

**THE CORPORATION OF THE TOWNSHIP OF CRAMAHE
BY-LAW NO. 03-10**

Being a By-Law To Provide Standards of Maintenance and Occupancy for all Property in the Corporation of the Township of Cramahe.

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 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 Corporation of the Township of Cramahe ENACTS AS FOLLOWS:

PART I DEFINITIONS:

In this By-Law:

1.01 "Accessory Building" means a detached building or structure, not used for human habitation, which 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 "Appliance" means a piece of equipment, instrument or device designed for a particular use operated by soil, gas or electrical current.

1.04 "Approved" means acceptance by the Property Standards Officer.

1.05 "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 below the average exterior finished grade.

1.06 "Building" means any structure used or intended for supporting or sheltering any use or occupancy.

1.07 "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.

1.08 "Derelict Motor Vehicle" means any vehicle (except farm machinery in a zone that permits agricultural) which is dismantled or has been in a state of neglect and disrepair for at least 30 (thirty) days, and which is not enclosed within a garage or carport.

1.09 "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.

1.10 "Dwelling Unit" means a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons as supporting general living conditions usually including cooking, eating, sleeping, and sanitary facilities.

1.11 "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 (6ft.) above grade.

1.12 "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.

1.13 "Habitable Room" means any room in a dwelling unit used for or capable of being used for living, cooking, sleeping or eating purposes.

1.14 "Local Health Authority" means the Haliburton Kawartha Pine Ridge District Health Unit.

1.15 "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 public thoroughfares or an approved area of refuge usually located outside the building.

1.16 "Medical Officer of Health" means the Medical Officer of Health of the County of Northumberland.

1.17 "Multiple Dwelling" means a building containing three or more dwelling units.

1.18 "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, closed, 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.

1.19 "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.

1.20 "Person" means an individual, firm, corporation, association or partnership.

1.21 "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 building that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces, and fences associated with the dwelling or its yard.

1.22 "Standards" means the standards of the physical condition and of occupancy prescribed for property by this By-Law.

1.23 "Yard" means the land other than publicly owned land around or appurtenant to the whole or 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 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 the Fire Prevention Act where applicable.

YARDS:

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

- (1) rubbish or debris and objects or condition that may create a health, fire, or accident hazard;
- (2) wrecked, dismantled, discarded or abandoned machinery, any derelict motor vehicle which is not operated or which is not licensed with a currently validated licence plate pursuant to the provisions of the Highway Traffic Act, trailers or boats unless it is necessary for the operation of a business enterprise lawfully situated on the property, but this shall not prevent the occupant of any premises from repairing a vehicle for his own use and not for commercial purposes while such repair is actively carried out;
- (3) long grass, brush, undergrowth and noxious weeds as defined by the Weed Control Act;
- (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

SURFACE CONDITIONS:

2.03 Surface conditions of yards shall be maintained so as to:

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

SEWAGE AND DRAINAGE:

2.04 Sewage of organic waste shall be discarded into a sewage system where such a system exists, where a sewage system does not exist, sewage or organic waste shall be disposed of in a manner acceptable to the local Health Authorities.

2.05 Sewage of any kind shall not be discharged onto the surface of the ground, whether into a natural or artificial 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 and other structures appurtenant to the property shall be maintained in structurally sound condition and in good repair.

2.10 Accessory buildings, fences, and other structures shall be kept in good repair and free from fire, health or accident nature and shall be protected from deterioration by the application of appropriate weather resistant material 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 a suitable container and made available for removal in accordance with the Municipal Garbage Collection By-Law where applicable.

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 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 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 Every tenant, or occupant or lessee of a residential 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.

3.03 Accumulations or storage of garbage, refuse, appliances, or furniture in a means of egress shall not be permitted.

PEST PREVENTION:

3.04 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.

3.05 Openings, including windows, that might permit the entry of rodents, insects, vermin or other pests shall be appropriately screened or sealed.

STRUCTURAL SOUNDNESS:

3.06 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 level of safety as required by the Ontario Building Code.

3.07 Walls, roofs, and other exterior parts of a building shall be free from loose or improperly secured objects or materials.

FOUNDATIONS:

3.08 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, where necessary, at the footings, grouting masonry cracks, damp proofing and waterproofing walls, joints and floors.

3.09 Every dwelling, except for slab on grade construction, shall be supported by foundation wall or piers that extend below the frost line, or to solid rock.

EXTERIOR WALLS:

3.10 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.

3.11 Exterior walls of a dwelling and their components shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.

WINDOWS AND DOORS:

3.12 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 reglazing where necessary. Where screening is provided on windows and doors it shall be maintained in good repair.

3.13 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 either inside or outside the dwelling unit.

3.14 Solid core doors, insulated metal doors or combination exterior type door and screen door shall be provided for all entrances to dwellings. Solid core doors shall be provided for all entrances to dwelling units and approved door closure as required by the Ontario Building Code.

3.15 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 areas, the said system shall be maintained in good working order at all times.

3.16 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:

3.17 Roofs of dwellings and their components shall be maintained in a weather tight condition, free from loose or unsecured objects or materials.

3.18 The roofs of dwellings and accessory buildings shall be kept clear of accumulations of ice or snow or both.

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

WALLS, CEILINGS AND FLOORS:

3.20 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.

3.21 Every floor in a dwelling shall be reasonably smooth and 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.

3.22 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.

STAIRS, PORCHES AND BALCONIES:

3.23 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.

GUARDRAILS:

3.24 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") 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, and balconies. Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

KITCHENS:

3.25 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 weather;

b) suitable storage area of not less than 0.23 cubic metres (8 cubic feet);

c) a counter or work area at least 610 mm (2 ft) in width by 1,220 mm (4 ft) in length, exclusive of the sink, and covered with a material that is impervious to moisture and grease and is easily cleanable; and

d) a space provided for cooking and refrigeration appliances including the suitable electrical or gas connections.

TOILET AND BATHROOM FACILITIES:

3.26 Every dwelling unit shall contain a bathroom consisting of at least one fully operation 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 suitable supply of running water.

3.27 Every required bathroom or toilet room shall be accessible from within the dwelling unit shall be fully enclosed and provided with a door capable of being locked so as to allow privacy for the persons using said room.

3.28 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:

3.29 Each washbasin, a bathtub or shower, and one kitchen sink shall be equipped 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 (110F).

3.30 Every dwelling unit shall be provided with an adequate supply of potable running water from a source approved by the Medical Officer of Health.

3.31 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 thereto shall be protected from freezing.

3.32 All plumbing fixtures shall be connected to the sewerage system through water seal traps.

3.33 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:

3.34 Every dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system.

3.35 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 the Power Corporation Act, as amended.

3.36 Every habitable room in a dwelling shall have at least one electrical duplex outlet for each 11.1 square metres (120 sq. ft.) of floor space and for each additional 9.3 square metres (100 sq. ft.) of a floor area, a second duplex outlet shall be provided. Extension cords shall not be used on a permanent basis.

3.37 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.

3.38 Lighting fixtures and appliances installed throughout a dwelling unit, including hallways, stairways, corridors, passageways, garages and basements, shall provide sufficient illumination so as to avoid health or accident hazards in normal use.

HEATING, HEATING SYSTEMS, CHIMNEYS AND VENTS:

3.39 Every dwelling and building containing a residential dwelling unit or units shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 degrees Celsius (70F) 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 unit to the required standard.

3.40 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.

3.41 Where a heating system or part thereof that requires solid or liquid fuel to operate, a place or receptacle for such fuel to operate, a place or receptacle for such fuel shall be provided and maintained in a safe condition in a convenient location so as to be free from fire or accident hazard.

3.42 Every dwelling shall be so constructed or otherwise separated to prevent the passage of smoke, fumes and gasses 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 separation shall conform to the Ontario Building Code.

3.43 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.

3.44 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.

3.45 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.

3.47 Every dwelling or dwelling unit shall be insulated to minimize heat loss in accordance with the provisions of the Ontario Building Code.

FIRE ESCAPES, ALARMS AND DETECTORS:

3.48 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 where sleeping accommodations are provided for more than ten (10) persons, except that such systems need not be provided where a public corridor or exit serves not more than four (4) dwelling units or individual leased sleeping rooms.

3.49 In addition to the provisions of Article 3.47 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 intervening 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 shall be:

- a) equipped with visual or audio indication that they are in operating conditions;
- b) mounted on the ceiling or on a wall between 152.4 and 304.8 mm (6 to 12 inches) below the ceiling.

3.50 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 an openable window or door.

EGRESS:

3.51 Every dwelling or dwelling unit shall have two (2) means of egress.

3.52 Each dwelling containing more than one dwelling unit shall have at least two (2) exits, both of which may be common or the one of which may be common and the other may be an exterior stair or fire escape. Access to the stairs or fire escape shall be from corridors through doors at floor level, except access from a dwelling unit may be through a vertically mounted casement window having an unobstructed opening of not less than 1,067 by 559 mm, (42 x 22 inches) with a sill height of not more than 914 mm, (36 inches), above the inside floor. A single exit is permitted from a dwelling unit where the path or egress is through an exterior door located at or near ground level and access to such exit is not through a room not under the immediate control of the occupants dwelling unit.

3.53 All required means of egress shall be maintained so as to permit safe continuous and unobstructed passage at all times.

NATURAL LIGHT:

3.54 Every habitable room except a kitchen, bathroom or toilet room shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space and admits as much natural light equal to not less than ten percent of the floor area for living and dining rooms and five percent of the floor area for bedrooms and other finished rooms.

VENTILATION:

3.55 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 metres (3 sq. ft.) or an approved system of mechanical ventilation such that provide hourly air exchanges.

3.56 All system of mechanical ventilation shall be maintained in good working order.

3.57 All enclosed areas including basements, cellars, crawl spaces and attics or roof spaces shall be adequately ventilated.

ELEVATING DEVICES:

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

DISCONNECTED UTILITIES:

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

OCCUPANCY STANDARDS:

3.60 The number of occupants, residing on a permanent basis in an individual dwelling unit, shall not exceed one person for every 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.

3.61 No room shall be used for sleeping purposes unless it has a minimum width of two metres (6.6 ft.) and a 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 foursquare metres (43 sq. ft.) per person.

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 wall shall be constructed so as to be damp proof an 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.

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 waters.

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 securely fastened to the building and painted a colour compatible with the surrounding walls.

PART V NON-RESIDENTIAL PROPERTY STANDARDS

5.01 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.

YARDS:

5.02 The yards of non-residential property shall be maintained to the standards as description 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 unobstructive 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 suitable enclosed by a solid wall or painted board or metal fence not less than 1.8 metres (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.

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, have a level 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 of improperly secured objects or materials.

EXTERIOR WALLS:

5.08 Exterior walls of a building or a structure and their components, including soffits, fascia, windows and doors, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco, and other defective cladding or trim. Paint or some other suitable preservative or coating 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 unauthorized signs, painted slogans, graffiti and similar defacements.

GUARDRAILS:

5.10 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") 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, and balconies. Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

LIGHTING:

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

PART VI ADMINISTRATION AND ENFORCEMENT

6.01 This By-Law shall apply to all property within 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 appoint a Property Standards Officer(s) to be responsible for the administration and enforcement of this By-Law.

NOTICE OF VIOLATION

6.04 If, after an inspection, the Officer is satisfied that in any respect the property does not conform to the standards prescribed in this by-law, he shall serve or cause to be served by personal service upon or send by prepaid registered mail to the owner of the property an Informal Notice containing the particulars of the non-conformity, and may at that time provide all occupants with a copy of such notice. Attached hereto and marked Schedule "A" and forming part of this by-law is a copy of an Informal Notice which may be amended from time to time. The officer may also at that time set up a meeting with the property owner to take place on site to discuss what actions may be carried out.

6.05 Where a re-inspection has taken place after the issuing of an Informal Notice has taken place and the Officer is satisfied in any respect that the property still does not conform to the standards prescribed in this By-Law, the Officer shall serve or cause to be served by personal service upon or send by prepaid registered mail to the owner of the property an Order containing:

- a) The municipal address or legal description of the property.
- b) Reasonable particulars of the repairs to be effected or a statement that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition and the period in which there must be compliance with the terms and conditions of the order and the notice that, if such repairs or clearance are not done within the time specified in the order, the Municipality may carry out the repairs or clearance at the expense of the owner.
- c) The final date for giving notice of appeal from that order

An Order may be registered in the property registry of land titles office and upon such registration, any person acquiring any interest in the land subsequent to the registration of the order shall be deemed to have been served and when requirements of the order have been satisfied, the Clerk of the Municipality shall forthwith register in the proper registry or land titles office a certificate that such requirements have been satisfied, which shall discharge such Order.

Attached hereto and marked Schedule "B" and forming part of this By-Law is a copy of an Order, which may be amended from time to time.

PROPERTY STANDARDS COMMITTEE:

6.06 Council shall appoint at large, by a Resolution, (or By-Law) of Council no fewer than three (3) persons of the Municipality to the Property Standards Committee for a term of office concurrent with Council.

RIGHT TO APPEAL

6.07 When an owner or occupant upon whom an Order has been served in accordance with the provisions of this By-Law is not satisfied with the terms or conditions of the Order, he may appeal by registered mail to the Secretary of the Committee within 14 days after service of the order, and in the event that no appeal is taken, the Order shall be deemed to have been confirmed. The fee for an appeal is \$250.00 and must accompany the original request for an appeal. This fee is refundable if the appellant is successful.

6.08 When the Secretary of the Committee receives a notice of appeal, a date, time and place for the hearing of the appeal shall be set to take place not less than seven (7) days and not more than thirty (30) days from the date of receipt of the foresaid notice and notice shall be given in writing of said details to the appellant.

6.09 If an appeal is taken, the committee shall hear the appeal and shall have all the powers and functions of the officer who made the order and may confirm, modify or rescind the order to demolish or repair or extend the time for complying with the order if, in the committee's opinion, the general intent and purpose of the by-law and of the official plan or policy statement are maintained. The Committee shall give a copy of its written decision to the appellant.

6.10 The municipality in which the property is situate or any owner or occupant or person affected by a decision of the Committee may appeal to the Superior Court of Justice by notifying the clerk of the municipality in writing and by applying to the court within 14 days after a copy of the decision is sent. The Superior Court of Justice shall appoint, in writing, a time and place for the hearing of the appeal and may direct in the appointment the manner in which and the persons upon whom the appointment is to be served. On the appeal, the judge has the same powers and functions as the committee. An order that is deemed to be confirmed under subsection or that is confirmed or modified by the committee or a judge, as the case may be, shall be final and binding upon the owner and occupant who shall carry out the repair or demolition within the time and in the manner specified in the order.

COMPLIANCE:

6.11 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 may be cleared of all buildings, structures, debris or refuse and left in a leveled and graded condition.

VALIDITY:

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

6.13 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.

TRANSITIONAL RULES:

6.14 After the date of the passing this By-Law, By-Law No. 03-10, 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 proceeding with respect to such Order, including any demolitions, clearance, or repair carried out by the Municipality shall have been concluded.

TITLE:

6.15 This By-Law may be referred to as "The Property Standards By-Law"

This By-Law shall come into force and effect on the day that it is passed.

By-Law Number 00-10 is hereby repealed.

ENACTED AND PASSED this 21 day of January 2003.

Mayor, James L. Williams

Clerk, Trudy Merrill

Schedule "A" to By-Law Number 03-10

INFORMAL NOTICE

Date Here

Name of defendant
Street and Number
City/Town
Postal Code

Salutation:

RE: Address
Concession/Lot
Township/Municipality

Please be advised that on **(date of inspection)** an inspection of your property as noted above revealed certain violations of the Township of Cramahe Property Standards By-Law Number 03-10.

Schedule A, attached hereto, sets out the work required to remedy such violation and to bring the property into compliance with the By-Law.

Be advised that By-Law Number 03-10 gives the Municipality the authority to issue and ORDER TO COMPLY pursuant to Section 15.2(2) of the *Ontario Building Code Act, S.O. 1992, c.23*.

It is desired that you will comply with this informal notice and that the aforementioned procedural step will not be necessary.

A reinspection of this property will take place on or about **(date)** to ascertain compliance. If you wish to be present at the time of inspection, please contact me at least seven (7) days prior to set up a mutually agreeable time.

Should you require further information, or if you wish to set an appointment to further discuss this matter, please do not hesitate to contact me during normal business hours at the number provided below.

Sincerely,

Property Standards Officer
(905) 355-2821

Schedule "B" to By-Law Number 03-10

**ORDER TO REMEDY VIOLATION
OF STANDARDS OF MAINTENANCE AND OCCUPANCY**

Pursuant to Section 15.2 of the Ontario Building Code Act, S.O. 1992, c.23

Date here

Name of defendant
Street and Number
City/Town
Postal Code

Salutation:

RE: Address
Concession/Lot
Township/Municipality

WHEREAS on **(date)**, you were served with an Informal Notice that required you to remedy certain violations of standards of maintenance and occupancy at your property, described above.

AND WHEREAS you have failed to remedy the noted violation(s) as set out in **Schedule "A"**, attached hereto and which forms part of this Order

THEREFORE, IT IS HEREBY CHARGED THAT the violation(s) as set out in **Schedule "A"** be remedied and the property brought into a condition of compliance with the prescribed standards as set out in the Property Standards By-Law No. 03-10 on or before:

Month	Day	Year
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TAKE NOTICE that if such violation(s) are not remedied within the time specified in this order, the municipality may correct such violations at the expense of the owner, or may cause a prosecution to be brought against you, and upon conviction, you shall have to pay a penalty of not more than \$25,000 for a first offence and not more than \$50,000 for a subsequent offence, in accordance with Section 36 of the Building Code Act, S.O. 1992, c. 23

APPEAL TO PROPERTY STANDARDS COMMITTEE

If an owner or occupant upon whom an order has been served is not satisfied with the terms or conditions of the order, they may appeal to the committee by sending a NOTICE OF APPEAL by registered mail to the Secretary of the committee within 14 days after service of the order, and, in the event that no appeal is taken, the order shall be deemed to have been confirmed. ALL APPEALS MUST BE ACCOMPANIED BY A FEE OF \$250.00, WHICH SHALL BE REFUNDED IF THE APPELLANT IS SUCCESSFUL.

FINAL DATE FOR APPEAL: _____

Property Standards Officer
(905) 355-2821