

THE CORPORATION OF THE TOWN OF BLIND RIVER
BY-LAW NO. 18-34

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 the Official Plan for The Corporation of the Town of Blind River includes provisions relating to property conditions;

AND WHEREAS the Council of The Town of Blind River 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 Town of Blind River hereby enacts the following:

PART 1

1. **SHORT TITLE:** This By-law may be cited as the “**PROPERTY STANDARDS BY-LAW**”

2. **DEFINITIONS:**
 - 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.

 - 2) “**Appliances**” – includes refrigerators, stoves, clothes washers, dishwashers and hot water tanks.

 - 3) “**Building**” – means any structure used or intended to be used for supporting or sheltering any use or occupancy.

 - 4) “**Clerk Administrator**” – means the Clerk Administrator for the Corporation of the Town of Blind River duly appointed under the

Municipal Act, R.S.O. 1990, Chapter M.45, as amended.

- 5) **“Committee”** – Means the Property Standards Committee established under this By-law.
- 6) **“Corporation”** – means The Corporation of the Town of Blind River.
- 7) **“Council”** – means the Council of the Corporation of the Town of Blind River.
- 8) **“Demolish”** – means the doing of anything in the removal of a building or structure or part thereof.
- 9) **“Dwelling and Dwelling Unit”** – means a building or structure, as defined in (2) hereinbefore, or one or more rooms connected together but completely separate as a unit from all other rooms in the same structure or dwelling constituting an independent housekeeping unit for residential occupancy by humans for living and sleeping purposes.
- 10) **“Exterior Property Area”** – means the property excluding buildings.
- 11) **“Habitable Room”** – means any room in a dwelling unit or structure used or intended to be used for living, sleeping, cooking or eating.
- 12) **“Maintenance”** – means the preservation and keeping in good repair of a property and building.
- 13) **“Mixed use Building”** – means a building containing one or more dwelling units and other uses not accessory to the dwelling units.
- 14) **“Noxious Weeds”** – Means weeds classed as noxious by the Weed Control Act, R.S.O. 1990, Chapter W.5
- 15) **“Occupant”** – means any person or persons over the age of eighteen in possession of the property.
- 16) **“Officer”** – means a property standards officer who has been assigned the responsibility of administering and enforcing this By-law.
- 17) **“Owner”** – means the person for the time being managing or receiving the rent of the land or premises in connection with which the

work is used, whether on his own account or as agent or trustee of any other person of who would so receive the rent is such land and premises were let, and shall also include a lessee or occupant of the property who, under the terms of the lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of property.

- 18) **“Person”** – means any person, firm, partnership, association, corporation, company or organization of any kind.
- 19) **“Property”** – means a building or structure or part of a building or structure including the lands and premises appurtenant thereto and all mobile homes, mobile building, mobile structures, accessory building, accessory structures, fences, and includes vacant property.
- 20) **“Repair”** – means the making of additions or alterations or taking of such action as may be required so that the property shall conform to the standards established in this By-law, and in conformity with all other legislation.
- 21) **“Sewage System”** – means the municipal sanitary sewage system or private sewage system approved by the Algoma Public Health.
- 22) **“Standards”** – means the standards of physical condition and occupancy of property set out in this By-law.
- 23) **“Vehicle”** – means a motor vehicle, trailer, boat, motorized snow vehicle and mechanical equipment, whether operable or not.
- 24) **“Yard”** – means an unoccupied space open to the sky on the same lot with a dwelling. For the purpose of clarity yard (front, rear, side) shall have the same meaning and defined in the Restricted Area Zoning By-law and in the case of one acre or more “yard” shall be a minimum of 10 feet square.

3. INTERPRETATION AND RETROSPECTIVE EFFECT:

- 3.1 Where a provision of this By-law conflicts with the provisions of another By-law, Act Regulation in force within the municipality, the provision, which establishes the higher standards to protect the health,

safety and welfare of the occupants and the general public, shall prevail.

- 3.2 If any provision or article of this By-law is for any reason found to be invalid by a court of competent jurisdiction, the provision or article found to be invalid shall be severed from the Chapter and the remaining provisions or article shall remain in effect until repealed.
- 3.3 This By-law shall apply to all property and improvement within the limits of the Town of Blind River at the date of the passing of the By-law.
- 3.4 The provisions of this By-law are declared to be remedial in effect and intended to promote neighbourhood and community development to preserve and protect the safety of the occupants of any dwelling or structure or the property on which same is situate.
- 3.5 The provisions of the By-law are hereby declared not to be retrospective in effect save and except those provisions, as are hereinafter outlined, which are specifically declared to be retrospective in nature.

PART 2

4. EXTERIOR PROPERTY AREAS – RESIDENTIAL:

4.1 Garbage:

- 4.1.1 Every dwelling shall be equipped with sufficient receptacles to contain all garbage, rubbish and ashes in a sanitary manner.
- 4.1.2 All garbage, refuse and ashes should be disposed of in a manner acceptable to the Ministry of the Environment and Climate Change.
- 4.1.3 Plastic bags shall not be stored outdoors unless protected from damage.
- 4.1.4 Every building shall be provided with rodent-proof storage space or rodent-proof receptacles for garbage.

4.2 Yards:

- 4.2.1 All yards shall be kept free and clean from rubbish and other debris and from objects or conditions that might create a health, fire or accident hazard.
- 4.2.2 All yards shall be kept free from excessive growth of weeds and grasses. Plants designated as noxious weeds under the Weed Control Act shall be eliminated from all yards.
- 4.2.3 Any vehicle, boat, trailer or part of any vehicle, boat or trailer, which does not have a valid license or sticker, which is in a wrecked, discarded, dismantled, partly dismantled, or abandoned condition shall not be stored or left in a yard, 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 on.
- 4.2.4 Steps, walks, driveways, parking spaces, and similar areas of the yard shall be maintained so as to afford safe passage under normal use and weather conditions.

4.3 Fences and Accessory Buildings:

- 4.3.1 Accessory buildings and all fences shall be kept in good repair and free from health, fire or accident hazards.

4.4 Drainage and Sewage:

- 4.4.1 Sewage or organic waste shall be discarded into an approved sanitary sewage system where such a system exists; where a sewage system does not exist, sewage of organic waste shall be disposed of in a manner acceptable to the local Health authorities having jurisdiction over same within the municipal boundaries of the Corporation.
- 4.4.2 Storm water shall be drained from the property so as to prevent excessive ponding or the entrance of water into a basement or cellar.
- 4.4.3 Exterior property areas shall be graded and maintained to prevent ponding or water creating an unsafe condition. Catch basins and swales shall be installed and maintained where necessary to facilitate

drainage and so as not to impede natural flow of water.

5. STRUCTUARAL STANDARDS:

5.1 Foundations:

5.1.1 The foundation walls, and the basement, cellar or crawl space floor or floors shall be maintained in good repair and shall be structurally sound, and where necessary, shall be so maintained by shoring of the walls, installation of subsoil drains at footings, grouting of masonry cracks, piping and waterproofing of the walls.

5.2 Chimneys:

5.2.1 Every chimney, smoke pipe, and flue or gas vent in a building or structure shall:

- a) be maintained so as to prevent the escape of gases into the building or structure;
- b) be kept clear of obstructions, and all open joints shall be sealed, and all broken and loose masonry shall be repaired;
- c) be installed and maintained so that under all conditions of use, the temperature of any combustible material adjacent thereto does not exceed a safe temperature as determined by the Fire Prevention Act.

5.3 Structural Capability:

5.3.1 Every building and every structural member of a building should be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any additional weight that may be put on it through normal use, or for the use for which such building or structure was intended. Material which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

5.3.2 Every exterior wall, roof, porch, chimney or appurtenance of a building shall be maintained in a manner so as to prevent collapse of

the same or injury to the occupant of the dwelling, or to the public.

5.3.3 Every outside stair, porch, balcony or landing actually in use or available for use shall be maintained in good repair so as to be free of holes, cracks, or other defects which may constitute possible accident hazards.

5.3.4 Windows, roofs, exterior doors and basement or cellar hatchways shall be maintained in good repair so as to prevent the entrance of wind and rain in the dwelling.

5.4 Heating:

5.4.1 Every dwelling shall be provided with suitable heating facilities that are capable of providing throughout the year an indoor temperature of not less than 21 degrees Celsius in all habitable rooms.

5.4.2 All heating facilities shall be properly installed and maintained in safe and good working conditions, and shall be capable of safely and adequately supplying the required heat.

5.4.3 Doors and windows shall be of such a construction as to prevent drafts and minimize heat losses through infiltration of outside cold air in the cold weather season.

5.4.4 Only heating appliances listed for the application shall be used in a room for sleeping purposes.

5.4.5 Every heating appliance using solid, liquid or gas fuel shall be connected to a suitable chimney or flue to withdraw safely all products of combustion in accordance with the applicable regulations, whether such regulations be municipal, provincial or federal.

5.4.6 All fuel-burning appliances shall comply with the Energy Act, R.S.O. 1990, Chapter E.16, as amended.

5.4.7 Thermal insulation of building to minimize heat losses shall be done in accordance with the provisions of the Ontario Building Code and sufficient to prevent the formation of condensation on the inside walls.

5.5 Plumbing:

- 5.5.1 Every dwelling shall be provided with an adequate supply of potable water approved by the Medical Officer of Health, having jurisdiction within the Corporation's boundaries.
- 5.5.2 All plumbing, pipes and other plumbing fixtures in a dwelling and every connecting line to the sewage system shall be maintained in good working order and free from leaks and defects, and all water pipes and appurtenances thereto shall be protected from freezing.
- 5.5.3 Every self-contained dwelling unit shall be equipped with at least one kitchen sink, water-closet, wash basin, and bathtub or shower, and an acceptable means of sewage disposal.
- 5.5.4 Within every dwelling unit there shall be a room which affords privacy to a person within the said room and which is equipped with a flush toilet and a wash basin in good working order.

5.6 Electrical Services:

- 5.6.1 Where electrical power is available, every dwelling shall be provided with an adequate supply of electric power and with electrical facilities having ample capacity to meet all anticipated electrical uses without being overloaded.
- 5.6.2 Electrical wiring and equipment shall be installed in conformity with the regulations of Electric Safety Authority and shall be maintained so as not to be a potential source of fire or electric shock or other hazard.
- 5.6.3 An electrical light fixture shall be installed in every bathroom, kitchen or kitchenette, laundry room, furnace room, hall and in a stairway which is not otherwise lighted.
- 5.6.4 Switches for turning on one light in each room of passageway shall be conveniently located so as to permit the area ahead to be lighted.

5.7 Health and Safety Standards:

- 5.7.1 A dwelling unit shall be kept 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 and all regulations passed pursuant thereto.
- 5.7.2 Every floor, wall, ceiling and fixture in a dwelling unit or building shall be maintained in a clean and sanitary condition, and the dwelling shall be kept free from rubbish, debris or conditions which constitute a fire accident or health hazard.
- 5.7.3 Every multiple dwelling unit shall have not fewer than two non-obstructed and approved means of egress located as far from one another and leading to a safe and open space at ground level. The egress from each dwelling unit shall be provided without passing through any other dwelling unit or a furnace room. **This regulation shall not apply to existing basement apartments.**
- 5.7.4 Fuel oil and any other combustible or flammable material shall be stored and located so as not to be a hazard to the premises or surrounding property or contravene any provincial, federal, or municipal regulations.
- 5.7.5 Every owner of residential property shall have installed in each dwelling unit within the said residential property, one or more smoke detectors, in accordance with the provisions of this Section:
- a) Every owner of a building containing one or more dwelling units shall ensure that each smoke detector is installed in accordance with Subsection 5.7.5 hereof and is maintained in good operating condition at all times;
 - b) Smoke detectors shall be installed:
 - i) between each sleeping area and the remainder of the building;
 - ii) where a sleeping area is served by a hallway, in the hallway; and
 - iii) on or near the ceiling in accordance with the manufacturer's installation instructions or, if there are no

such instructions, as directed by the Property Standards Officer

- c) Where instructions are necessary to describe the maintenance and care required for smoke detectors to ensure continuing satisfactory performance, the said instructions shall be posted in a location where they will be readily available to the occupants of the dwelling unit for reference.

5.7.6 An approved carbon monoxide detector shall be installed in any room within a dwelling unit which contains a spillage susceptible combustion appliance.

5.7.7 If a rental unit-to-vestibule communication system together with a vestibule door locking release system is provided, it shall be maintained in a good state of repair and in a safely operable condition.

5.8 Lighting:

5.8.1 Adequate artificial lighting shall be available at all times in all rooms, stairways, halls, corridors, garages, and basements of a residential complex that are accessible to tenants.

5.8.2 Artificial lighting shall be provided in exterior common areas to permit these areas to be used or passed through safely, and to provide security.

5.8.3 Subsection (5.8.1) and (5.8.2) do not apply to a residential complex that has never been connected to an electrical power system.

5.8.4 Artificial lighting that has been installed in outbuildings normally used by tenants, including garages, shall be kept in operable condition.

5.8.5 Artificial lighting shall be maintained in a good state of repair.

PART 3

6. EXTERIOR PROPERTY AREAS – NON-RESIDENTIAL:

6.1 Garbage:

- 6.1.1 Every building shall be equipped with sufficient receptacles to contain all garbage, rubbish, ashes and trade waste.
- 6.1.2 All garbage, refuse and ashes should be disposed of in a manner acceptable to the Ministry of the Environment and Climate Change.
- 6.1.3 Plastic bags shall not be stored outdoors unless protected from damage.
- 6.1.4 Every building shall be provided with rodent-proof storage space or rodent-proof receptacles for garbage.

6.2 Yards and Fences:

- 6.2.1 All yards and any businesses that requires outdoor storage for any purpose shall be kept free and clear from rubbish and other debris and from objects or conditions that might create a health, fire or accident hazard.
- 6.2.2 All yards shall be kept free from excessive growth of weeds and grasses. Plants designated as noxious weeds under the Weed Control Act shall be eliminated from all yards.
- 6.2.3 Any vehicle, boat, trailer or part of any vehicle, boat or trailer, which is in a wrecked, discarded, dismantled, partly dismantled or abandoned condition shall not be stored or left in a yard unless such vehicle is required for business purposes.
- 6.2.4 Fences and retaining walls shall be kept in good repair, free from health, fire and accident hazards, and protected by paint, preservative or other weather resistant material.
- 6.2.5 All outdoor salvage yards shall be obscured from surrounding property by screening of uniform construction and of a minimum height of 1.8 metres (6 feet).
- 6.2.6 Containers shall be made available for the disposal of refuse which may be discarded by customers of commercial establishments and the

lands shall be kept free of such refuse.

6.3 Parking:

6.3.1 All areas used for vehicular traffic or parking shall be kept free from potholes, dirt, dust, and litter, adequately drained and in good repair.

6.4 Safe Passage:

6.4.1 Steps, walks, driveways, parking spaces and similar areas on the lands shall be maintained so as to afford safe passage under normal use and weather conditions.

6.5 Sewage and Drainage:

6.5.1 All sanitary sewage shall be discharged into an approved sanitary sewage system.

6.5.2 Rain water may be conveyed to a storm sewer, but in an event rain water shall be disposed of in such a manner as not to create a nuisance.

6.5.3 Storm water shall be drained from lands so as to prevent recurrent ponding or the entrance of water into basement or cellar.

6.5.4 Wherever possible, no roof or surface drainage shall be discharged onto sidewalks, stairs or neighbouring property.

6.5.5 All waste pipes shall be connected to the sewage system through waterseal traps.

6.5.6 Sump pumps shall not be permitted to be connected to municipal sanitary sewage system. Pumps shall be connected to storm drains where available, or shall discharge into approved storm ditches.

6.6 Pest Prevention:

6.6.1 A building shall be kept 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 P11.

6.6.2 A basement or cellar window used or intended to be used for ventilation, and any other opening in a basement or cellar that might let in rodents, including a floor drain shall be screened with wire mesh or such other material that will effectively exclude rodents.

6.7 Basement Floors:

6.7.1 Basement, cellar or crawl spaces which are not served by a stairway leading from the building or from outside the building may have a dirt floor provided it is covered with a moisture proof covering.

6.7.2 Basements or cellars which are served by a stairway leading from the building or from outside the building shall have a concrete floor, and, where necessary, shall have a floor drain located at the lowest point of the said floor and connected to a sewage system.

6.7.3 A concrete floor in a basement shall be free from major cracks and breaks that create a hazardous condition.

6.8 Foundations:

6.8.1 The foundation walls and the basement, cellar or crawl space floor shall be maintained in good repair and shall be structurally sound, and where necessary, shall be so maintained by shoring of the walls, installing subsoil drains at the footing, grouting masonry cracks, parging and water proofing of the walls and floor.

6.8.2 Every building, unless of the slab-on-grade type, shall be supported by foundation walls or piers which extend below the frost line or to solid rock and all footings, foundation walls, piers, and slab-on-grade shall be of masonry or other suitable material. This section does not apply to accessory buildings.

6.9 Structural Soundness:

6.9.1 Every part of a building shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and

additional loads that may reasonably be expected.

- 6.9.2 Exterior walls, roofs, and other parts of the building shall be free from loose and unsecured objects and material. Such objects or materials shall be removed, repaired or replaced.
- 6.9.3 All exterior exposed surfaces not inherently resistant to deterioration shall be treated with a protective coating or paint or otherwise repaired, coated, sealed, or treated to protect them from deterioration or weathering.

6.10 Exterior Walls and Surfaces:

- 6.10.1 The exterior walls and surfaces of building and their components shall be maintained so as to prevent deterioration due to weather, dryrot, and insects. Where necessary, they shall be so maintained by the painting, restoring or repairing of the walls, coping or flashing, by the water proofing of joints, water proofing or caulking of the wall itself, by installing or repairing of termite shields, and by treating the soil with poison in accordance with the Pesticides Act, R.S.O. 1990 Chapter P11.
- 6.10.2 All canopies, marquees, signs, awnings, stairways, fire escapes, standpipes, exhaust ducts and similar overhang extensions shall be maintained in good repair, shall be properly anchored, and shall be protected from the elements and against decay and rust by the periodic application of weather-coating material such as paint or other protective treatment.
- 6.10.3 All cornices, entablatures, belt courses, corbels, terra cotta trim, wall facings, and similar decorative feature shall be maintained in good repair with proper anchorage and in a safe condition.

6.11 Roofs:

- 6.11.1 Roofs, including fascia boards, cornices, eaves and soffits on buildings shall be maintained in a water-tight condition so as to prevent leakage into the building. The maintenance required thereby includes repairing of the roof and flashing applying waterproof coatings and installing or repairing eavestroughing and rain water piping. Dangerous

accumulation of snow or ice or both shall be removed from the roof of the building.

6.12 Doors and Windows:

- 6.12.1 All exterior openings shall be fitted with doors or windows.
- 6.12.2 Windows, exterior doors, and basement or cellar hatchway shall be maintained in good repair so as to prevent the entrance of wind or moisture into the dwelling.
- 6.12.3 Rotted or damaged doors, door frames, sashes and casings weather-stripping, broken glass and defective door and window hardware shall be repaired or replaced.
- 6.12.4 Every glass or transparent door accessible to the public shall be designed and constructed so that the existence and position of such door is readily apparent by attaching thereto non-transparent hardware, bars or other permanent fixtures and when constructed of glass shall be constructed of wired glass or safety glass.
- 6.12.5 Transparent panels used near accesses to buildings which, because of their physical configuration or design could be mistaken for doors, shall be made inaccessible to the occupants by a guard, barrier or railing at least 105 cm (42 inches), above the adjacent door.

6.13 Protective Barriers, Balustrades and Handrails:

- 6.13.1 A protective barrier of at least 105cm (42 inches) in height shall be provided around each roof to which access is provided for purposes other than maintenance, and as each raised floor, mezzanine, balcony, gallery, window well, exterior passage way and other locations where the difference in elevation is greater than 61 cm (24 inches)
- 6.13.2 A balustrade shall be installed and maintained in good repair on the open side of any balcony, porch, landing, stairwell and stairway with a height or rise of 1.5 metres (5 feet) or more.
- 6.13.3 Section 6.13.2 does not apply to basement stairways.

6.14 Stairs and Porches:

6.14.1 All stairs and porches and all surrounding structural members shall be maintained so as to be free from defects which might constitute possible accident hazards. The maintenance required thereby includes the repairing or replacing of:

- a) treads or risers that show excessive wear or are broken, warped, loose, or otherwise defective; and
- b) supporting structural members that are rotted or deteriorated.

6.15 Egress:

6.15.1 There shall be provided, a means of egress from every floor area, as required by the Ontario Fire Code.

6.16 Walls and Ceilings:

6.16.1 Every wall and ceiling shall be maintained so as to be free of holes, cracks, loose plaster or other coverings, or defects which may cause injury.

6.17 Floors:

6.17.1 Every floor in a building shall be maintained so as to be free of loose, warped, protruding, broken or rotted boards that might cause an accident or that might admit rodents into a room because of holes or wide cracks. All defective floor boards shall be repaired. Where the floor in a building has been covered with linoleum or some other covering that has become worn or torn so that it retains dirt, such linoleum or other covering shall be repaired or shall be replaced.

6.18 Cleanliness:

6.18.1 Every floor, wall, ceiling, fixture, appliance and equipment shall be maintained in a clean and sanitary condition as is appropriate to use which is being made of the building.

6.18.2 The building shall not contain rubbish or debris which constitutes a

fire, health or accident hazard.

6.19 Water and Plumbing:

6.19.1 All plumbing, drain pipes, water pipes, toilet and other plumbing fixtures in a building and every connecting line to the sewage system shall be maintained in good working order, and free from defects, including leaks, and all water pipes and appurtenances thereto shall be protected from freezing.

6.19.2 All toilets shall be provided with cold running water. All wash basins, bath tubs, showers and kitchen sinks shall be provided with an adequate supply of cold and hot running water. All hot water shall be supplied at minimum temperature 43.5 degrees Celsius (100 degrees Fahrenheit).

6.20 Bathroom and Toilets:

6.20.1 Every bathroom floor and every toilet room floor, when the toilet is in a separate room, shall be maintained so as to be impervious to water and so as to permit cleaning.

6.20.2 All toilet rooms shall be fully enclosed and with a door capable of being locked so as to provide privacy for the occupant.

6.20.3 All toilet facilities and toilet rooms shall be kept clean and neat at all times and the toilet room walls and ceiling shall be provided with a smooth surface coating it must be maintained and painted as is necessary for cleanliness.

6.20.4 Every toilet room and bathroom 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 of 0.09m² (1 square foot).

6.20.5 An opening for natural ventilation may be omitted from toilet room where a system of mechanical ventilation has been provided, such as an electric fan with a duct leading to outside the building.

6.20.6 Where mechanical ventilation is used, the ventilation duct on the

exterior wall shall not be located closer than 1.8 metres (6 feet) from a window of an adjoining building.

- 6.20.7 All toilets, wash basins, bath tubs, sinks, drains and showers shall be supplied with an outlet connected to the sewage system, and shall be maintained in good working order.
- 6.20.8 No facilities for sleeping, or for the preparation of cooking, storage or consumption of food shall be contained within a room that contains a toilet or urinal.
- 6.20.9 A wash basin served by running water draining into the sewage system shall be located in the room that contains a toilet required by this By-law, or in an adjoining room.
- 6.20.10 Every bathroom, toilet room or shower room shall have a floor of water repellent construction with a base moulding at least 5 cm (2 inches) in height, except at door openings.
- 6.20.11 Buildings where people work shall have a minimum of one water closet and one wash basin supplied with hot and cold running water, located in an enclosed room conveniently accessible to the employees.
- 6.20.12 Each toilet room shall be provided with toilet paper, soap and individual towels or other means of drying.

6.21 Heating Systems:

- 6.21.1 The heating systems in buildings shall be maintained in good working order so as to be capable of heating the building safely to the required standard, and, where applicable, shall be vented into a chimney or flue providing sufficient and adequate outlet for escape of all noxious gasses, so as to prevent any health, fire, or accident hazard.
- 6.21.2 Rigid connections shall be kept between such equipment burning gaseous fuel and the supply line.
- 6.21.3 Rigid connections shall be kept between all heating apparatus, including equipment burning any fuel and a chimney or flue.

- 6.21.4 Equipment burning fuels of any kind including gaseous fuels shall be properly vented to a duct leading to an outdoor space.
- 6.21.5 No gas appliance of any kind shall be installed or maintained with a gas supply in any room used or intended for sleeping purposes.
- 6.21.6 Where a heating system or part of it or any ancillary heating system burns solid or liquid fuel, a place or receptacle for the storage of fuel shall be maintained in a convenient location and constructed so as to be free from fire or accident hazards.
- 6.21.7 A space that contains a heating unit shall have natural or mechanical means of supplying the required air for combustion.
- 6.21.8 A fuel burning central heating system in a mixed use building shall be located in a separate room having walls, ceiling and doors with a fire resistance rating of not less than one hour.
- 6.21.9 Section 6.21.8 does not apply where there is a fire separation between the dwelling unit and the non-residential property having a fire resistance rating of one hour or where the dwelling unit and non-residential property are occupied by the same tenant.
- 6.21.10 A fuel burning central heating system shall be vented to provide sufficient combustion air for the heating equipment directly from the outside air.
- 6.21.11 Where persons are employed in duties and operations in an enclosed space or room within a building and not engaged in vigorous physical activity, the heating in such spaces or rooms to maintain a temperature of not less than 21 degrees Celsius (70 degrees Fahrenheit) during normal working hours.
- 6.21.12 The heating required by Section 6.21.11 shall be maintained by good working condition so as to be capable of heating the building safely to the required standards and auxiliary heaters shall not be used as a primary source of heat.
- 6.21.13 Where a heating system or part of it or any auxiliary heating system burns solid or liquid fuel, a place or receptacle for the storage of the fuel shall be provided and maintained in a convenient location and

properly constructed so as to be free from fire or accident hazards.

- 6.21.14 Equipment burning fuels shall be properly vented by connecting duct or flue pipe leading to a chimney or vent flue approved by the Chief Building Official.
- 6.21.15 All flues shall be kept clear of obstruction, all open joints shall be sealed and all broken loose masonry shall be repaired and the vents shall be maintained to prevent gases from leaking into the building.
- 6.21.16 Every chimney, smoke pipe and flue shall be maintained so as to prevent gases from leaking into the building.

6.22 Electrical Services:

- 6.22.1 The electrical wiring and all equipment and appliances located for use in a building shall be maintained in good working order so as not to cause a fire or electrical shock hazard.
- 6.22.2 Without limiting the generality of Section 6.22.1, the maintenance required thereby includes the repairing or replacing of defective wiring and equipment, the installation of additional circuits and any other repairs, alterations or installations required under the Ontario Electrical Safety Code.
- 6.22.3 When the capacity of a circuit within a building is in full or nearly full use as indicated by the amperage or wattage requirements shown on the appliance or appliances in use, no person shall use an additional appliance so as to increase the use beyond the capacity of the circuit.
- 6.22.4 Fuses or overload devices shall not exceed limits set by the Ontario Electrical Safety Code.
- 6.22.5 Extension cords which are not part of a fixture shall not be permitted on a semi-permanent or permanent basis.
- 6.22.6 The electrical wiring and all electrical fixtures located or used in a building shall be installed and maintained in good working order and in conformity with the regulations of the Ontario Electrical Safety Code.

6.23 Lighting:

- 6.23.1 Where buildings are wired for electricity, lighting equipment or electrical outlets shall be provided throughout, adequate to provide sufficient illumination to avoid health or accident hazards in normal use.
- 6.23.2 Sufficient windows, skylights and electrical lighting fixtures shall be provided and maintained in order to furnish illumination of at least 54 lx (5 foot candles) power, in all passageways and stairways whenever the building is in use, and at least 11 lx (1 foot candle) power, in all stairways provided for use in case of fire or other emergency.
- 6.23.3 Levels of illumination shall be measured at the floor or stair track level.
- 6.23.4 Every bathroom and every toilet room shall have a permanently installed artificial lighting fixture that shall be maintained in good working order.
- 6.23.5 Every stairway, hall, cellar and basement, and every laundry, furnace and non-habitable work room in a dwelling shall have lighting adequate to prevent health or accident hazards, available at all times in normal use.

6.24 Ventilation:

- 6.24.1 All systems of mechanical ventilation or air-conditioning shall be maintained in good working order.
- 6.24.2 Every basement and unheated crawl space shall be adequately vented to the outside air. In a basement this shall mean windows which can be opened or screened openings, the area of which shall not be less than one percent of the floor area, and for an unheated crawl space this shall mean a number of louvres with insect screening of corrosion-resistant material.
- 6.24.3 An opening for natural ventilation may be omitted from the basement or unheated crawl space where a system of mechanical ventilation has been provided which changes the air once each hour.

6.24.4 Every room where people work shall have an opening or openings for natural ventilation and such opening or openings shall give a minimum aggregate unobstructed free flow area of 0.28 m² (3 square feet), and shall be located in the exterior walls or through openable parts of skylights.

6.25 Air Conditioners:

6.25.1 Air conditioners may be installed directly over a public sidewalk only with the approval of the Town of Blind River and shall be equipped with devices to keep condensation drainage from the sidewalk.

6.25.2 All air conditioners shall be maintained in a safe mechanical and electrical condition.

6.25.3 Where mechanical ventilation is used, the ventilation duct which is on a wall shall not be located closer than 1.8 m (6 feet) from a window located in an adjoining building.

PART 4

7. VACANT LAND

7.1 Vacant Land:

7.1.1 Vacant land shall be kept clean and free from rubbish or other debris, and from objects or conditions that may create health, fire or accident hazard.

8. MOBILE HOME PARKS & LAND LEASE COMMUNITIES

8.1 Water Supply:

8.1.1 A supply of potable water and water pressure that are sufficient for normal household use shall be available for each rental unit in a mobile home park or land lease community.

8.1.2 An adequate supply of water and adequate water pressure shall be available for firefighting.

8.1.3 Fire hydrants owned by the landlord shall be regularly tested and maintained and kept free from accumulation of snow and ice.

8.2 Roads:

8.2.1 Roads within a mobile home park or land lease community shall be,

- a) kept free of holes and cleared of snow and obstructions;
- b) maintained to control dust; and
- c) kept passable.

8.2.2 Excavations made for repairs shall be filled in and the ground returned to its previous condition.

8.3 Mailboxes:

8.3.1 mailboxes and the approaches to them shall be kept free of snow and other obstructions.

8.4 Distance Between Mobile Homes:

8.4.1 Where the distance between mobile homes is three metres or more, that distance shall not be reduced to less than three metres through the addition of a deck or ramp or by other means, unless a lesser distance provides an adequate degree of fire safety.

8.5 Sewage:

8.5.1 Sewage holding tanks in a mobile home park or land lease community shall be emptied whenever necessary.

8.5.2 Sewage connections and other components of the sewage system shall be provided in a mobile home park or land lease community and shall be permanently secured to prevent a discharge of sewage.

8.6 Electrical Supply:

8.6.1 Electrical supply and connections in a mobile home park or land lease community supplied by the landlord shall be maintained free of conditions

dangerous to persons or property.

9. GENERAL MAINTENANCE

9.1 Floors:

9.1.1 Every floor, stair, veranda, porch, deck, balcony, loading dock and every structure similar to any of them, and any covering, guard or surface finishing shall be maintained in good state of repair.

9.2 Cabinets:

9.2.1 Every cabinet, cupboard, shelf and counter top provided by the landlord of a rental unit shall be maintained in a structurally sound condition. Free from cracks and deterioration.

9.3 Walls and Ceilings:

9.3.1 Interior cladding of walls and ceiling shall be maintained free from holes, leaks, deteriorating materials, mould, mildew and other fungi.

9.3.2 A protective finish shall be applied to all repairs made to walls and ceilings.

9.4 Appliances:

9.4.1 Appliances supplied by the landlord of a rental unit shall be maintained in a good state of repair and in a safely operable condition.

9.5 Elevators:

9.5.1 Elevators intended for the use by tenants shall be properly maintained and kept in operation except for such reasonable time as may be required to repair or replace them.

PART 5

10. ADMINISTRATION AND ENFORCEMENT:

10.1 Property Standards Committee:

- 10.1.1 A Property Standards Committee is hereby established consisting of three (3) council members appointed by the Mayor. Two (2) members shall constitute a quorum.
- 10.1.2 Members of the Committee shall hold office for four years and until their successors are appointed and an eligible for reappointment and, when a member ceases to be a member for the expiration of his or her term, the Mayor shall appoint another person for the unexpired portion of his or her term.
- 10.1.3 The members of the Committee shall be paid compensation. Rate to be determined by Mayor and Council.
- 10.1.4 The members of the Committee shall elect one of themselves as Chairperson, and when the Chairperson is absent through illness or otherwise, the committee may appoint another member to act as Chairperson PRO TEMPORARY and shall make provision for a Secretary for the committee may administer oaths.
- 10.1.5 The Secretary shall keep on files minutes and records of all applications and the decisions thereof and all other official business of the Committee, and Section 216 of the Municipal Act applies MUTATUS MUADIS to such documents.
- 10.1.6 A majority of the Committee constitutes a quorum, and the committee shall follow the rules of procedure of the Building Code Act, but before hearing an appeal under subsection 10.3.1, shall give notice or direct that notice be given of such hearing to such persons as the Committee considers should receive such notice.

10.2 Property Standards Officer:

- 10.2.1 The Council of the Town shall appoint a Property Standards Officer(s) who shall be responsible for the administration and enforcement of this By-law.
- 10.2.2 Any building, housing, plumbing, or public health inspector or fire prevention officer of the Town or other appropriate government agency is hereby authorized and directed to act as an assistant to the Property Standards Officer(s) from time to time.

10.2.3 The Officer and any person acting under his instructions may, at all reasonable times and upon producing proper identification, enter and inspect any property.

10.2.4 An Officer shall not enter any room or place actually used as a dwelling unit without the consent of the occupier, except under the authority of a search warrant issued under the Provincial Offences Act.

10.3 Notice of Violations and Hearing:

10.3.1 If, after inspection, the Officer is satisfied that, in some respect, the property does not conform to the standards prescribed in the 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 and each person apparently in possession of the building and such other persons affected thereby as the chief building official determines and a copy shall be posted on site.

10.3.2 The notice shall also set forth the date, time and place of a hearing to be held by the Property Standards Officer to determine what action must be taken with respect to the dwelling and informing the owner that his or hers representative is entitled to appear at the said hearing to make such representations and present such evidence as so desires and that in the event that he does not appear at the said hearing a decision may be made by the Property Standards Committee in his or her absence.

10.3.3 The said notice may also contain any other information that the Property Standards Officer deems necessary.

10.3.4 The hearing referred to in Subsection 10.3.2 of this By-law shall take place not sooner than seven (7) days and not later than thirty (30) days after sending of the said notice to the owner.

10.3.5 The Chairperson of the Property Standards Committee shall report all notices of violation to Council.

10.4 Order:

10.4.1 After affording any person served with a notice provided for by Subsection 10.3 an opportunity to appear before the officer and make representations in connection therewith, the Officer may make and serve or cause to be served upon or sent by prepaid registered mail to such person an order containing:

- a) the municipal address or legal description of such property;
- b) reasonable particulars of the repairs to be effected within sixty (60) days 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 term and conditions of the order and notices that, if such repair or clearance is not so done within the time specified in the order, the Municipality may carry out the repair or clearance at the expense of the owner, and recover the expense so incurred in performing the repair or clearance in the like manner as municipal taxes.

10.5 Notification:

10.5.1 A notice or an order under Subsection 10.3 or 10.4, when sent by registered mail shall be sent to the last known address of the person to whom it is sent.

10.6 Placarding:

10.6.1 If the Officer is unable to effect service under Subsection 10.4 or 10.5, Officer shall place a placard containing the terms of the notice or order in a conspicuous place on the property, and the placing of the placard shall be deemed to be sufficient service of the notice or order on the owner or other persons.

10.7 Registration of Caution:

10.7.1 An order under subsection 10.5 may be registered in the proper 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 under Subsection 10.5, and when the requirements of the order have been satisfied the Clerk of the Municipality shall forthwith register in the proper Registry or Land title Office a certificate that such requirements have been satisfied, which shall operate as a discharge of such order.

10.8 Appeals:

10.8.1 When the owner or occupant upon whom an order has been served in accordance with this By-law, is not satisfied with the terms or conditions of the order, he may appeal to the Committee within fourteen (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.

10.8.2 Where an appeal has been taken, the Committee shall have the powers and functions of the Officer and may confirm the order to demolish or repair or may modify or quash it or may extend the time for complying with the order provided that, in the opinion of the Committee, the general intent and purpose of the By-law and the Official Plan are maintained.

10.8.3 The Municipality in which the property is situated or any owner or occupant or person affected by a decision under Subsection 10.8.2 may appeal to a Judge of the County or District Court of the Judicial district in which the property is located by so notifying the Clerk of the Corporation in writing and by applying for an appointment within fourteen (14) days after the sending of a copy of the decision, and,

- a) the judge shall, in writing, appoint a day, time and place for the hearing of the appeal and in his appointment may direct that it shall be served upon such persons and in such manner as he prescribes;
- b) the appointment shall be served in the manner prescribed and;
- c) the Judge on such appeal has the same powers and functions as the Committee.

10.9 Effect of Decision:

10.9.1 The order as deemed to have been confirmed pursuant to Subsection 10.8.1 or as confirmed or modified by the Committee pursuant to Subsection 10.8.2 or, in the event of an appeal to the Judge pursuant to Subsection 10.8.3, as confirmed or modified by the Judge, shall be final and binding upon the owner and occupant who shall make the repair or effect the demolition within the time and in the manner specified in the order.

10.10 Power of Corporation to Repair and Demolish

10.10.1 If the owner or occupant fails to demolish the property or to repair in accordance with an order as confirmed or modified the Corporation in addition to all other remedies,

- a) shall have the right to demolish or repair the property accordingly and for this purpose with its servants and agents from time to time to enter in and upon the property; and
- b) shall not be liable to compensate such owner, occupancy or any other person having any interest in the property by reason of anything done by or on behalf of the Corporation under the provisions of this Subsection;
- c) may recover the expense incurred in doing it, in a like manner as municipal taxes.

10.11 Certificate of Compliance:

10.11.1 Following the inspection of a property, the Officer may, or on the request of the owner shall, issue to the owner a Certificate of Compliance if, in his opinion, the property is in compliance with the standards. When such a certificate is issued at the request of the owner, see Schedule "A" for fee.

10.12 Penalty:

10.12.1 An owner 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.

10.13 Severability:

10.13.1 It is hereby declared that each and every of the foregoing provisions of this By-law is severable and that, if any provisions of this By-law should, for any reason, be declared invalid by any Court, it is the intention and desire of this Council that each and every of the then remaining provisions hereof shall remain in full force and effect.

10.14 Transitional Rules:

10.14.1 After the date of the passing this By-law, By-law 17-15 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 the work required by such Order has been completed or any enforcement proceedings with respect to such Order, including any demolition, clearance, or repair carried out by the municipality shall have been concluded.

PASSED IN OPEN COUNCIL THIS 18 DAY OF JUNE, 2018.



Mayor


Katherine Scott
Clerk Administrator

CERTIFICATION BY THE CLERK:

I, K. Scott, Clerk Administrator of the Corporation of the Town of Blind River, do hereby certify that the above is a true certified copy of By-Law No. 18-34 which was passed in Open Council on the 18 day of JUNE, 2018.

K. Scott

SCHEDULE A

Schedule A – Service use and activity charges

Service or Activity Fee

Appeal Property Standards Order.

Where the order is not entirely quashed on appeal, for each order issued pursuant to this Chapter in respect of any property **FEE \$100.00**

Inspections where owner fails to comply with an Order.

Owner who failed to comply with a confirmed Order shall pay the fee for each inspection to determine if contraventions of this By-law observed on an initial inspection have been corrected where the contraventions have not been remedied by the time provided for in the said Order. **\$100.00/per inspection**

Order have been registered and required discharged.

Where a property standards order has been registered, an owner or occupant may apply for an inspection of the property in respect of the order and shall pay a fee at the time of application, this fee includes the registration of a discharge where compliance with the order is found. **FEE \$100.00**

Town undertakes to complete the work.

Where the Town undertakes to complete the work 100% of the required to comply with any final order, the cost of all the work performed necessary, plus a further administrative fee of an additional. **FEE 10% of overall cost**

Certificate of Compliance.

Where after inspecting a property, an officer, may, or on the request of the owner, issue the owner a certificate of compliance **FEE \$50.00**