

MUNICIPALITY OF HURON EAST

BY-LAW NO. 39 FOR 2001

Being a By-Law to establish Property Standards.

WHEREAS the Official Plan of the former Town of Seaforth, and the Secondary Plans for the former Village of Brussels, Township of Grey, Township of McKillop and Township of Tuckersmith, now Wards of the Municipality of Huron East, include provisions relating to conditions of maintenance and occupancy of properties;

AND WHEREAS Section 15.1(3) of the Building Code Act, S.O. 1992, c23, provides that the Council may pass a by-law with respect to the prescribing of standards for the maintenance and occupancy of property, and requiring property that does not conform with the standards to be repaired and maintained with the standards, or the site to be cleared of all buildings, structures, debris or refuse and left in graded and leveled condition;

AND WHEREAS Section 220.1 of the Municipal Act, R.S.O. 1990, c. m.45, as amended by section 10 of Schedule M of the Savings and Restructuring Act, 1996 provides that the Council may by by-law impose fees for services and activities provided or done by or on behalf of The Corporation of the Municipality of Huron East;

THEREFORE, the Municipal Council of the Corporation of the Municipality of Huron East hereby enacts as follows:

SHORT TITLE

PROPERTY STANDARDS BY-LAW

SCOPE:

This By-Law shall apply to all property within the limits of the Municipality of Huron East.

PART 1

DEFINITIONS and GENERAL REQUIREMENTS

1.1 DEFINITIONS

In this by-law:

1.1.1 “acceptable” means

- (a) accepted by the Chief Building Official of the Municipality with respect to matters under the Building Code;
- (b) accepted by the Chief Fire Official of the Municipality with respect to matters under the Fire Code;
- (c) accepted by the Property Standards Officer with respect to the standards set out in this by-law.

1.1.2 “Act” means the Building Code Act, 1992, S.O. 1992, c.23 as amended.

1.1.3 “Building Code” means the regulations made under section 34 of the Act.

1.1.4 “exterior property areas” means the property excluding buildings.

1.1.5 “fence” includes a privacy or other screen.

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

1.1.7 “habitable space” means a room or area used or intended to be used for living, sleeping, cooking or eating purposes and includes a washroom.

1.1.8 “maintained” means to carry out any repairs, reconstruction, refinishing, or replacement of any part or parts of a structure or building or appurtenances including mechanical equipment required so they may properly perform the intended function.

1.1.9 “Municipality” shall mean the Municipality of Huron East.

1.1.10 “Officer” means a Property Standards Officer who has been assigned the responsibility of administering and enforcing the Property Standards By-Law.

1.2 Any word or term not defined in this by-law shall have the meaning ascribed to it in the Act or the Building Code.

**PART 2
GENERAL DUTY TO REPAIR**

2.1 Owners – Shall Repair and Maintain

Owners of property that does not conform to the standards of this by-law, shall repair and maintain the property to conform with the standards of the by-law or clear it of all buildings, structures, debris or refuse and leave it in a graded and leveled condition.

2.2 Repairs – Manner Acceptable

All repairs to comply with this by-law shall be carried out with suitable and sufficient materials in a manner acceptable to the Officer as good and workmanlike for the trades concerned.

2.3 Repairs – Inside – Unused Building – Remedy Unsafe Condition

Nothing in this by-law shall require repairs to be carried out inside an unused building or inside an unused part thereof, except as necessary to remedy any unsafe condition to persons outside of the building or to remedy any unsafe condition to persons in an occupied portion of the building.

2.4 Repairs – Unused Building – Occupied

Notwithstanding 2.3, all repairs to be carried out inside an unused building or inside an unused part thereof shall be carried out before the unused building or unused part is used or occupied.

2.5 Repairs Required – Section 15.1 – Act

This by-law is applicable to repairs required under Section 15.1 of the Act, but not any other section of the Act, Fire Code or any other provincial act or regulations.

2.6 Dimension – Specified – Officer Accept – Level of Performance

Whenever a dimension, either maximum or minimum is specified, the Officer may accept a dimension that is more or less than the requirement provided it will not reduce the level of performance required by the by-law.

2.7 Historical/Architectural Designation

In the event that a structure is designated under The Ontario Heritage Act as having architectural or historical significance, the Officer may accept existing conditions or repairs that do not meet the requirements of this by-law, but are required to maintain the architectural or historical significance of the structure, provided an acceptable level of safety is maintained.

**PART 3
ENVIRONMENT**

3.1 EXTERIOR PROPERTY AREAS

3.1.1 Exterior – Maintained – Neat and Tidy

Exterior property areas shall be maintained in a neat and tidy condition, free from hazards.

3.1.2 Neat and Tidy Includes

Without restricting the generality of subsection 3.1.1, maintained in a neat and tidy condition includes removal of:

- (a) rubbish, garbage, brush, waste, litter and debris;
- (b) injurious insects, termites, rodents, vermin and other pests;
- (c) growth of weeds in excess of 20 cm (8 in);
- (d) ground cover, hedges and bushes that are unreasonably overgrown;
- (e) dead, decayed or damaged trees or other growth and the branches and limbs thereof which create an unsafe condition;

- (f) wrecked, dismantled, inoperative, discarded, unused, or unlicensed vehicles or trailers, except in an establishment licensed or authorized to conduct or operate a wrecking business;
- (g) machinery or parts thereof, or other objects or parts thereof, or accumulation of material that creates an unsafe condition or which is not in keeping with the neighbouring properties;
- (h) dilapidated or collapsed structures or erections, and the filling or protecting of any uncovered cavities such as wells, cisterns, septic tanks;
- (i) noxious weeds as defined in the Regulations to the Weed Control Act.

3.1.3 Driveways, Ramps – Surfaced – Marked

Driveways, Ramps, Parking Areas, Paths, Walkways, Landings, Outside Stairs and similar areas shall be maintained to provide a safe surface for normal use.

3.1.4 Exterior – Regraded – Prevent Unstable Soil

Exterior property areas shall be regraded and/or provided with ground cover as appropriate to prevent unstable soil conditions or erosion.

3.1.5 Lighting – Maintained

Lighting fixtures, lamps and their supports and connections shall be maintained in a safe and complete condition without visible deterioration, and in working order.

3.1.6 All Conditions – Maintained

All conditions of development including, but not limited to, drainage, ground cover, hedges, trees, landscaping and recreation equipment shall be maintained. The Officer may accept alternatives provided the intent of the original conditions of approval are maintained.

3.2 ACCESSORY BUILDINGS

3.2.1 Accessory Buildings – Maintained

Accessory buildings, shall be maintained in a structurally sound condition and free from hazards.

3.3 FENCES

3.3.1 Fences – Maintained

Fences in urban areas shall be maintained in a structurally sound condition free from hazards.

3.4 RETAINING WALLS

3.4.1 Retaining Walls – Maintained

Retaining walls shall be maintained in a structurally sound condition and free from hazards.

3.5 REFUSE STORAGE AND DISPOSAL

3.5.1 Collection – Comply

The collection, handling, storage and disposal of refuse shall comply with the following:

- (a) it shall facilitate collection and disposal as required by the Municipal Corporation or private collecting agency, as applicable;
- (b) refuse storage facilities within a building shall be readily accessible to all occupants for whom the storage facility is provided;
- (c) refuse storage facilities shall be maintained in a clean, sanitary and odour controlled condition;
- (d) refuse or refuse storage facilities shall not obstruct an emergency route, recreation facility, parking area, driveway, walkway or roadway;

3.5.2 Outside – Storage of Refuse

Where refuse is permitted by an owner to be stored for disposal outside the enclosing walls of a building, the storage of refuse by that owner shall:

- (a) be kept 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;
- (b) except for single and semi-detached residential buildings be screened if less than 60 m (196 ft) from a public highway, street, walkway, park or residential property so as not to be visible from such locations; and
- (c) the required screening in (b) above shall:
 - (i) extend from grade to a height of 0.3 m (1 ft) above the height of the storage container(s),
 - (ii) consist of a continuous opaque visual barrier when viewed at 90° to the surface,
 - (iii) be maintained in a clean, sanitary and odour controlled condition.

3.5.3 Refuse – Inside

Where refuse is stored or placed for disposal inside the enclosing walls of a building the storage and placement for disposal shall:

- (a) comply with the Fire Code;
- (b) be large enough to contain all refuse generated between collections by the occupants served.

3.5.4 Abandoned, Inoperative Refrigerators, Iceboxes or Freezers

Abandoned or inoperative refrigerators, iceboxes or freezers shall not be left in a common area unless the doors have been removed.

3.5.5 Temporary Storage – Provided

Notwithstanding the requirement of this section, temporary storage resulting solely from the construction, demolition or alteration of a building or part thereof may be placed on the property provided:

- (a) it is removed frequently and in its entirety from the property;
- (b) it will not cause risk to the health or safety of any person.

PART 4 BUILDINGS

4.1 STRUCTURAL

4.1.1 Structural System – Capable

A building, and every structural system or component serving a part thereof, shall be capable of sustaining its own weight together with the loads that may be imposed by the use and occupancy therein and by natural causes such as snow and winds.

4.1.2 Doubt – Structural Condition – Engineer’s Report

If, in the opinion of the Officer, there is doubt as to the structural condition of a building or structure or parts thereof, the Officer may order that such building or structure or parts thereof be examined by a professional engineer, licensed to practice in Ontario and employed by the owner of the building or authorized agent, and that a written report, which may include drawings for any recommended remedial work designed by the engineer, and giving details of the findings of such examination to be submitted to the Officer.

4.1.3 Report Acceptance

The Officer may accept the findings in the report pursuant to subsection 4.1.2 as the requirements for compliance with the required repairs provided the Officer is satisfied all deficiencies have been identified and appropriately dealt with by the report.

4.2 FOUNDATION, WALLS, COLUMNS, BEAMS, FLOOR AND ROOF SLABS

4.2.1 Foundations, Walls – Maintained

The foundations, walls, columns, beams, floor and roof slabs of a building including ancillary structures shall be maintained in a structurally sound condition free from hazards.

4.2.2 Maintenance – Includes

Without restricting the generality of subsection 4.2.1 the maintenance may include:

- (a) extension of the wall foundations below grade or regrading to provide adequate frost cover;
- (b) installing subsoil drains where such would be beneficial;
- (c) repairing or replacing decayed, damaged or weakened sills, piers, posts or other supports;
- (d) grouting, waterproofing, cladding or replacing as necessary so as to be weather tight;
- (e) the replacement, cladding or treatment with other methods to restore the wall to its original or acceptable equivalent appearance;
- (f) the applying of acceptable materials to preserve all wood, metal work or other materials not inherently resistant to weathering or wear;
- (g) the restoring, or replacing of:
 - (i) the foundations, walls, columns, beams, floor and roof slabs; and
 - (ii) components, cladding, finishes and trims forming a part thereof;
- (h) the carrying out of such other work as may be required to overcome any existing settlement detrimental to the appearance of the building;
- (i) removing or replacing loose or unsecured objects and materials.

4.3 DOORS, WINDOWS AND SKYLIGHTS

4.3.1 Doors, Windows – Maintained

All doors, windows, skylights and shutters, including storm and screen doors and windows shall be maintained in a structurally sound condition free from hazards.

4.3.2 Maintenance – Includes

Without restricting the generality of subsection 4.3.1, the maintenance includes:

- (a) the refitting, replacing or renewing of damaged, decaying or defective doors, windows, frames, sashes, casings, shutters, hatchways or screens.
- (b) replacing and reglazing cracked, broken or missing glass.
- (c) replacing or providing defective or missing hardware.
- (d) re-screening or weather-stripping where such is defective or missing.
- (e) painting or the applying of a similarly effective preservative.

4.3.3 Door/Window – Latched or Secure

All entrance doors to a dwelling and all operational windows in a dwelling unit shall be provided with a means of being latched or secured from within.

4.4 ROOFS AND ROOF STRUCTURES

4.4.1 Roof/Related Roof Structure – Maintained

Every roof including related roof structures, fascias, soffits, eavestroughs, roof gutters, downpipes, guards and lightning arrestors shall be maintained in a structurally sound condition free from hazards.

4.4.2 Chimneys – Maintained

Chimneys, smoke or vent stacks and other roof structures shall be maintained in a structurally sound condition, free from hazards such as:

- (a) loose bricks and mortar and loose or broken capping.
- (b) loose or rusted stanchions, guy wires, braces and attachments or other unsafe conditions.

4.5 FLOORS, STAIRS, VERANDAS, PORCHES, DECKS, LOADING DOCKS AND BALCONIES

4.5.1 Floors, Stairs – Maintained

Every floor, stair, verandah, porch, deck, balcony and every appurtenance and surface finishing attached or laid thereto shall be maintained in a structurally sound condition, free from hazards.

4.5.2 Maintenance – Includes

Without restricting the generality of subsection 4.5.1, the maintenance includes:

- (a) repairing or replacing floors, treads and risers, including finishes such as linoleum and carpet that contain depressions, protrusions or that are broken, torn, warped, loose or otherwise defective;
- (b) renewing or strengthening structural members that are rotted, deteriorated or loose;
- (c) repainting or the re-applying of other equivalent preservative, if required.

4.5.3 Guard – Provided

A guard with a minimum height of 900 mm (35 in) shall be provided and maintained along the open sides of balconies, mezzanines, landings or other areas where the vertical drop exceeds 600 mm (24 in), but does not exceed 1800 mm (71 in).

4.5.4 Stairs – Guard Required

Except as provided in subsection 4.5.5, every exterior stair with more than 6 risers and every interior stair with more than 2 risers shall be protected with guards on all open sides having a minimum height of 800 mm (31 in) measured vertically above a line drawn through the outside edge of the stair nosing.

4.5.5 Stair – Unfinished Basement – Guard

A stair within a dwelling unit serving an unfinished basement need only have a guard or a wall on one side.

4.5.6 Guard – Openings

Guards for residential occupancies shall have no openings, which would permit the passage of a spherical object having a diameter of 100 mm (4 in) unless it can be shown that the location and size of such openings, which exceed this limit, does not represent a hazard.

4.5.7 Guards – Not to Facilitate Climbing

Guards around exterior balconies, porches and decks of buildings of residential occupancy shall be constructed not to facilitate climbing.

4.5.8 Handrail – Provided – Maintained

A handrail shall be provided and maintained on all stairs having more than three risers. Handrails shall have a maximum uniform height of 920 mm (36 in) when measured vertically from a line drawn through the outside edge of the stair nosing and minimum uniform height of 800 mm (31 in).

4.5.9 Handrail – Both Sides

A handrail shall be provided on both sides for any stair wider than 1100 mm (3 ft 7 in) unless serving a single dwelling unit.

4.5.10 Fire Escape – Egress – Maintained

Buildings using a fire escape as a secondary means of egress shall have the escape maintained in good condition, free from obstructions and easily accessible from the building.

4.6 EXTERIOR SURFACES

4.6.1 Exterior Surfaces – Maintained

All exterior surfaces on a building shall be maintained in a structurally sound condition free from hazards.

4.6.2 Remove – Stains – Defacement

Appropriate measures shall be taken to remove any stains or other defacement occurring on the exposed finished exterior surfaces and, where necessary, to restore the surface and adjacent areas to, as near as possible, their appearance before the staining or defacement occurred.

4.6.3 Temporary Barricades – Finish Compatible

Materials used for the temporary barricading of openings to the interior of a building shall be surfaced with a finish compatible with the surrounding finishes and the materials used shall be structurally adequate for its intended purpose and duration.

4.7 INTERIOR CLADDING AND FINISHES

4.7.1 Interior – Maintained

Interior cladding and finishes of walls and ceilings shall be maintained in a structurally sound condition free from hazards.

4.7.2 Interior – Free – Stains, Defacement

Interior cladding and finishes of walls and ceilings of common areas shall be kept free of stains and other defacement.

4.8 HUMAN HABITATION AND OCCUPANCY STANDARDS

4.8.1 Habitable Space – Human Habitation

Only habitable space shall be used for human habitation.

4.8.2 Dwelling – Use – Human Habitation

No dwelling unit or lodging unit shall be used for human habitation unless:

- (a) interior cladding and finishes of walls, ceilings and floors are in accordance with sections 4.5 and 4.7;
- (b) doors and windows are in accordance with section 4.3;
- (c) a heating system is provided and maintained in accordance with section 5.2;
- (d) plumbing and drainage systems are maintained in accordance with section 5.3;
- (e) electrical systems are maintained in accordance with section 5.4;
- (f) the minimum headroom is in accordance with subsection 4.8.5.

4.8.3 No Owner – Disconnect – Any Service

No owner, nor anyone acting on behalf of an owner, shall cease, disconnect or cause to be disconnected any service, supply of fuel or utility providing light, heat, refrigeration, water or cooking facilities for a dwelling unit occupied by a tenant or lessee, except for such reasonable period of time as may be required for the purpose of repairing, replacing or altering such service or utility.

4.8.4 No Toilet – Located

No toilet or urinal shall be located in a room used for or intended to be used for sleeping, preparing, consuming or storing food.

4.8.5 Headroom – Heights

The minimum floor to ceiling headroom for habitable space shall:

- (a) not be less than 1.95 m (6 ft 5 in) over the floor area and in any location that would normally be used as a means of egress; or
- (b) not be less than 1.95 m (6 ft 5 in) over at least 50% of the floor area, provided that any part of the floor having a clear height of less than 1.4 m (4 ft 7 in) shall not be considered in computing the floor area. However, a minimum height of 1.95 m (6 ft 5 in) shall be required for all floor area used as a means of egress.
- (c) except as required in section 4.8.5(a), headroom may have a lower requirement if serving only service rooms and service spaces.
- (d) not be less than 1800 mm (5 ft 11 in) over stairs and landings.

4.8.6 Ventilation – Provided – Maintained

Ventilation shall be provided and maintained as follows:

- (a) every habitable room except for a living room and a dining room shall be provided with:
 - (i) natural ventilation, which shall:
 - (1) consist of an opening or openings with a minimum aggregate unobstructed free flow area of 0.278 m² (3 sq ft), and
 - (2) be located in the exterior walls or through openable parts of skylights, or
 - (ii) mechanical ventilation, which shall change the air once each hour;
- (b) every washroom shall be provided with an opening or openings for natural ventilation located in an exterior wall or through openable parts of skylights and all such openings shall have a minimum aggregate unobstructed free flow area of 0.092 m² (1 sq ft);
- (c) an opening for natural ventilation may be omitted from a bathroom or toilet room where a system of mechanical ventilation has been provided, such as an exhaust fan with a duct leading to the outside of the dwelling;
- (d) every enclosed attic or roof space shall be vented by openings to the exterior to provide at least 0.092 m² (1 sq ft) of unobstructed vent area for every 27.9 m² (300 sq ft) of attic or roof space;
- (e) the vents required by clause (d) may be roof, eave or gable-end type or any combination thereof;
- (f) a crawl space or non-habitable basement space shall be adequately ventilated to the exterior by natural or mechanical means;
- (g) in residential buildings with multiple dwelling units, every laundry room, garbage disposal room, boiler room, storage garage, public corridors and other similar public rooms or spaces of the building shall be adequately ventilated.
- (h) every clothes dryer shall be vented with an approved duct to the outside of the building and shall be maintained.

4.9 DWELLING UNIT

4.9.1 Windows – Provided

Living rooms, dining rooms and bedrooms shall be provided with one or more windows and/or skylights that have a total light transmitting area of 5% of the floor area in the case of living and dining rooms and 2.5% of the floor area in the case of bedrooms.

4.9.2 Cooking Facilities – Equipped

Each dwelling unit shall have cooking facilities:

- (a) equipped with a sink that:
 - (i) is provided with potable hot and cold water; and
 - (ii) is maintained;
- (b) equipped with electrical or other service, fuel or utility outlets suitable for refrigerator and cooking stove; and
- (c) equipped with an impervious splashback and counter top around the kitchen sink; and
- (d) when equipped with a refrigerator, cooking stove, kitchen fixtures and fittings have such appliances, fixtures and fittings maintained.

4.9.3 Enclosed Sanitary Facilities – One Containing

Each dwelling unit shall have enclosed sanitary facilities with at least one containing:

- (a) toilet;
- (b) wash basin;
- (c) bathtub or shower;
- (d) water resistant floor;
- (e) water resistant wall around the bathtub or shower; and
- (f) a door in the enclosure that can be secured from the inside and can be opened from the outside in an emergency.

4.10 PEST INFESTATION

4.10.1 Free of Pests

All buildings shall be kept reasonably free of rodents, vermin and insects at all times and methods used for exterminating rodents or insects or both shall be in accordance with the provisions of the Pesticides Act, R.S.O. 1990, Chapter P.11, as amended, and all regulations enacted pursuant thereto.

PART 5 BUILDING SERVICES, SYSTEMS AND FACILITIES

5.1 ELEVATING DEVICES

5.1.1 Elevating Devices – Maintained

Elevating devices shall be maintained in a structurally sound condition free from hazards:

- (a) in accordance with the requirements of the Elevating Devices Act, R.S.O. 1990, Chapter E.8 and the Fire Code;
- (b) with all parts and appendages, including lighting fixtures, lamps, elevator buttons, floor indicators and ventilation fans in good repair and operational; and
- (c) repaired as expeditiously as possible.

5.2 HEATING, VENTILATING AND MECHANICAL SYSTEMS

5.2.1 Heating, Ventilating and Mechanical Systems – Maintained

Heating, ventilating and mechanical systems including stoves, fireplaces, and chimneys, fans, air conditioners, pumps, filtration and other equipment provided to supply heat and air conditioning or other services shall be maintained in a structurally sound condition free from hazards.

5.2.2 Heating System – Capable – Temperatures

The heating system shall be capable of maintaining the temperatures as specified in The Ontario Building Code.

5.2.3 Portable Heating – Not Used – Primary Source

Portable heating equipment shall not be used as the primary source of heat for any rented or leased dwellings or living accommodations.

5.2.4 Heating Equipment – Approved

Only heating equipment approved for use by a recognized standards testing authority shall be provided in a room used for sleeping purposes.

5.2.5 Fuel Supply – Continuous

- (a) Each rental dwelling unit shall have fuel and utilities supplied continuously.
- (b) Subsection (a) does not apply if the tenancy agreement names the tenant responsible for the supply of fuel or utilities and the supply has been discontinued because of arrears of payment.
- (c) If heating equipment burns solid, liquid or compressed gas fuel, a storage place or an approved storage receptacle shall be provided, installed and maintained in a safe location.
- (d) A space that contains fuel fired heating equipment shall have natural or mechanical means of supplying combustion air to the appliance.

5.3 PLUMBING AND DRAINAGE SYSTEMS

5.3.1 Plumbing and Drainage – Maintained

Plumbing and drainage systems shall be provided and installed so that such systems:

- (a) are free from leaks and adequately protected from freezing;
- (b) supply potable hot and cold water commensurate with the normal requirements of the use and or occupancy served; and
- (c) are operated to provide at the hot water outlets in each dwelling unit hot water at a temperature of not less than 43° C (109° F).

5.3.2 Washing Machine and Plumbing Fixtures – Maintained

Where washing machines and plumbing fixtures are provided they shall be maintained.

5.3.3 Air Conditioners – Prevent Condensation

Air conditioners shall be equipped with proper devices to prevent condensation draining onto publicly owned sidewalks, walkways, entrances and other pedestrian routes.

5.3.4 Septic Tanks – Tile Beds – Maintain

Septic tanks, tile beds and dry wells shall be operated and maintained in a structurally sound condition free from hazards, in accordance with Section 8.9 of the Ontario Building Code.

5.3.5 Decommissioning – Septic Tanks – Drywell

To decommission septic tanks or dry wells, they shall be pumped dry and contents disposed of at a suitable disposal site. The tanks or dry wells may be broken up and buried, cavities shall be filled with sand or another suitable material and the ground graded to match existing grades. Existing building drain(s) not being reused shall be removed from the foundation wall and the foundation wall shall be repaired and made impervious to water.

5.3.6 Abandonment of Wells

All abandoned wells shall be plugged in accordance with Ministry of the Environment Guidelines.

5.4 ELECTRICAL SYSTEMS

5.4.1 Provide – Outlets

Dwelling units and, where required by the Ontario Electrical Code, buildings and all parts thereof shall be provided with outlets to receive electricity from an electrical supply system. Every kitchen shall have outlets suitable for refrigerator and cooking appliances.

5.4.2 Wall Switch – Provided

Except as provided in Subsection 5.4.3, a lighting outlet with fixture, controlled by a wall switch shall be provided in kitchens, bedrooms, living rooms, dining rooms, washrooms, vestibules and hallways in dwelling units.

5.4.3 Receptacle Controlled

Where a receptacle controlled by a wall switch is provided in bedrooms or living rooms, such rooms need not conform to the requirements of Subsection 5.4.2.

5.4.4 Capacity of Connection – Conform- Ontario Electrical Code

The capacity of the connection to the building or parts thereof and the system of circuits and electrical outlets distributing the electrical supply within the building shall conform to the Ontario Electrical Code.

5.4.5 Lighting Outlet – Provided – Maintained

A lighting outlet with a fixture shall be provided and maintained in every laundry room, furnace room, garbage room, utility room, storage room, service room, unfinished basements in dwelling units and any other public spaces in residential buildings.

5.4.6 Exit, Public Corridor or Corridor – Access – Lighting – Provided – Maintained

Every exit, public corridor or corridor providing access to exit for the public and storage garages shall be provided and maintained with lighting fixtures to adequately light the area.

5.4.7 Electrical Systems – Maintained

Electrical systems shall be maintained as required by the Ontario Electrical Code and the Ontario Fire Code.

5.4.8 Smoke Alarms

Every residential unit shall have an operable smoke alarm installed in such locations as required by the Ontario Building Code and/or The Ontario Fire Code. Every smoke alarm shall be maintained in working condition at all times in accordance with The Ontario Fire Code requirements.

5.5 RECREATIONAL FACILITIES

5.5.1 Amenities – Provided – Maintained

Recreational amenities, facilities, rooms and play area surfaces and equipment provided by the owner shall be maintained in a structurally sound condition, free from hazards.

**PART 6
APPEAL TO A COMMITTEE**

6.1 Fee for Appeal – Required

Any person who initiates an appeal of an Order made under Section 15.2 (2) of The Ontario Building Code Act S.O. 1992, c23 shall submit a Notice of Appeal in the time frame and manner as prescribed in Section 15.3 (1) of the Act along with the non-refundable fee as set out in Schedule “B” attached to and forming part of this by-law, at the time the appeal is filed.

**PART 7
ESTABLISHMENT OF A COMMITTEE**

7.1 Council – Establish – Committee

Municipal Council shall establish a Committee of not fewer than three to hold office for a term as prescribed by Council.

7.2 Forthwith Fill – Vacancy

Council shall forthwith fill any vacancy that occurs in the membership of the committee.

7.3 Council – Remuneration – Committee

The members of the Committee shall be paid such compensation as Council may provide.

7.4 Committee – Elect – Chair

The Committee shall elect a chair from among them and when the chair is absent, may appoint an acting chair.

7.5 Majority – Quorum

A majority of members constitutes a quorum for transacting the Committee’s business.

7.6 Secretary – Committee

The members shall provide for a secretary for the Committee.

7.7 Secretary – Retain – Records

The secretary shall keep on file the records of all official business of all applications and minutes of all decisions respecting those applications.

7.8 Committee – Rules and Procedures

The Committee may subject to subsection 7.9, adopt its own rules and procedures.

7.9 Committee – Notice of Hearing

The Committee shall give notice or direct that notice be given of the hearing of an appeal to such persons as the Committee considers advisable.

7.10 Complaint – Written and Signed

The investigation of non-compliance with the standards prescribed in this by-law will take place by the Officer on the basis of a signed written complaint with description of complaint, lodged with the municipality and referred to the Officer.

**PART 8
CERTIFICATE OF COMPLIANCE**

8.1 Officer – On Request – Issue Certificate

Following the inspection of a property, the Officer on request of the owner shall issue to the owner a certificate of compliance, if in his or her opinion, the property is in compliance with the standards of the Property Standards By-Law passed under Section 15.1 of The Building Code Act.

8.2 Fee – Payable – Certificate of Compliance

A fee shall be payable to the Municipality prior to the issuance of a Certificate of Compliance where it is issued at the request of the owner in the amounts prescribed by Schedule “A” to this by-law.

**PART 9
VALIDITY**

9.1 Severability

In the event that any provision(s) of this by-law is (are) declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining provisions of this by-law.

**PART 10
REPEAL**

10.1 By-Laws – Repealed

All previous Property Standards By-Laws of the Former Municipalities of the Corporation of the Municipality of Huron East (former Village of Brussels, former Town of Seaforth, former Townships of Grey, McKillop and Tuckersmith), are hereby repealed.

10.2 Planning Act Repealed – By-Laws Repealed – Order Continuous

Despite the repeal of Section 31 of the Planning Act and the repeal of all preceding by-laws passed pursuant to Section 31 of the Planning Act, an Order made under any repealed Property Standards By-Law is continued as an Order made under Section 15.1 of the Act.

**PART 11
COMMENCEMENT**

11.1 By-Law in Force

This By-Law shall take effect on the date of final passing by the Council of the Corporation of the Municipality of Huron East.

Read a first time the 3rd day of April 2001.

Read a second time the day of 2001.

Read a third time and finally passed the day of 2001.

Mayor

Clerk

SCHEDULE "A"

FEE SCHEDULE FOR ISSUANCE OF CERTIFICATE OF COMPLIANCE

CATEGORY	COST
Certificate of Compliance	\$50.00

SCHEDULE "B"

APPEALS TO ORDER

Appeals to Order issued under 15.3(1) of the Building Code Act	\$150.00
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