

# THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

## BY-LAW NO. 622-05

**Being a by-law prescribing standards for the maintenance and occupancy of all property within the Municipality and prohibiting the use of such property that does not conform to the standards; and for requiring any property to be repaired and maintained so as to comply with said standards.**

WHEREAS Section 15.1(3) of the Building Code Act, S.O. 1992, c.23, authorizes municipalities to enact by-laws prescribing standards for the maintenance and occupancy of all property within the municipality and prohibiting the use of such property that does not conform to the standards; and for requiring any property to be repaired and maintained so as to comply with said standards as described herein or to be cleared of all buildings and structures, rubbish, debris and the lands left in a graded and level condition;

AND WHEREAS The Corporation of the Municipality of Leamington has in effect an "Official Plan" that includes provisions relating to property standards as required by Section 15.1(3) of the Building Code Act, S.O. 1992, c.23.

NOW THEREFORE THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON BY ITS COUNCIL ENACTS THE FOLLOWING:

### PART 1

#### DEFINITIONS

In this By-law:

- 1.01 "Accessory Building" means a detached building or structure, not used for human habitation, that is subordinate to the primary use of the same property.
- 1.02 "Apartment Building" means a building containing more than four dwelling units with individual access from an internal corridor system.
- 1.03 "Approved" means acceptance by the Property Standards Officer.
- 1.04 "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.
- 1.05 "Building" means a structure used for or intended for supporting or sheltering any use or occupancy.
- 1.06 "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.
- 1.07 "Committee" means the Property Standards Appeal Committee.

- 1.08 “Dwelling” means a building, 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.
- 1.09 “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.
- 1.10 “First Storey” means that part of a building having a floor area closest to grade with a ceiling height of more than 1.8 meters (6 ft.) above grade.
- 1.11 “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 it.
- 1.12 “Habitable Room” means any room in a dwelling unit for or capable of being used for living, cooking, sleeping or eating purposes.
- 1.13 “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.
- 1.14 “Multiple Dwelling” means a building containing three or more dwelling units.
- 1.15 “Non-Habitable Room” means any room in a dwelling or dwelling unit other than a habitable room and includes a bathroom, a toilet room, laundry, pantry, lobby, corridor, stairway, closet, boiler room, or other space for service and maintenance of the dwelling 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.
- 1.16 “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 out buildings, fences or erections thereon or therein.
- 1.17 “Occupant” means any person or persons over the age of eighteen years in possession of the property.
- 1.18 “Officer” means a Property Standards Officer appointed by By-law and assigned the responsibility for enforcing and administering this By-law.
- 1.19 “Owner” means the person, for the time being, managing or receiving the rent of, or paying the municipal taxes on the land or premises, in connection with which the word is used, whether on his/her own account or as agent, trustee, or any other person who would so receive the rent if such land and premises were let, and shall also include a lessee or occupant of the property who under the terms of the lease is required to repair and maintain the property in accordance with the Standards of Maintenance and Occupancy of the property.
- 1.20 “Person” means an individual, firm, corporation, association or partnership.

- 1.21 “Property” means a building or a structure or part of a building or structure and includes the lands and premises appurtenant thereto and all mobile structures, outbuildings, fences and erections thereon, whether heretofore or hereafter erected and includes vacant property.
- 1.22 “Repair” means the provision of such facilities and the making of additions or alterations or the taking of such action as in restoring, renovating, mending as may be required so that the property shall conform to standards established in this by-law.
- 1.23 “Residential Property” means any property that is used or designed 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.
- 1.24 “Sewage System” means the municipal sanitary sewer system or a private sewage disposal system approved by the person appointed as an inspector under the Building Code Act, S.O. 1992, c.23.
- 1.25 “Standards” means the standards of the physical condition and of occupancy prescribed for property by this By-law.
- 1.26 “Toilet Room” means a room containing a water closet and a washbasin.
- 1.27 “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.

## PART II

### GENERAL STANDARDS FOR ALL PROPERTY

- 2.01 All repairs and maintenance of property shall be carried out with suitable and sufficient materials. All new construction or repairs shall conform to the Ontario Building Code, Ontario Fire Code and Fire Prevention and Protection Act, where applicable.

### YARDS

- 2.02 Every yard, including vacant lots shall be kept clean and free from:
- (1) rubbish and debris;
  - (2) objects or conditions that might create health, fire or accident hazard;
  - (3) 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;
  - (4) grass that exceeds a height of eight inches, brush, undergrowth and noxious weeds as defined by the Weed Control Act;
  - (5) dilapidated or collapsed structures;

- (6) partially constructed structures that are not currently under construction;
- (7) injurious insects, termites, rodents, vermin or other pests; and
- (8) dead, decayed or damaged trees or other natural growth.

### **SURFACE CONDITIONS**

2.03 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.

### **SEWAGE AND DRAINAGE**

2.04 Sewage shall be discharged into the sewage system.

2.05 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.

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

### **PARKING AREAS, WALKS AND DRIVEWAYS**

2.07 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.

2.08 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.

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

2.09 Accessory buildings, fences, greenhouses and other structures appurtenant to the property shall be maintained in structurally sound condition and in good repair.

- 2.10 Accessory buildings, fences, greenhouses 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.

### **GARBAGE DISPOSAL**

- 2.11 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.
- 2.12 All garbage, refuse, and ashes shall be promptly placed in the suitable container made available for removal in accordance with the Municipal Garbage By-law.
- 2.13 Garbage storage areas shall be screened from public view.

### **COMPOST HEAPS**

- 2.14 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 container, a metal frame building with a concrete floor, or a commercial plastic enclosed container designed for composting.

## **PART III**

### **RESIDENTIAL STANDARDS**

#### **GENERAL CONDITIONS**

- 3.01 Every tenant, or occupant or lessee of a residential property shall maintain the property or part thereof and the land that 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.
- 3.02 Accumulation or storage of garbage, refuse, appliances, or furniture in public hallways or stairways shall not be permitted.

#### **PEST PREVENTION**

- 3.03 Dwellings shall be kept free of rodents, vermin and insects at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the Pesticides Act.
- 3.04 Openings, excluding windows, that might permit the entry of rodents, insects, vermin or other pests shall be appropriately screened or sealed.

### **STRUCTURAL SOUNDNESS**

- 3.05 Every part of a dwelling 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 factor of safety required by the Ontario Building Code.
- 3.06 Walls, roofs, and other exterior parts of a building shall be free from loose or improperly secured objects or materials.

### **FOUNDATIONS**

- 3.07 Foundation walls of a dwelling shall be maintained so as to prevent the entrance of insects, rodents and excessive moisture. Maintenance includes the shoring of the walls to prevent settling, installing sub soil drains, when necessary, at the footings, grouting masonry cracks, waterproofing walls, joints, and floors.
- 3.08 Every dwelling, except for slab on grade construction, shall be supported by foundation walls or piers in compliance with the Ontario Building Code.

### **EXTERIOR WALLS**

- 3.09 Exterior walls of a dwelling and their components, including soffits, fascia, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco, and other defective cladding, or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.
- 3.10 Exterior walls of a dwelling and their components shall be free of inappropriate signs, painted slogans, graffiti and similar defacements.

### **WINDOWS AND DOORS**

- 3.11 Windows, doors, skylights and basement or cellar hatchways shall be maintained in good repair, weather tight and reasonably draught-free, to prevent heat loss and infiltration by 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.
- 3.12 In a dwelling unit 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 inside and outside the dwelling unit.
- 3.13 Solid core doors shall be provided for all entrances to dwellings and dwelling units.
- 3.14 In residential buildings where there is a voice communication unit working in conjunction with a security locking and release system controlling a particular entrance door and installed between individual dwelling units and a secured entrance area, the said system shall be maintained in good working order at all times.

- 3.15 Every window in a leased dwelling unit that is located above the first storey of a multiple dwelling shall be equipped with an approved safety device that would prevent any part of the window from opening greater than would permit the passage of a 100 mm 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.

### **ROOFS**

- 3.16 Roofs of dwellings and their components shall be maintained in a weather tight condition, free from loose or unsecured objects or materials.
- 3.17 Accumulations of ice or snow or both shall be promptly removed from the roofs of dwellings and accessory buildings.
- 3.18 Where eavestroughing and roof gutters are provided, it shall be kept in good repair, free from obstructions and properly secured to the building.

### **WALLS, CEILINGS AND FLOORS**

- 3.19 Every wall, ceiling and floor in a dwelling shall be maintained so as to provide a continuous surface free of holes, cracks, loose coverings or other defects. Walls surrounding showers and bathtubs shall be impervious to water.
- 3.20 Every floor in a dwelling shall be reasonably smooth, level, and maintained so as to be free of all loose, warped, protruding, broken, or rotted boards or other material that might cause an accident or allow the entrance of rodents and other vermin or insects.
- 3.21 Every floor in a bathroom, toilet room, kitchen, shower room, laundry room and kitchen shall be maintained so as to be impervious to water and readily cleaned.

### **STAIRS, PORCHES AND BALCONIES**

- 3.22 Inside and outside stairs, porches, balconies and landings shall be maintained so as to be free of holes, cracks, and other defects, which may constitute accident hazards. Existing stair treads or risers that show excessive wear or are broken, warped or loose and any supporting structural members that are rotted or deteriorated shall be repaired or replaced.

### **GUARDS AND HANDRAILS**

- 3.23 Guards and handrails shall be installed and maintained in good repair around all landings, porches, decks, stairs and balconies where there is a difference in elevation between the adjacent ground level and the stair or ramp exceed 600 mm (24 inches).
- 3.24 Handrails are to be installed and maintained in good repair in all stairwells.
- 3.25 Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

**KITCHENS**

- 3.26 Every dwelling shall contain a kitchen area equipped with:
- (a) a sink that is served with hot and cold running water and is surrounded by surfaces impervious to grease and water;
  - (b) suitable storage area of not less than 0.23 cubic meters (8 cubic feet);
  - (c) a counter or work area at least 0.61m (2 feet) in width by 1.22 m (4 feet) in length, exclusive of the sink, and covered with a material that is imperious to moisture and grease and is easily cleanable; and
  - (d) a space provided for cooking and refrigeration appliances including the suitable electrical or gas connection.

**TOILETS AND BATHROOM FACILITIES**

- 3.27 Every dwelling unit shall contain a bathroom consisting of at least one fully operational water closet, washbasin, and a bathtub or suitable shower unit. Every washbasin and bathtub or shower shall have an adequate supply of hot and cold running water. Every water closet shall have a suitable supply of running water.
- 3.28 Every required bathroom or toilet room shall be accessible from within the dwelling unit and shall be fully enclosed and provided with a door capable of being locked so as to allow privacy for the persons using said room.
- 3.29 Where toilet or bathroom facilities are shared by occupants of residential accommodation, other than self-contained dwelling units, an appropriate entrance shall be provided from a common passageway, hallway, corridor or other common space to the room or rooms containing the said facilities.

**PLUMBING**

- 3.30 Every dwelling unit shall contain at least one water closet, one washbasin, a bathtub or shower, and one kitchen sink. All appropriate plumbing fixtures shall be provided with an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 43 degrees Celsius (110° F).
- 3.31 Every dwelling unit shall be provided with an adequate supply of potable running water from a source approved by the Medical Officer of Health.
- 3.32 All plumbing, including drains, water supply pipes, water closets and other plumbing fixtures shall be maintained in good working condition free of leaks and defects and all water pipes and appurtenances there to shall be protected from freezing.
- 3.33 All plumbing fixtures shall be connected to the sewage system through water seal traps.



- 3.34 Every fixture shall be of such materials, construction and design as will ensure that the exposed surface of all parts are hard, smooth, impervious to hot and cold water, readily accessible for cleansing and free from blemishes, cracks, stains, or other defects that may harbour germs or impede thorough cleansing.

### **ELECTRICAL SERVICE**

- 3.35 Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system.
- 3.36 The electrical wiring, fixtures, switches, receptacles, and appliances located or used in dwellings, dwelling units and accessory buildings shall be installed and maintained in good working order so as not to cause fire or electrical shock hazards. All electrical services shall conform to the regulations established by Part VIII of the Electricity Act, 1998 as amended.
- 3.37 Every habitable room in a dwelling shall have at least one electrical duplex outlet for each 11.1 square meter (120 sq. ft.) of floor space and for each additional 9.3 square meters (100 sq. ft.) of floor area a second duplex outlet shall be provided. Extension cords shall not be used on a permanent basis.
- 3.38 Every bathroom, toilet room, kitchen, laundry room, furnace room, basement cellar and non-habitable work or storage room shall be provided with a permanent light fixture.
- 3.39 Lighting fixtures and appliances installed throughout a residential building, including a dwelling unit, stairways, corridors, passageways and basements, shall provide sufficient illumination so as to avoid health or accident hazards in normal use.

### **HEATING, HEATING SYSTEMS, CHIMNEYS AND VENTS**

- 3.40 Every dwelling and building containing a residential dwelling unit shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 degrees Celsius (70°F) in the occupied dwelling units. The heating system shall be maintained in good working condition so as to be capable of safely heating the individual dwelling units to the required standards.
- 3.41 All fuel burning appliances, equipment, and accessories in a dwelling shall be installed and maintained to the standards provided by the Energy Act, as amended or other applicable legislation.
- 3.42 Where a heating system or part thereof that requires solid or liquid fuel to operate a place or receptacle for such fuel shall be provided and maintained in a safe condition and in a convenient location so as to be free from fire or accident hazard.
- 3.43 Every dwelling shall be so constructed or otherwise separated to prevent the passage of smoke, fumes, and gases from that part of the dwelling that is not used, designed or intended to be used for human habitation into other parts of the dwelling used for habitation. Such separations shall conform to the Ontario Building Code.
- 3.44 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.

- 3.45 Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good repair so as to prevent the escape of smoke, fumes or gases from entering a dwelling unit. Maintenance includes the removal of all obstructions, sealing open joints, and the repair of loose or broken masonry units.
- 3.46 Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good condition so as to prevent the heating of adjacent combustible material or structural members to unsafe temperatures.

### **FIRE ESCAPES, ALARMS AND DETECTORS**

- 3.47 Buildings using a fire escape, as a secondary means of egress shall have the escape in good condition, free from obstructions and easily reached through a window or door that opens.

### **EGRESS**

- 3.48 Every dwelling and each dwelling unit contained therein shall have a safe, continuous and unobstructed passage from the interior of the dwelling and the dwelling unit to the outside at street or grade level.

### **NATURAL LIGHT**

- 3.49 Every living room and dining room shall have a window or windows facing directly or indirectly to an outside space and admits as much natural light equal to not less than 5 percent of the floor area served.
- 3.50 Every bedroom shall have a window or windows facing directly or indirectly to an outside space admitting as much natural light equal to not less than 2.5 percent of the floor area served.
- 3.51 Every kitchen shall have a window or windows facing directly or indirectly to an outside space admitting as much natural light equal to not less than 5 percent of the floor area service, except when there is electrical lighting provided.
- 3.52 Every laundry, basement recreation room or an unfinished basement shall have a window or windows facing directly or indirectly to an outside space and admits as much natural light equal to 4 percent of the area served, except when there is electrical lighting provided.

### **VENTILATION**

- 3.53 Every habitable room in a dwelling unit, including kitchens, bathrooms or toilet rooms, shall have openings for ventilation providing an unobstructed free flow of air of at least 0.28 square meters (3 sq. ft.), or an approved system of mechanical ventilation such that provide hourly air exchanges.
- 3.54 All systems of mechanical ventilation shall be maintained in good working order.

**OCCUPANCY STANDARDS**

- 3.55 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 the fuel fired heating unit or other similarly hazardous equipment 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 furnace room, boiler room, or storage room.

**PART IV**

**VACANT LANDS AND BUILDINGS**

- 4.01 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.

**VACANT LANDS**

- 4.02 Vacant land shall be maintained to the standards as described in Part II Article 2.02 of this By-law.
- 4.03 Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent ponding of water.

**VACANT BUILDINGS**

- 4.04 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.
- 4.05 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 painted a colour compatible with the surrounding walls and securely fastened.

**PART V**

**NON-RESIDENTIAL PROPERTY STANDARDS**

- 5.01 All repairs and maintenance of property shall be carried out with suitable and sufficient materials. All new construction or repairs shall conform to the Ontario Building Code where applicable.

## **YARDS**

- 5.02 The yards of non-residential property shall be maintained to the standards as described in Part II article 2.02 of this By-law.
- 5.03 The warehousing or storage of material or operative equipment that is required for the continuing operation of the industrial or commercial aspect of the property shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard or any unsightly condition and shall provide unobstructed 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 meters (6 ft.) in height and maintained in good repair.

## **PARKING AREAS AND DRIVEWAYS**

- 5.04 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. Notwithstanding the foregoing, non-residential properties, which abut residential properties, all areas used for vehicular traffic and parking shall have surface covering of asphalt, or similar hard surface.
- 5.05 All areas used for vehicular traffic, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions.

## **STRUCTURAL SOUNDNESS**

- 5.06 Every part of a building structure shall be maintained in a 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 factor of safety required by the Ontario Building Code. Structural members or materials that have been damaged or indicate evidence of deterioration shall be repaired or replaced.
- 5.07 Walls, roofs, and other exterior parts of a building or structure shall be free from loose or improperly secured objects or materials.

## **EXTERIOR WALLS**

- 5.08 Exterior walls of a building or a structure and their components, including soffits, fascia, window and doors, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco, and other defective cladding, or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects, or other damage.
- 5.09 Exterior walls of a building or a structure and their components, shall be free of inappropriate signs, painted slogans, graffiti and similar defacements.

## **GUARDS AND HANDRAILS**

- 5.10 Guards and handrails shall be installed and maintained in good repair around all landings, porches, decks, stairs and balconies where there is a difference in elevation between the adjacent ground level and the stair or ramp exceeds 600 mm (24 inches).

- 5.11 Handrails are to be installed and maintained in good repair in all stairwells.
- 5.12 Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

## PART VI

### ADMINISTRATION AND ENFORCEMENT

- 6.01 This By-law shall apply to all property within the limits of the municipality.
- 6.02 The imperial measurements contained in this By-law are given for reference only.

#### OFFICERS

- 6.03 The council of the municipality shall assign a Property Standards Officer(s) responsible for the administration and enforcement of this By-law.

#### PROPERTY STANDARDS COMMITTEE

- 6.04 The Council of the Municipality shall, by by-law or resolution, appoint three members to the Property Standards Committee for a term of office concurrent with Council and determine the appropriate compensation that each member of the Committee shall receive.
- 6.05 When the owner or occupant upon whom an Order has been served in accordance with Article 6.06 is not satisfied with the terms or conditions of the Order, he/she may appeal to the Committee by sending a Notice of Appeal by registered mail to the Secretary of the Committee, within fourteen days after service of the Order. In the event that no appeal is taken, the order shall be deemed confirmed.
- 6.06 Where an appeal has been taken, the Committee shall hear the appeal and shall have all the authority and functions of the Officer and may confirm, modify, or quash the Order, or may extend the time period for compliance provided that, in the opinion of the Committee, the general intent of the By-law and the Official Plan or policy statement are maintained.

#### COMPLIANCE

- 6.07 All owners or occupants of a property shall comply with the standards prescribed in this by-law and any Property Standards Order as confirmed or modified.
- 6.08 All property within the municipality that does not conform with the standards contained in this by-law shall be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition.

#### VALIDITY

- 6.09 If an article of this By-law is for any reason held to be invalid, the remaining articles shall remain in effect until repealed.

- 6.10 Where a provision of this By-law conflict 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.
- 6.11 This By-law may be referred to as “The Property Standards By-law”.
- 6.12 That By-law 49-99 is hereby repealed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY ENACTED THIS 8<sup>th</sup> DAY OF AUGUST, 2005.**

Signature on file

\_\_\_\_\_  
JOHN ADAMS, Mayor

Signature on file

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BRIAN R. SWEET, Clerk