provision shall not apply where such utilities are necessary for the safety or security of the building.

7.3 Damage by Fire – Storm – Other Causes [New]

7.3.1 In the event of fire or explosion, damaged or partially burned material shall be removed from the premises, except that such material may be temporarily stored within the barricaded damaged building or structure, provided that such storage does not exceed ninety (90) days.

7.3.2 Fire damaged buildings, or portions thereof, shall be repaired to their original condition or shall be demolished accordingly.

7.4 Demolish Building [New]

7.4.1 Where a building, accessory building, fence or other structure is demolished, the property shall be cleared of all rubbish, waste, refuse, masonry, lumber, wood, and other materials and left in a graded and leveled condition.

7.4.2 Where a building, accessory building, fence or other structure is being demolished, every precaution shall be taken to protect the adjoining property and members of the public. The precautions to be taken include the erection of fences, barricades, covered walkways for pedestrians and any other means of protection necessary for the protection of the adjoining property and members of the public.

8.1 Administration and Enforcement

8.2 This By-law shall apply to all property within the limits of the Township of Huron-Kinloss.

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

8.4 Non-Compliance

Draft Property Standards By-law Huron-Kinloss

- 8.4.1 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, waste or refuse and left in a levelled and graded condition.
- 8.4.2 Where any person fails to comply with an order issued, the Township Of Huron-Kinloss may cause the required work to be done at the cost of the person. The cost of such work may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes

8.4 Orders

- 8.4.1 Every Officer who finds that a property does not conform with any of the standards prescribed in this By-law, may make an order pursuant to the provisions of Section 15 of the Building Code Act.
- 8.4.2 An owner or occupant who has been served with an order made under subsection 15.2(2) and who is not satisfied with the terms or conditions of the order may appeal to the committee by sending a notice of appeal to the committee sending a notice by registered mail to the secretary of the committee within 14 days after being served with the order.
- 8.4.3 Every order shall be deemed confirmed where an appeal has been filed within the prescribed period.
- 8.4.4 Every person to whom an order is issued shall, where the order has been conformed, comply with the requirements and/or conditions of the order by the prescribed date.
- 8.4.5 Failure to comply with the requirements of the order shall constitute an offence pursuant to section 36 of the *Building Code Act, S.O. 1992, c.23, as amended*.
- 8.4.6 Where the owner fails to comply with the conditions of an order within the prescribed period, the Township and its agents may enter upon the property and take the actions necessary for compliance with the order.
- 8.4.7 All costs incurred by the Township under clause (6), may be recovered at taxes upon the property.

8.5 Officers

- 8.5.1 The Council of the Township of Huron-Kinloss shall appoint a Property Standards Officer(s) responsible for the administration and enforcement of this by-law.

8.6 Conflicts Between By-Laws – Standards – Regulations

- 8.6.1 Where a provision of this Chapter conflicts with the provisions of another By-Law, Act Regulation in force within the municipality, the provision, which establishes the higher standards to protect the health, safety and welfare of the occupants and the general public, shall prevail.

8.7 Validity

Draft Property Standards By-law Huron-Kinloss

8.7.1 If any provision or article of this By-Law is for any reason found to be invalid by a court of competent jurisdiction, the provision or article found to be invalid shall be severed from the Chapter and the remaining provisions or article shall remain in effect until repealed.

8.8 Penalty

8.8.1 An owner 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*, S.O. 1992, c.23, and is liable to a penalty or penalties as set out in Section 36 of that Act.

8.9 Severability

8.9.1 It is hereby declared that each and every of the foregoing provisions of this By-Law is severable and that, if any provisions 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 and every of the then remaining provisions hereof shall remain in full force and effect.

8.10 Transitional Rules

8.10.1 After the date of the passing this By-Law, By-Law No 99-124 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 municipality shall have been concluded.

9.0 Repeals

That By-Law Number 99-124, as well as any by-laws amending the same, are hereby repealed.

10.0 Force and effect

This by-law shall come into full force and effect upon final passage.

11.0 Citing

This by-law may be cited as the "Property Standards By-Law".

READ a FIRST and SECOND TIME this day of , 2018.

READ a THIRD TIME and FINALLY PASSED this day of , 2018

Mitch Twolan, Mayor

Emily Dance, Clerk