

**THE CORPORATION OF THE  
TOWNSHIP OF EAST ZORRA-TAVISTOCK  
COUNTY OF OXFORD  
BY-LAW # 2001 - 26**

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**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** under the Oxford County Act, the Corporation of the County of Oxford has approved an Official Plan applicable to properties within the Township of East Zorra-Tavistock, and which contains provisions relating to municipal housekeeping and property maintenance;

**AND WHEREAS** the Council of the Township of East Zorra-Tavistock is desirous of passing a by-law under Section 15.1(3) of the Building Code Act, S.O. 1992, c 23;

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

**NOW THEREFORE** the Council of the Township of East Zorra-Tavistock enacts as follows:

**PART 1: DEFINITIONS**

In this by-law:

- 1.1 **"Accessory Building"** means a detached building or structure not used for human habitation, that is subordinate to the primary use of the same property.
- 1.2 **"Apartment Building"** means a building containing more than four dwelling units with individual access from an internal corridor system.
- 1.3 **"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.
- 1.4 **"Building"** means a structure occupying an area greater than ten square meters consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all the plumbing, works, fixtures and service systems appurtenant thereto, and includes such other structures as are designated in the building code.

- 1.5        **“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.
- 1.6        **“Committee”** means a Property Standards Committee established under this by-law.
- 1.7        **“Council”** means the Council of the Corporation of the Township East Zorra Tavistock.
- 1.8        **“Corporation”** means the Corporation of the Township East Zorra Tavistock.
- 1.9        **“Debris”** includes refuse, or wrecked, decaying, dismantled, inoperative, discarded, dilapidated, unused, un-roadworthy or unlicensed vehicles, or machinery (including farm implements), or objects or parts thereof.
- 1.10       **“Demolition”** means the dismantling, taking apart, leveling of any building or structure on any property pursuant to the order of an officer.
- 1.11       **“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.
- 1.12       **“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 and supporting general living conditions usually including cooking, eating, sleeping, and sanitary facilities.
- 1.13       **“Exit”** means that part of a means of egress, including doorways, that leads from the floor area it serves, to a separate building, an open public thoroughfare, or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare.
- 1.14       **“Fence”** means a vertical structure including a railing, hedge, line of posts, shrubs, wire, gate boards or pickets of other similar substances used to enclose or divide in whole or in part a yard or other land or to establish a property boundary line.
- 1.15       **“First Storey”** means the story with its floor closest to grade and having its ceiling more than 1.8 meters (5 ft. 11 in.) above grade.
- 1.16       **“Good Repair”** means that a building, structure or appurtenances thereto, including mechanical equipment, is maintained to such a condition as to be free from accident or fire hazard, structurally sound and in good working order.
- 1.17       **“Ground Cover”** means organic or non-organic material applied to prevent soil or sand erosion such as concrete, flagstone, gravel, asphalt, grass or other landscaping.
- 1.18       **“Guard”** means a protective barrier around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways or other locations to prevent accidental falls from one level to another. Such barrier may or may not have openings through it.

- 1.19        **"Habitable Room"** means any room in a dwelling unit used or capable of being used for living, sleeping, cooking, and eating purposes.
- 1.20        **"Means of Egress"** means a continuous path of travel provided for the escape of persons from any point in a building or contained open space to a separate building, an open public thoroughfare, or to an exterior open space from fire exposure from the building and having access to an open public thoroughfare and includes exits and access to exits.
- 1.21        **"Medical Officer of Health"** means the Medical Officer of Health for the County of Oxford, duly appointed under the *Health Protection and Promotion Act*, R.S.O. 1990, c.7 and includes any staff official acting on their behalf.
- 1.22        **"Multiple Dwelling"** means a building or group of buildings containing two or more dwelling units.
- 1.23        **"Multiple Use Building"** means a building containing both a dwelling unit and a non-residential use.
- 1.24        **"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.
- 1.25        **"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.
- 1.26        **"Occupant"** means any person or persons over the age of eighteen years in possession of property or residing therein or thereon
- 1.27        **"Officer"** means a property standards officer who has been appointed under this By-law and who has been assigned the responsibility of administering and enforcing this by-law.
- 1.28        **"Owner"** includes the person for the time being, managing or receiving the rent of the land or premises, whether on his/her own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let, and 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, and shall include a Mortgager in possession of the property.
- 1.29        **"Person"** means an individual, firm, corporation, association or partnership.

- 1.30        **"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.
- 1.31        **"Property Standards Officer"** means an officer appointed under this by-law.
- 1.32        **"Refuse"** means waste matter of any kind including animal, commercial, industrial or domestic rubbish or garbage.
- 1.33        **"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.
- 1.34        **"Residential Unit"** means a unit that consists of a self-contained set of rooms located in a building or structure, and is used or intended for use as a residential premise, containing kitchen and bathroom facilities that are intended for the use only of the unit, and has a means of egress to the outside of the building or structure in which it is located, which may be a means of egress through another residential unit.
- 1.35        **"Sanitary Sewage"** means liquid or water borne waste of:  
          (a) industrial or commercial origin  
          (b) domestic origin, including human body waste, toilet or other bathroom waste, and shower, tub, culinary, sink and laundry waste
- 1.36        **"Sewage"** means sanitary sewage or storm sewage
- 1.37        **"Sewage System"** means the municipal sanitary sewer system or a private sewage disposal system approved in accordance with the Ontario Building Code.
- 1.38        **"Sign"** means any surface upon which there is printed, projected or attached any announcement, declaration, picture, or insignia used for direction, information, identification, advertisement, business promotion or promotion of products, activity services and events, and includes a structure, or device, whether in a fixed location or designed to be portable or capable of being relocated or part thereof specifically designed for the foregoing uses.
- 1.39        **"Standard"** means the standards of physical condition and occupancy prescribed for property by this by-law.
- 1.40        **"Storey"** means that portion of a building other than a basement or cellar located between the surface of any floor and the surface of the floor, roof deck or ridge next above it, except an attic storey.
- 1.41        **"Storm Sewage"** means water that is discharged from a surface as a result of rainfall, snow melt or snowfall.

- 1.42 **"Structure"** means a combination of materials assembled so as to form a construction or fixed erection to or supported by the soil, other than a building which is not adapted to permanent or continuous occupancy and shall include a tent, receiving stand, platform, staging, wall, retaining wall, radio or television antenna, supporting structure, shed, garbage bin, fence, sign, and every other construction or erection that is not a building.
- 1.43 **"Toilet Room"** means any room containing a water closet and a washbasin.
- 1.44 **"Vacant Property "** means any property on which there are no buildings or structures of any kind but shall not mean public lands identified as areas of environmental importance or lands utilized for agricultural production.
- 1.45 **"Yard"** means the land, other than publicly owned land, within the boundary lines of the lot and not occupied by the principal building.

## **PART 2: ADMINISTRATION AND ENFORCEMENT**

- 2.1 **APPLICATION OF BY-LAW**
- 2.1.1 The provisions of this by-law shall apply to all property located in the Township East Zorra Tavistock unless otherwise stated.
- 2.2 **SHORT TITLE**
- 2.2.1 This bylaw may be referred to as the "Property Standards By-law".
- 2.3 **SCOPE OF BY-LAW**
- 2.3.1 Where a provision of this by-law conflicts with a provision of another by-law in force in the Township East Zorra Tavistock, the provision that establishes the higher standard shall prevail in order to protect the health, safety and welfare of the general public.
- 2.4 **STANDARDS**
- 2.4.1 The standards for maintenance and occupancy of property set out in schedule "B" to this by-law are prescribed as the minimum standards for all property located in the Township.
- 2.6 **GENERAL DUTIES AND OBLIGATIONS**
- 2.6.1 No person shall use or occupy, or permit the use or occupancy of, any property that does not conform to the standards prescribed by this by-law.
- 2.6.2 No person who is the owner of property which does not conform with standards prescribed by this by-law shall fail to repair or to maintain the property to conform with the standards.
- 2.6.3 Notwithstanding subsection 2.6.2, where a person who is the owner of property which does not conform with standards prescribed by this by-law elects not to repair or to maintain the property to conform with the standards, then that person shall clear the property of all buildings, structures, debris or refuse which does not conform to standards, leaving the property in a graded and leveled condition.

2.6.4 No person shall remove, pull down or deface any sign, notice or placard in the form set out in schedule "E" to this by-law after the officer has caused it to be placed in a prominent position on the exterior of any building which does not conform to the standards prescribed in this by-law except with the consent of the officer.

2.7 **PROPERTY STANDARDS COMMITTEE**

2.7.1 There shall be and is hereby established a Property Standards Committee, composed of a minimum of three (3) persons appointed by Council for the Corporation, and who shall hold office until the expiry of the term of the Council that appointed them and successors have been appointed.

2.7.2 The members of the committee shall elect from among themselves a chairperson. Should this chairperson be absent through illness or otherwise, and unable to chair a meeting of the committee, the members shall appoint another member as acting chairperson for that meeting.

2.7.3 Any/all members of the committee are empowered to administer oaths related to the conduct of the committee's business and mandate.

2.7.4 The committee shall be provided with a secretary for the committee by the Corporation, and who shall have responsibility to keep all minutes and records of all applications and decisions thereon and of all other official business of the committee.

2.7.5 A majority of the committee constitutes a quorum and the committee may adopt its own rules of procedure but, before hearing an appeal, shall give notice or direct that notice be given of such hearing to such persons as the committee considers should receive such notice.

2.8 **PROPERTY STANDARDS OFFICER**

2.8.1 Council for the Corporation may from time to time appoint officers to carry out the administrative functions of this by-law including the enforcement thereof.

2.8.2 For purposes of this bylaw, any person duly appointed and employed by the Corporation as an official, a building inspector, a plumbing inspector, a fire prevention officer, or a bylaw enforcement officer for the Corporation shall hereby be appointed, authorized and directed to act when required as a Property Standards Officer for purposes of enforcing the standards so established herein.

2.9 **COMPLIANCE**

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

2.10 **APPEAL**

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

2.11 **PENALTY**

2.11.1 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.

2.12 **Certificate of Compliance**

2.12.1 At the request of the owner, the officer shall, issue to the owner a certificate of compliance as prescribed in schedule "B", if, in the officer's opinion, the property is in compliance with the standards established in this by-law. A fee in accordance with schedule "D" shall be payable for each certificate of compliance issued at the request of the owner.

2.12.2 Where the owner requests a certificate of compliance for any systems approved for use by the Authority having Jurisdiction, fees for such certificate shall be the sole responsibility of the owner. ("ie" electrical systems)

2.13 **VALIDITY**

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

2.13.2 Where a provision of this by-law conflicts with the provision of another by-law in force within the municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

2.14 **SCHEDULES**

2.14.1 Schedules A, B, C, D, E and F attached hereto form part of this by-law.

2.15 **REPEAL**

2.15.1 By-law 53-90 is hereby repealed.

2.16 **FORCE AND EFFECT**

2.16.1 This by-law shall come into force and take effect on the date of its passing and enactment

***READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 6<sup>th</sup> DAY OF JUNE, 2001.***

SEAL

\_\_\_\_\_  
David Oliphant, Mayor

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Jeff Carswell, C.A.O.

**SCHEDULE "A" To By-law #2001 - 26**  
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## SCHEDULE "B" To By-law #2001 - 26

### **PART 3: STANDARDS FOR ALL PROPERTIES**

- 3.1                    **General**
- 3.1.1                All repairs and maintenance of property required by the standards prescribed by this by-law and schedules thereto shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purposes. All new construction or repairs shall conform to the Ontario Building Code, Ontario Fire Code and the *Fire Prevention and Protection Act* where applicable.
- 3.2                    **Maintenance of Yards and Vacant Properties**
- 3.2.1                All yards and vacant properties shall be free from:
- (a) objects or conditions such as holes or abandoned, inoperative iceboxes, refrigerators, or freezers that might create a fire, health or accident hazard;
  - (b) debris, except in a salvage yard or motor vehicle repair garage and then only in an arrangement to ensure compliance with all zoning requirements and so as to prevent an unsafe or unsightly condition out of character with the surrounding environment;
  - (c) dilapidated, collapsed or unfinished structures;
  - (d) the storage or accumulation of disused commercial, industrial, or domestic articles including motor vehicles, lumber and other building materials from construction or demolition projects that create a nuisance or are deteriorative to the neighbouring environment;
  - (e) trees, vegetation and the branches, limbs and parts thereof which create an unsafe condition due to decay, disease, or being damaged, or which create a nuisance condition;
  - (f) injurious insects, termites, rodents, vermin or other pests.
- 3.2.2                All yards and every vacant property in developed residential zones shall be free from long grass, brush, undergrowth and noxious weeds as defined by the *Weed Control Act*. Grass shall be cut and maintained to a height consistent with groomed properties in the vicinity to avoid an unsightly or nuisance condition.
- 3.2.3                Yards shall be graded, cultivated or protected with a suitable ground cover so as:
- (a) to prevent excessive or recurring ponding of storm water;

- (b) to prevent instability or erosion of soil;
  - (c) to prevent surface water run-off from entering a basement;
  - (d) not to create an unsightly appearance or an unsafe condition;
  - (e) not to create a nuisance to other property.
- 3.2.4 All curbs, asphalt, catch basins, traffic aisles, parking stalls, and other facilities shall be maintained so as to ensure their continued, proper and safe functioning; free from potholes or uneven sections.
- 3.2.5 All traffic aisles, parking stalls and lighting fixtures and their supports shall be maintained in a safe and structurally sound condition and in working order. All painted markings shall be maintained to be clearly visible.
- 3.2.6 Exterior steps, walks, loading docks, ramps, curbs, parking spaces, driveways and similar areas of a yard shall be maintained in a good state of repair, free from conditions which prevent passage, and free from hazard to any person under normal use and weather conditions.
- 3.3 **Sewage Discharge & Drainage**
- 3.3.1 (a) Sewage shall be discharged into the municipal or approved private sewage system inspected and approved by the Ontario Building Code or the Ministry of the Environment.
- (b) Sewage of any kind shall not be discharged onto the surface of the ground, whether into a natural or artificial surface drainage system or otherwise.
- 3.3.2 (a) Roof drainage or surface water shall be drained from properties so as to prevent recurrent ponding, erosion, or entrance of water into a basement or cellar.
- (b) Roof drainage or surface water shall not be channeled or allowed to discharge onto sidewalks, stairs or neighbouring property so as to cause an adverse effect.
- 3.4 **Fences and Retaining Walls**
- 3.4.1 All fences, retaining walls and other barriers shall be:
- (a) maintained in good repair, in a safe and structurally sound condition capable of sustaining any load to which it may be reasonably subjected;
- (b) protected from deterioration by the application of paint or other suitable protective materials of uniform colour and shall be maintained in good condition or constructed of a material that is inherently resistant to such deterioration;

- (c) kept free from posters, signs, notices, advertising material, or other defacement.

3.4.2 Hedges shall not be permitted to grow ungroomed.

3.5 **Abandoned Wells, Cisterns and Other Fixtures or Excavations**

3.5.1 All owners and occupants of properties containing an abandoned well, cistern, cesspool, privy vault, pit or excavation shall permanently seal or secure each of them by fence or cover unless the above or any of them are in active use, in which event they shall be secured by fencing with warning signs until they have ceased use, whereupon they shall be sealed or fenced, or covered as required above.

3.6 **Outdoor Swimming Pools**

3.6.1 All owners and occupants of properties shall, where swimming pools and appurtenances thereto are located thereon, maintain such swimming pools and appurtenances including fences and gates in good repair and free from health and safety hazards, in accordance with Township By-law #14-77, as amended.

3.6.2 The water in any privately owned swimming pool shall be kept clean and in a sanitary condition free from obnoxious odours and conditions likely to create a breeding pond for insects.

3.7 **Signs**

3.7.1 Every sign on property and any structure supporting the same shall be installed and maintained:

- (a) in a safe and structurally sound condition;
- (b) in good repair and without any visible deterioration;

3.7.2 A sign that is unused, not cared for or discarded shall, with its supporting members, be removed.

3.7.3 No sign posted or installed by a Property Standards Officer shall be removed from the property to which it is affixed.

3.8 **Pest Prevention**

3.8.1 Every building shall be kept free of rodents, pests and noxious insects at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the *Pesticides Act*.

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

- 3.9                    **Domestic Storage**  
3.9.1                All storage of firewood, garden equipment, and other used domestic materials or articles shall be in accordance with all zoning requirements and may be located in rear or side yards provided such storage is neatly piled or arranged.
- 3.10                   **Refuse Storage and Disposal**  
3.10.1              Garbage, rubbish, compost material, ashes, trade waste or other refuse shall be promptly stored in receptacles and made available for removal or removed in accordance with the Township of East Zorra-Tavistock Waste Management By-law #60-93, as amended.
- 3.10.2              Without limiting and in addition to the generality of subsection 3.10.1 of this schedule, the collection, handling, storage and disposal of refuse shall comply with the following:
- (a) It shall facilitate collection and disposal as required by the Township or private collection agency;
  - (b) Refuse storage facilities shall be readily accessible to all occupants for whom the storage facility is required to be provided, or in the alternative, be readily accessible by an operable refuse chute provided for this purpose in compliance with all regulations applicable thereto;
  - (c) Facilities for refuse storage shall be maintained in a clean, sanitary and odour controlled condition;
  - (d) Shall not obstruct an emergency route, recreation facility, parking area, driveway or walkway.
- 3.10.3              Where refuse is to be stored or placed for disposal outside the enclosing walls of a building, the storage and place for disposal shall be maintained at all times in a litter free condition and in a manner that will not attract pests or create a health or safety hazard due to the nature of the storage or through deterioration, wind or misuse of the storage facility.
- 3.10.4              Where an exterior bulk or roll-off container disposal system is used, it shall;
- (a) be equipped with covers or similar devices which shall be readily operable but not left open except when actively being loaded;
  - (b) be large enough to contain all refuse generated between collections by the occupants served;
  - (c) not be loaded beyond the top of the container.
- 3.10.5              Where a refuse chute system was originally provided in a multiple floor building, the system, shall be maintained operative, except that suitable

alternatives may be provided if readily accessible to all occupants.

- 3.11.6 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.

3.11

**Accessory Buildings**

- 3.11.1 The foundations, walls, roofs and all parts of accessory buildings and other structures appurtenant to the main building shall be:

- (a) constructed with suitable building materials, structurally sound, plumb and level;
- (b) maintained in good repair to prevent an unsafe condition and unsightly appearance.

- 3.11.2 The exterior of any accessory building or other structure appurtenant to the main building on a property shall be protected from deterioration by the application of paint or other suitable protective material.

3.12

**Structural Soundness**

- 3.12.1 Every building and every part thereof shall be maintained in a structurally sound condition so as to be capable of sustaining its own weight or any additional weight which may be put on it through normal use, and materials which show damage or evidence of rot or other deterioration shall be repaired or replaced.
- 3.12.2 The foundations, walls, columns and beams of a building shall be maintained in good repair and in a safe and structurally sound condition.
- 3.12.3 Where in the opinion of the officer, the structural safety of any part of any building is in doubt, the officer may require the owner to be responsible for submitting an inspection report respecting the structural safety of the building, prepared, sealed and signed by a professional engineer who is qualified in the pertinent field and licensed by Professional Engineers Ontario.
- 3.12.4 Examination and testing of any building or structure or parts thereof required by subsection 3.12.3 shall be conducted in a manner acceptable to the officer and at the owner's expense

3.13

**Damage and Prevention**

- 3.13.1 A building or structure damaged by fire, storm or by other causes shall be demolished or repaired within a reasonable time.
- 3.13.2 In the event the building or structure is beyond repair, the land shall be cleared of debris and remains and left in a graded, level, and safe

condition without unreasonable delay.

3.13.3 Where a building or structure is damaged by fire, storms or by other causes, immediate steps shall be taken to prevent or remove a condition which might endanger persons on or near the property and the building or structure shall be properly supported and barricaded until the necessary demolition or repair can be carried out.

3.13.4 Defacement by smoke or by other causes on the exterior wall and surface of the building or structure or of the remaining parts of building or structure shall be removed and the defaced areas refinished in a workmanlike manner.

3.13.5 The owner or agent of a fire damaged building shall board up the building to the satisfaction of the Property Standards Officer by covering all openings with at least 12.7mm or (0.5 inch) weather proof sheet plywood securely fastened to the building and painted a colour compatible with the surrounding structure.

3.14 **Foundations**

3.14.1 The foundations, walls, columns, beams, floors, roof slabs and balconies of a building shall be maintained in good repair and structurally sound; free from decayed, damaged or weakened sills, piers, posts or other supports in a manner so as to prevent the entry of moisture, rodents and insects into the building.

3.15 **Exterior Walls**

3.15.1 The exterior walls of a building shall be maintained in good repair, free from cracked or broken masonry units, defective or deteriorated wood or metal siding or trim, cracked, broken or loose stucco, weathertight, free from loose or unsecured objects and in a manner to prevent deterioration due to weather or insects without limiting the generality of the foregoing. The maintenance of an exterior wall includes the finish with a weather resistant material of all exterior wood and metal work and restoring, repairing or replacing of the wall, brick and mortar; the stucco lathing and plaster, the cladding; the coping and the flashing, and the waterproofing of the walls and joints.

3.15.2 All exterior exposed surfaces which have been previously covered with paint and are not inherently resistant to deterioration or other protective or decorative materials shall be maintained in good repair and the covering renewed when it becomes damaged or deteriorated.

3.15.3 Metal eavestroughs, rainwater pipes, flashings and all exterior metal ducts shall be kept from rust by application of a suitable protective material such as paint, and shall be replaced when such application is impractical or ineffective.

3.16 **Overhanging Extensions, Stairs, Balconies & Other Platforms**

3.16.1 Balconies, porches, canopies, marquees, awnings, screens, grills,

stairways, guards, fire escapes, pipes, ducts, air conditioners and all other similar equipment, attachments, extensions and their supporting members shall be maintained:

- (a) in good repair free from holes, cracks, worn risers and other defects;
- (b) free from rubbish and debris;
- (c) properly and safely anchored;
- (d) protected against deterioration and decay;
- (e) free from ponding water.

3.16.2 A handrail shall be installed and maintained good repair in all stairwells.

3.16.3 Guardrails shall be installed and maintained good repair around all landings, porches, balconies.

3.16.4 Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

3.16.5 Handrails, guards, balustrades shall be constructed and maintained in accordance with the Ontario Building Code.

### 3.17

#### **Doors and Windows**

3.17.1 All exterior openings for doors and windows shall be fitted with doors or windows.

3.17.2 Windows, in subsection 4.3 of this schedule, including storm and screen windows and window screens, exterior doors, and basement or cellar hatchways shall be maintained in good repair. Locking devices shall be installed on all windows

3.17.3 Doors, door frames, window frames, sashes, shutters, casings, weather-stripping and caulking that have been damaged or show evidence of rot or other deterioration shall be repaired or broken glass and translucent substitutes, damaged screens and missing or defective doors and window hardware shall be repaired or replaced.

3.17.3 In multiple unit residential developments where a voice communication or sound activated system between each residential unit and the front lobby and security locking and release facilities for the entrance have been provided, and are controlled from each residential unit, such facilities shall be maintained in good repair and in operative condition.

3.17.4 Every door used as an entrance to or means of egress from a multiple unit residence where a voice communication or sound activated system between each residential unit and the front lobby and security locking and release facilities have been provided or from a storage garage

which is not open and available for use by the general public, shall be kept closed and locked and shall be provided with approved self-closing and self-locking mechanisms and shall not be secured in an open position except in an emergency situation.

3.18

**Roofs**

3.18.1 All roofs of all buildings and structures shall be maintained:

- (a) in a water tight condition so as to prevent leakage or admission of water;
- (b) free from loose or unsecured parts, objects or materials;
- (c) free from dangerous accumulations of snow or ice or both;
- (d) free from all other accident, fire or health hazards;
- (e) so that roof decks and related guards are in a good state of repair.

3.19

**Interior Structures and Surfaces**

3.19.1 The interior floors, ceilings and walls of buildings shall be kept free from dampness arising from the entrance of moisture through an exterior wall, or a roof, or through a cellar, basement or crawl space.

3.19.2 Interior floors, ceilings and walls of buildings shall be maintained:

- (a) in good repair, free from holes, loose boards and broken, torn, damaged, decayed or missing materials;
- (b) in a safe condition.

3.19.3 All floors and floor coverings in buildings shall be reasonably smooth and level and be maintained so as to be free of all loose, warped, protruding, broken coverings shall be repaired or replaced.

3.20

**Plumbing Systems**

3.20.1 Every required sink, washbasin, toilet, bathtub, or shower in a building shall have an adequate supply of potable water with a flow and pressure sufficient for the intended use of the fixtures.

3.20.2 All plumbing, including every drain pipe, water pipe, water closet and plumbing fixture in a building and the building drain or building sewer shall be maintained in good working condition, free from leaks and defects and shall be protected from freezing.

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

3.20.4 All plumbing fixtures shall be supplied with potable running water from a source approved by the Medical Officer of Health. The owner shall provide a record of testing of water not supplied by the Municipality. The



Medical Officer of Health shall approve such testing.

3.20.5 All septic systems shall be maintained in good working order.

3.21 **Toilet Rooms and Bathrooms**

3.21.1 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

3.21.2 Where a toilet room contains more than one water closet, each water closet compartment shall be provided with a means of locking the door on the inside of such compartment to provide privacy.

3.21.3 No water closet or urinal shall be located in a room that is used for the preparation, cooking, storage, or consumption of food, or for sleeping purposes.

3.22 **Ventilation Systems**

3.22.1 Ventilation systems required by the building code shall be regularly cleaned to prevent accumulation of dust and contaminants likely to create a potential fire, explosion, toxic or health hazard.

3.22.2 Ventilation systems shall be maintained and operated in a safe condition and in good repair and working order.

3.23 **Heating and Mechanical Systems**

3.23.1 Where space is normally heated in occupied buildings, heat shall be provided and maintained during normal hours of occupancy so that the room temperature at 1.5 meters above floor level and 1 meter from exterior walls is at least 21° Celsius or 70° Fahrenheit.

3.23.2 Subsection 3.23.1 does not apply to an occupied building in which the occupant can regulate the temperature as long as a minimum of 21° Celsius or 70° Fahrenheit can be maintained.

3.23.3 Every occupied building shall have a heating system capable of maintaining the temperatures required by subsection 3.23.1.

3.23.4 Except in the event of an emergency, no occupied building shall be equipped with portable heating equipment as the primary source of heat.

3.23.5 Fuel or utilities supplied to rental occupied buildings shall be supplied continuously in adequate quantities.

3.23.6 The supply of fuel or utilities may be interrupted for such a reasonable period of time as may be required for the purpose of repair or replacement.

- 3.23.7 Subsections 3.23.1 and 3.23.2 do not apply if the tenancy agreement makes the tenant responsible for the supply of fuel for utilities and the supply has been discontinued because of arrears in payment.
- 3.23.8 Every fuel-burning appliance shall be properly used and vented to the outside air by means of a chimney or a vent flue if venting is required to ensure safe operation.
- 3.23.9 All heating equipment, every chimney, smoke pipe and flue of a building shall be maintained:
- (a) and kept clear of obstruction so as to prevent any gases from leaking into the building, and so that under conditions of use any combustible material adjacent thereto, insulated there from, or in contact therewith, shall not be heated to unsafe conditions;
  - (b) free from open joints;
  - (c) free of broken and loose masonry;
  - (d) in good repair and plumb.
- 3.23.10 The property owner shall be responsible for maintenance of all fuel fired appliances and shall provide a record of annual inspections for solid, liquid and or gas fuel heating appliances by a person registered to provide such an inspection.
- 3.23.11 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.
- 3.23.12 Every dwelling shall be so constructed or otherwise separated to prevent the passage of smoke, fumes, and gases from that part of the dwelling which 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.
- 3.24 **Electrical Systems**
- 3.24.1 Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system.
- 3.24.2 The connection of an electrical supply system to a building and the system of circuits and outlets distributing the electrical supply within a building shall provide adequate capacity for the use and intended use of a building. Any fuse, circuit breaker and other appurtenances thereto shall be maintained in a safe condition and in good repair and working order so as not to cause fire or electrical shock hazards.

- 3.24.3 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 floor area, a second duplex outlet shall be provided. Extension cords shall not be used on a permanent basis.
- 3.24.4 The property owner shall be responsible for ensuring the electrical system has been inspected and approved for use by the Authority having Jurisdiction.
- 3.24.5 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.
- 3.24.6 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.
- 3.25 **Light**
- 3.25.1 Sufficient windows, skylights or electrical lighting are required for illumination in all public or common halls and stairways whenever the building is in use, and in all stairways provided for use in case of fire or other emergency.
- 3.25.2 All properties, other than municipal properties, must provide and maintain an effective barrier to prevent the light from lamp standards, signs, and other permanent sources from shining directly into a dwelling unit and away from all streets and highways.
- 3.25.3 All external portions of building and parking lots shall be illuminated to allow people to safely use these areas. However lighting shall not be positioned so as to cause any impairment of use or enjoyment of neighbouring properties.
- 3.26 **Recreational Facilities**
- 3.26.1 Recreational areas, equipment, structures, rooms and other facilities provided for the indoor or outdoor use of the occupants of a building shall be maintained in a safe condition free from debris and in good repair and working order.
- 3.27 **Vacant Buildings**
- 3.27.1 The owner of any vacant or unoccupied building shall provide protection for such building against the risk of fire, accident damage or other danger thereto or to adjoining premises by taking measures to prevent the entry thereto by all unauthorized persons.

- 3.27.2 All materials used for boarding up unoccupied buildings shall be installed and maintained in good repair and, unless inherently resistant to deterioration, with a protective coating of paint or equivalent weather-resistant material. Boarding material shall consist of 12.7mm or (0.5 inch) weatherproof sheet plywood securely fastened to the structure and painted a colour compatible with surrounding structures.
- 3.27.3 Where a building remains vacant or unoccupied for a period of more than 90 days, the owner, or agent of the owner, shall ensure that all utilities serving the building that are not required for the safety or security thereof, are properly disconnected or otherwise secured to prevent risk of fire, accident, damage or other danger to the property or adjoining premises.

## **PART 4: ADDITIONAL STANDARDS FOR RESIDENTIAL PROPERTIES**

- 4.1 **Duties of Occupant**
- 4.1.1 Every occupant of a residential property shall maintain the property or part thereof and the land which they occupy or control, in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis, in accordance with municipal by-laws.
- 4.1.2 Every occupant 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.
- 4.1.3 Accumulations or storage of garbage, refuse, appliances, or furniture in a means of egress shall not be permitted.
- 4.2 **Occupancy Standards**
- 4.2.1 The number of occupants residing on a permanent basis in a individual dwelling unit shall not exceed one person for every nine square metres (97 sq. ft), of habitable floor area. For the purpose of computing habitable floor area, any area with the minimum ceiling height less than 2.1 metres (7 ft.) shall not be considered.
- 4.2.2 A non-habitable room shall not be used or occupied for purposes of habitation.
- 4.2.3 A bedroom shall be a habitable room and no kitchen, bathroom or hallway shall be used as a bedroom.
- 4.2.4 Any basement, or portion thereof, used as a dwelling unit shall conform to the following requirements;
- (a) each habitable room shall comply with all the requirements set out in this

by-law;

- (b) floors and walls shall be constructed so as to be damp proof and impervious to water leakage;
- (c) each habitable room shall be separated from service rooms by a suitable fire separation and approved under the Ontario Building Code;
- (d) access to each habitable room shall be gained without passage through a service room.

#### 4.3

##### **Doors, Walls and Ceilings**

- 4.3.1 Interior doors and door frames including automatic door closers and all necessary hardware shall be maintained in good repair to ensure the proper operation and integrity of the door. The door shall be a good fit in its frame.
- 4.3.2 Doors connecting dwelling units to the exterior or to an entrance or exit system shared in common with other dwelling units shall have locking devices and other necessary hardware installed and maintained in good repair.
- 4.3.3 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.
- 4.3.4 Every wall and ceiling in a residence or in a residential unit shall be maintained so as to be free of holes, cracks, damaged and deteriorated plaster or other material and be finished to match the existing wall or ceiling.
- 4.3.5 Every wall and ceiling in a residence or in a residential unit shall be maintained so as to be free of holes, cracks, damaged and deteriorated plaster or other material and be finished to match the existing wall or ceiling.
- 4.3.6 Garbage chutes and garbage disposal rooms shall have fire doors fitted with self-closing devices and all necessary hardware and every such door shall fit in its frame, and be maintained in good repair.

#### 4.4

##### **Toilet Rooms, Bathroom and Kitchen Facilities**

- 4.4.1 Every residential unit shall be provided with at least one kitchen sink, water closet, washbasin and bathtub or shower, connected to an adequate supply of running water and an acceptable means of sewage disposal. The fixtures required by this section shall be maintained and shall be supplied with a supply of potable water sufficient for normal household use at a flow and pressure sufficient for the intended use of the fixture. In all residential units, all bathrooms and toilet rooms shall be located within and accessible from within the building and shall have a door that can be secured from the inside and opened from the outside in

an emergency.

- 4.4.2 Every sink, washbasin, bathtub, shower or laundry facility shall have an adequate supply of hot and cold running water. The ordinary temperature of the hot water provided must be at least 43° Celsius.
- 4.4.3 Walls and ceilings around bathtubs and showers shall consist of water resistant material and shall be maintained in good repair.
- 4.4.4 Every residential unit shall have a kitchen and each kitchen in a residential unit shall be provided with an approved gas or electrical supply for cooking purposes.
- 4.4.5 Every supplied facility, piece of equipment or appliance shall be so constructed and installed that it will function safely and effectively. Such appliances, fixtures and fittings shall be maintained in good repair and a safe and satisfactory working condition.
- 4.4.6 Every kitchen in a residential unit shall be 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) space sufficient to accommodate a stove or a heating unit, and refrigerator;
  - (c) a counter or work area covered with a material that is impervious to moisture and grease and is easily cleanable;
  - (d) cupboards or pantry, excluding the area under the sink, for the storage of food, dishes and cooking utensils.
- 4.4.7 All plumbing fixtures shall be supplied with potable running water from a source approved by the Medical Officer of Health. The owner shall provide a record of testing of water not supplied by the Municipality. The Medical Officer of Health shall approve such testing. All septic systems shall be maintained and in good working order

4.5

**Ventilation and Lighting in Dwelling Units**

- 4.5.1 Every habitable room shall have an adequate opening or openings for natural ventilation. An opening for natural ventilation may be omitted if mechanical ventilation is provided.
- 4.5.2 All enclosed areas including basements, cellars, crawl spaces and attics or roof spaces shall be adequately ventilated.
- 4.5.3 Every habitable room, except a kitchen shall have one or more windows or skylights that face directly to the outside and have an adequate unobstructed light transmitting area.

- 4.5.4 All windows and skylights in a dwelling unit shall be:
- (a) glazed or fitted with glass or clear plastic materials;
  - (b) maintained in good working order;
  - (c) maintained in good repair;
  - (d) if required for ventilating purposes, capable of being easily opened and closed at all times.
- 4.5.5 All windows in a residential unit designed to be open shall be fitted with screens so as to prevent the entrance of insects and rodents and maintained in good repair.
- 4.5.6 Every window of a residential unit, which is located above the first story, shall be equipped with a safety device to prevent the opening of any part of such window to a width in excess of 100 mm. (4"), such devices to be installed to the requirements of the Ontario Building Code.

#### 4.6

##### **Heating**

- 4.6.1 The heating system or equipment for a dwelling or living accommodation shall be capable of maintaining the temperatures specified in Section 3.23 of this By-law and maintained as per Section 3.23 of this by-law.
- 4.6.2 Only heating equipment approved for use by a recognized standards testing authority shall be provided in a room used or intended for use for sleeping purposes.
- 4.6.3 The property owner shall be responsible for maintenance of all fuel fired appliances and shall provide a record of annual inspections by a person registered to provide such an inspection.

#### 4.7

##### **Egress**

- 4.7.1 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.
- 4.7.2 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 914mm, (36 inches), above the inside floor. A single exit is permitted from a dwelling unit where the path of 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 of the dwelling unit.

- 4.8                    **Storage Garages**
- 4.8.1                All storage garages shall have the ability to be adequately lit at all times.
- 4.8.2                Every floor, wall and ceiling of a storage garage shall be kept clean and free from rubbish and debris and from objects or conditions that might create a fire, health or accident hazard.
- 4.8.3                All means of egress within a storage garage shall be provided with clean, clear, unobstructed and maintained in good repair.
- 4.9                    **Elevators and Elevating Devices**
- 4.9.1                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 except for such reasonable period of time as may be required for the purpose of repairing and maintaining such devices.
- 4.10                  **Electrical**
- 4.10.1               A supply of electrical power shall be provided to all habitable space in a residential complex. The property owner shall be responsible for ensuring the electrical system has been inspected and approved for use by the Authority having Jurisdiction.
- 4.11                  **Lighting**
- 4.11.1               All exterior and interior common areas shall have artificial lighting sufficient so that those areas can be used or passed through safely and this artificial lighting shall be maintained in a good state of repair.
- 4.11.2               Sufficient windows, skylights or electrical lighting are required for illumination in all public or common halls and stairways whenever the building is in use and in all stairways provided for use in case of fire or other emergency.
- 4.12                  **Disconnected Utilities**
- 4.12.1               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.



**Schedule C To By-law #2001 - 26**

**The Corporation of the Township of East Zorra-Tavistock**

**CERTIFICATE OF COMPLIANCE**

Section 2.12 of the Township of Township of East Zorra-Tavistock Property Standards By-law 2001- provides:

Where an inspection of the premise has taken place and when a request of an owner has been-made, the Chief Property Standards Officer shall issue to the owner, a Certificate of Compliance if the premises comply with this By-law.

As such, the property known municipally as \_\_\_\_\_  
(*East Zorra-Tavistock Township*) was inspected *day/month/year* and has found to be in conformity with the standards established by the Township of East Zorra-Tavistock Property Standards By-law 2001-

\_\_\_\_\_  
Date issued

\_\_\_\_\_  
Chief Property Standards Officer

## Schedule D To By-law #2001 - 26

### The Corporation of the Township of East Zorra-Tavistock

#### FEE SCHEDULE FOR ISSUANCE OF CERTIFICATE OF COMPLIANCE

Category of Permit	Fee
(a) For a single residential unit	\$200.00
(b) Multiple unit residential buildings	\$200.00 plus an amount calculated at the rate of \$30.00 for each additional residential unit in excess of the first residential unit
(c) For a lodging house, second level lodging house, or nursing home	\$200.00 plus an amount calculated at the rate of \$20.00 for each permitted resident
(d) For a lodging house, second level lodging house, or nursing home	\$200.00 plus an amount calculated at the rate of \$10.00 per 1,000 square feet of gross floor area in excess of the first 1,000 square feet

**Schedule E To By-law #2001 - 26**

**The Corporation of the Township of East Zorra-Tavistock**

**NOTICE RE: SUBSTANDARD PROPERTY**

**This property has been found not to be in conformity with the standards established by the Township of East Zorra-Tavistock Property Standards By-law 2001-.**

**Section 2.6.4 of the Township of East Zorra-Tavistock Property Standards By-law 2001- states:**

**Any person who defaces or who pulls down this placard without consent contravenes section 2.6.3 of the Township of Township of East Zorra-Tavistock Property Standards By-law 2001- and thereby commits an offence and upon conviction pursuant to the provisions of the *Provincial Offences Act* is liable to a fine of not more than \$5,000.00 for each offence.**

**Dated at the Township of East Zorra-Tavistock this                  day of                  20**

\_\_\_\_\_  
**Property Standards Officer**

## **Schedule F To By-law #2001 - 26**

### **The Corporation of the Township of East Zorra-Tavistock**

#### **APPOINTMENTS**

1. The Chief Municipal Law Enforcement Officer for the Township of East Zorra-Tavistock is hereby appointed as the Chief Property Standards Officer.
2. All Building, Plumbing, and Fire Code Inspectors for the Township are hereby appointed as Property Standards Officers.
3. The Assistant to the Administrator is hereby appointed as Secretary to the Property Standards Committee.