

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH GLENGARRY
BY-LAW 2024-39
FOR THE YEAR 2024**

SG-D-24

**BEING A BY-LAW FOR PRESCRIBING STANDARDS FOR THE MAINTENANCE
AND OCCUPANCY OF PROPERTY WITHIN THE TOWNSHIP OF SOUTH
GLENGARRY, AND TO REPEAL BY-LAW 09-13**

WHEREAS section 5(3) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS Section 15.1(3) of the Building Code Act, 1992, S.O. 1992, c 23 provides that the council may pass a by-law with respect to prescribing 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 levelled condition;

AND WHEREAS Sections 15.2 and 15.8 of the Building Code Act, 1992 provide inspection and enforcement authorities for a by-law made under section 15.1 of the Act;

AND WHEREAS section 15.4 of the Building Code Act, 1992 provides authority for a municipality to cause repairs or demolition of a property where an order made under section 15.2(2) of the Act is not complied with and the order has been deemed confirmed or confirmed or modified by a property standards committee or judge of the Superior Court of Justice, and further provides that the municipality shall have a lien on the land for the amount of the repair or demolition, which shall have priority lien status under the Municipal Act, 2001;

AND WHEREAS The offence and penalty provisions for contraventions are as set out in section 36 Building Code Act, 1992;

AND WHEREAS Section 391 (1) of the Municipal Act, 2001 provides that a municipality impose fees or charges on persons:

- a) For services and activities provided or done by or on behalf of it; and
- b) For costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board;

AND WHEREAS The corporation of the Township of South Glengarry deems it desirable to enact the following By-law for prescribing standards for the maintenance and occupancy of all property within the municipality and prohibiting the use of such property that does not conform to the standards; and for requiring any property to be repaired and maintained so as to comply with said standards as described herein or to be cleared of all buildings and structures, rubbish, debris and the lands left in a graded level condition;

NOW THEREFORE the Council of the Corporation of the Township of South Glengarry enacts that all property owners within the Township are required to comply with the following minimum standards of occupancy:

TITLE This By-law may be referred to as **The Property Standards By-Law.**

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PART 1 – DEFINITIONS

1. Definitions

The following definitions shall apply for the purposes of this by-law:

- 1.1 **Accessory Structure** means a detached, subordinate building that:
 - a) Is devoted exclusively to a use normally incidental to the main use of the property;
 - b) Is not used for human habitation;
 - c) Is on the same lot as the main building.
- 1.2 **Alteration** means (as applying to a building) a change from one major occupancy class or division to another, or to a structural change such as an addition to the area and height, or the removal of part of a building, or any change to the structure such as the construction, cutting into or removal of any wall, partition, column, beams, joist, floor, or other support, or a change of the fixtures and equipment.
- 1.3 **Apartment Building** means a building containing more than four dwelling units, each unit having access from an internal corridor system.
- 1.4 **Appliances** include a fridge, freezer, stove, dishwasher, clothing washer or dryer.
- 1.5 **Balcony** means an external balustrade platform and includes both upper and lower surfaces.
- 1.6 **Basement** means that portion of building below the first storey.
- 1.7 **Barrier** means a structure intended to block, obstruct, or prevent access to an area or sound, whether constructed of wood, metal, concrete, or other type of material.
- 1.8 **Building** means as defined in the Building Code Act.
- 1.9 **Building Code** means the Ontario Regulation 332/12, as amended, or other regulations made under section 34 of the Building Code Act.
- 1.10 **Building Code Act** means the Building Code Act c.23, as amended.
- 1.11 **Business Day** means a day from Monday to Friday inclusive, other than a holiday as defined in section 87 of the Legislative Act 2006, S.O. 2006, c.21, Schedule F.
- 1.12 **Certificate of Compliance** means a written opinion of property compliance with the standards contained in this By-law issued under Section 15.5 (1) of the Building Code Act.

- 1.13 **Chief Building Official** means the Chief Building Official for the Township of South Glengarry appointed or constituted under section 3 or 4 of the Building Code Act and their designate.
- 1.14 **Clerk** means the Clerk for the Township of South Glengarry.
- 1.15 **Commercial Container** means a dumpster, commercial roll-off or other similar receptacles,
a) Used for the storage and collection of garbage, refuse, trade waste, construction waste, demolition waste or other similar materials; and
b) Designed to permit it being emptied by a forklift packer or similar vehicle.
- 1.16 **Committee** means the Property Standards Committee of the Township of South Glengarry established under this by-law in accordance with section 15.6 of the Building Code Act, 1992, as amended, or as substituted from time to time.
- 1.17 **Construction Fence** means a temporary fence erected on or around a property or a portion of a property to protect a site where construction or demolition is occurring or is contemplated to occur.
- 1.18 **Contaminant** means any solid, liquid, gas, odour, heat, sound, vibration, radiation, or combination of any of them resulting directly or indirectly from human activities that causes an adverse effect.
- 1.19 **Corporation** means the Corporation of the Township of South Glengarry.
- 1.20 **Council** means the Council of the Township of South Glengarry.
- 1.21 **Dwelling** means a building or structure or any part of which is, or is intended to be, used for the purpose of human habitation, and includes a building that is or would be intended to be used for such purposes except for its state of disrepair.
- 1.22 **Dwelling Unit** means a suite operated as a house keeping unit, used, or intended to be used by one or more persons usually containing cooking, eating, living, sleeping, and sanitary facilities.
- 1.23 **Fence** means a freestanding structure, screen, wall or *barrier* except a structural part of a building erected at grade used wholly or partially to screen from view to enclose or divide a yard or other land, to mark or substantially mark the boundary between adjoining land restricting ingress to or egress from a property, providing security or protection to property and includes swimming pool enclosures, privacy screens, retaining walls, noise attenuation walls, or other combination of fencing components which form a continuous *barrier* for the same purpose and includes any structure constructed of open wire mesh, boards on boards, pickets, rail or lattice type construction, whether of wood, metal, masonry, or a combination thereof or other material.
- 1.24 **Fire Code** means Ontario Regulation 213/07 under the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4.
- 1.25 **Floor area** means the space on any storey of a building between exterior walls and required firewalls, including the space occupied by interior walls and partitions, but not including exits, vertical service spaces and their enclosing assemblies.

- 1.26 **Floor Covering** means any surface used to cover the basic floor or subflooring construction, including carpet, vinyl, tile, laminate, and hardwood.
- 1.27 **Grade** means the average level of proposed or finished ground adjoining a building at all exterior walls.
- 1.28 **Ground Cover** means organic or non-organic material applied to prevent soil erosion such as concrete, flagstone, gravel asphalt, grass, or other landscaping.
- 1.29 **Guard** means a protective *barrier*, with or without openings through it, that is around openings in floor 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.
- 1.30 **Habitable room** means any room in a *dwelling unit* used or lawfully used or intended to be lawfully used for living, sleeping, cooking, or eating purposes.
- 1.31 **Inoperable Vehicle** means a motor *vehicle* as defined by the Highway Traffic Act R.S.O. 1990 Chapter H.8 as amended, that is not in good repair and is incapable of being operated on a highway. It includes a *vehicle* that does not display a valid *vehicle* permit license plate issued under the Highway Traffic Act, as amended.
- 1.32 **Lands** means grounds and vacant lot(s) exclusive of buildings.
- 1.33 **Landlord** Includes:
(a) The owner or other person permitting occupancy of a dwelling or *dwelling unit*.
(b) The heirs, assigns, personal representatives, and successors in title of a person referred to in clause (a) above, and
(c) A person, other than a tenant occupying a rental unit, who is entitled to a possession of the building and who attempts to enforce any of the rights of a landlord under a tenancy agreement, including the right to collect rent.
- 1.34 **Last known address** means the address which appears on the assessment roll of the municipality, or the address as provided in writing to the Town by the owner.
- 1.35 **Lot** means a parcel of land, described in a deed or other document legally capable of conveying land, or shown as a block on a registered plan of subdivision.
- 1.36 **Means of egress** includes exits and access to exits and means a continuous path of travel provided for the escape of persons from any point in a building or in a contained open space to
(a) a separate building
(b) an open public throughfare or
(c) an exterior open space that is protected from fire exposure from the building and that has access to an open public throughfare.
- 1.37 **Non-Residential Property** means a property not occupied, in whole or in part, for the purpose of human habitation.
- 1.38 **Occupancy** means the use or intended use of a building or part of a building for the shelter or support of persons, animals, or property.
- 1.39 **Occupant** means any person or persons over the age of eighteen (18) years residing at a property.

- 1.40 **Officer** means a Municipal Law Enforcement Officer appointed by the Township of South Glengarry and assigned the responsibility of administering and enforcing this by-law.
- 1.41 **Owner** includes:
(a) the registered owner of the property
(b) the person, for the time being, managing or receiving the rent from a building on the property, whether on the person's own account or as agent or trustee of any other person, or who would receive the rent if the building on the property were let
(c) an occupant of a building on the property, and
(d) 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.
- 1.42 **Person** means an individual, corporation, unincorporated association, or partnership.
- 1.43 **Pests** means rodents, *vermin*, and/or injurious insects.
- 1.44 **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 erection and includes vacant property thereon whether heretofore or hereafter erected, and is divided into:
- 1.45 **Refuse and Debris** includes garbage of any kind and, without limiting the generality of the foregoing, includes rubbish, inoperative *vehicles* and mechanical equipment, automotive and mechanical parts, appliances, furnaces, heater or fuel tanks, furniture, table *waste*, paper, cartons, crockery, glassware, cans, garden refuse, earth or rock fill, material from construction or demolition projects or old clothing.
- 1.46 **Repair** means the provisions of such facilities and the making of additions, or *alterations* or the taking of such action as may be required so that the property shall conform to the standards established in this by-law.
- 1.47 **Retaining wall** means a wall designed to contain and support fill which has a finished grade higher than that of adjacent *lands*.
- 1.48 **Sanitary sewage** means liquid or water borne *waste*, of in industrial or commercial origin or, of domestic origin including human body *waste*, toilet or other bathroom *waste*, and shower, tub, culinary, sink, and laundry *waste* or liquid or water borne *waste* discharged from a public pool to drain.
- 1.49 **Sewage system** means the sanitary sewage system or storm sewage system of the Township of South Glengarry, or a private sewage disposal system approved by the Chief Building Official or the Ministry of the Environment, Conservation and Parks.
- 1.50 **Shipping container** means a container with strength suitable to withstand shipment, storage, and handling. Shipping containers range from large reusable steel boxes used for intermodal shipments to corrugated boxes.
- 1.51 **Stagnant water** means motionless water, not flowing in a stream or current, also known as standing water. Water shall be deemed to be "stagnant" if the structure, excavation, ruts, or depressions are capable of holding standing water for more than four (4) consecutive days.
- 1.52 **Structure** means anything constructed or erected, either permanent or temporary, the use of which requires location on the ground or attachment

to something having location on the ground, and includes but is not limited to play structures, sheds, gazebos, trailers, and fishing huts.

- 1.53 **Township** means the Corporation of the Township of South Glengarry.
- 1.54 **Unsafe condition** means any condition that could be hazardous to the health and safety of persons in the normal use of the property or premise, or persons whose access to the property or premise has not been reasonably prevented.
- 1.55 **Vacant building** means a building or part of a building that is not used by an owner or is not occupied by an occupant.
- 1.56 **Vacant lot** means a property that does not have a building or structure on it.
- 1.57 **Vehicle** means a motor *vehicle*, trailer, boat, motorized snow *vehicle*, mechanical equipment and any *vehicle* drawn, propelled, or driven by any kind of power, including muscular power.
- 1.58 **Vermin** means a mammal, bird, or insect injurious to humans, game or crops including but is not limited to rats, mice, moles, ants, cockroaches, silverfish, fleas, bugs, bedbugs, lice or anything else that may be considered by the Officer.
- 1.59 **Waste** means a substance or material that is unusable or unwanted and includes but is not limited to:
- a) Rubbish, garbage, brush, litter, debris, bottles, cans, packing materials, paper, clothing, bulk waste, recyclable materials
 - b) Food scraps, bones, and organic waste
 - c) Human or pet excrement
 - d) *Appliances* and parts of such *appliances* designed for interior use
 - e) Indoor furniture and household effects
 - f) Exterior furniture that becomes dilapidated
 - g) Dilapidated landscape or garden features such as awnings, marquees, canopies, pergolas, trellis, lattice, statues, and benches
 - h) Broken or discarded material
 - i) Inoperable machinery or mechanical equipment, or parts thereof, or other objects or parts thereof
 - j) Parts of *vehicles* not packaged for immediate shipment, including worn automobiles tires, used oil, and automotive parts
 - k) Articles, things, matter or effluent or any part thereof derived from or made or consisting of: agricultural, animal, vegetable, paper, lumber or wood products, or mineral, metal, or chemical products are used, manufactured, or otherwise processed
 - l) Material resulting from construction, demolition, repair, or renovation projects including soil or rock fill
 - m) Piping, ducting, tubing, conduits, cable, wire and fittings or related accessories not packaged for immediate shipment
 - n) Waste lumber
 - o) Items in an unsightly condition
 - p) Torn or cut branches or twigs, leaves, yard waste, stumps, and similar vegetative waste, or
 - q) Without restricting the foregoing, any unused or unusable material that by reason of its state, condition, or excess accumulation:
 - i. Has been cast aside, discarded, or abandoned, whether of any value or not
 - ii. Has been used up, in whole or in part, whether of any value or not, or
 - iii. Has been expended or worn out, in whole or in part, whether of any value or not

1.60
to a building

Yard means any open, uncovered, unoccupied space appurtenant

PART 2 – APPLICATION AND INTERPRETATION

2. Application and interpretation

- (1) This By-law applies to all *property* in the *Township* of South Glengarry.
- (2) For the purpose of this By-law, unless otherwise stated to the contrary, the provisions prescribed shall be held to be the minimum standards for the promotion of the public health, safety, comfort, convenience, and general welfare and are not intended to detract from the standards found in any other applicable by-laws or legislation.
- (3) The *owner* of any *property* which does not conform to the standards prescribed in this By-law shall *repair* and maintain the *property* to conform to the standards or the *property* shall be cleared of all *buildings, structures, or waste* and left in a *graded levelled* condition.
- (4) This By-law does not apply to matters which, in the opinion of the Manager of Municipal Law Enforcement are minor in nature.

PART 3 - PROHIBITIONS

3. Prohibitions

- (1) No *person* shall use or occupy, or permit the use or *occupancy*, or consent to the use or occupation of any *property* that does not conform to the standards prescribed in this By-law.
- (2) No *owner* shall fail to maintain their *property* in conformity with the standards prescribed in this By-law.
- (3) No *owner* shall fail to comply with an Order issued by an *Officer* under this By-law.
- (4) No *person* shall remove from any *property* any sign, notice, order, or placard placed thereon pursuant to section 15 of the Building Code Act or this By-Law.
- (5) Where applicable, every *owner* shall obtain a *building* permit prior to making *repairs*.

PART 4 – REPAIRS

4. Repairs

- (1) All *repairs* and maintenance of *property* required by the standards prescribed by this By-law shall be carried out in a manner accepted as good workmanship in the trades concerned, and with materials suitable and sufficient for the purpose and that are free from defects.
- (2) The requirement that *repairs* be made in a manner that is accepted as “good workmanship” includes ensuring that the component *repaired* can perform its intended function and finishing the *repair* in a manner reasonably compatible in design and colour with adjoining decorative finishing materials and are suitable and sufficient for the purpose that they were intended for.

- (3) The *owner of property* shall *repair*, maintain, and keep the *property* in accordance with the standards of this by-law, and take immediate action to eliminate any *unsafe conditions*.

PART 5 STRUCTURAL SYSTEM

5. Structural system

- (1) 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 wind.

6. Doubt as to Structural Condition

- (1) If, in the opinion of an *officer*, there is doubt as to the structural condition of a *building* or *structure* or parts thereof, an *officer* may issue an order that such a *building* or *structure*, or parts thereof, be examined by a professional engineer licensed to practice in Ontario, at the *owner's* sole expense, and that a written report, which may include drawings for any recommended remedial work with recommended timelines, be provided to an *officer*.

7. Engineer's Report Acceptance

- (1) An *Officer* may accept the findings contained in the engineer's report pursuant to subsection 6(1), provided that the *officer* is satisfied that all deficiencies have been identified and appropriately dealt with by the report.
- (2) Upon completion of all the work required by the engineer's report, a further report prepared by the professional engineer shall be submitted to the *officer* certifying that all the work proposed in the written report has been completed and is in accordance with all applicable legislation.
- (3) No structural element may be added, removed, *repaired*, or modified in any manner until a required permit has been obtained from the *Chief Building Official*.

PART 6 - CONDITION AND MAINTENANCE OF LANDS AND YARDS

8. Maintenance of yards

- (1) All *lands* and *yard* shall be kept clean and free from:
- a) Rubbish, garbage, brush, *waste*, litter, trade *waste* and other debris;
 - b) Objects or conditions that may create a health, fire, or accident hazard.
 - c) Dilapidated *buildings*, *structures* or vegetation such as trees which may be hazardous to the health, safety and welfare of the inhabitants of the area or that encroach on an adjacent *property*;
 - d) Inoperable vehicles.
 - e) Accumulation of material, wood, debris or other objects that create an unsafe or unsightly condition out of character with the surrounding environment or are deleterious to the neighbouring environment;
 - f) Trees, hedges, bushes, vines and shrubs which are dead, decayed, damaged, or that encroach onto adjacent *property* including municipal roads, streets, sidewalks and pathways; and

- g) Rock, stumps, fill, construction *waste* or other such materials that originate on another *property* or location unless the deposited material is continuously kept level or covered on a weekly basis in such a way that it does not disrupt or change the drainage of the original site.
- (2) Where there is a disagreement with the *officer's* directive between the *officer* and the *owner* with respect to what must be removed in the case of decayed, diseased, or damaged trees, shrubs, hedges or bushes, a certified arborist shall be required, and their opinion shall be final.
- (3) All *yards* shall be kept clean and free from:
 - a) Damaged or dilapidated landscape or garden features such as awnings, marquees, canopies, garden furniture, pergolas, trellis, lattice, statues, and benches;
 - b) Rodents, *vermin*, insect *pests* and other *pests* and from any condition which may encourage the infestation of harbouring of such *pests*;
 - c) Domestic animal excrement to an excessive level to create a public nuisance to your neighbours;
 - d) Construction bins unless they are actively being used in connection with the construction or demolition of a *building* or *structure*.
- (4) No *person* shall leave *lands* or *yards* after an excavation in an excavated condition for longer than 30 days. All land shall be *graded* and left in a level condition unless the *person* can demonstrate to an *officer* the necessity of not leveling the land.
- (5) No *owner* shall permit *stagnant water* to accumulate on a *property* in any depression or equipment or items. Where there is any accumulation of *stagnant water* in any depression, excavation or equipment, the *owner* or *occupant* of the land shall remove standing water by draining it or other means to eliminate it.
- (6) Section 6.5 does not include any storm water retention ponds, landscaped ponds or natural watercourse or manmade canals.
- (7) Recreational travel trailers shall be complete with closing doors, windows, etc., and kept in a condition that would not require *repairs* to make them fit for travel on any highway as defined in the Ontario Highway Traffic Act, R.S.O. as amended.
- (8) No *vehicle* or trailer shall be used for the storage of garbage, rubbish, *waste*, debris, inoperable equipment, materials, *appliances*, or similar items and *appliances* such as refrigerators, stoves, and freezers shall not be used as places of storage.
- (9) No non-commercially built covered trailers, fish huts, or similar handmade *structures* shall be stored in driveways or exterior or front *yards* on residential properties. They may be stored on residential properties if:
 - a) They are weather resistant and constructed and maintained with suitable materials; protected by paint, preservatives, or other weather-resistant materials to prevent water leakage into the *structure*; and
 - b) They are stored 1.2m (3.94ft) from rear and interior *lot* lines.
- (10) No *accessory structure* or *structure* shall be erected closer than 1.2m (3.94ft) to any interior side *lot* line, rear *lot* line, or *structure*, and shall be subject to the requirements of the Ontario *Building Code*.
- (11) No boat or vessel shall be stored in any *yard* long-term, unless it is placed on a licensed trailer in an operable condition that would allow for its immediate removal.
- (12) The *occupant* of a residential *property* may *repair* one (1) *vehicle* in the driveway, which is the *occupant's* own *vehicle*, provided the *vehicle* is being actively *repaired*.

- (13) Where a recreational *vehicle* trailer is parked in a driveway, such *vehicle* shall not be used for living or sleeping accommodation for longer than 30 days by any *person* and in no event shall such living and sleeping accommodation be leased or rented.
- (14) No brush or logs shall be permitted to be stored in a *yard* for longer than three (3) weeks.
- (15) Firewood, *building* materials, garden equipment and materials shall be stored in a rear or side *yard* only, provided that such storage:
 - a) Does not exceed 10% of the *yard* area in which it is stored;
 - b) Shall be neatly piled and shall not constitute a hazard
 - c) Shall not be stored between the front wall of the *building* and the street line; and
 - d) Adheres to all required *yard* setbacks prescribed in the *Townships Zoning By-law*.

9. Plantings

- (1) Hedges, shrubs, plantings, or trees shall be maintained in a manner that does not:
 - a) Obstruct the safety of the public
 - b) Obstruct the safety of vehicular or pedestrian traffic;
 - c) Partially or wholly conceal or interfere with the use of any hydrant or water valve; and
 - d) Overhang upon any pavement, sidewalk or travelled portion of any street or highway

10. Unsafe conditions

- (1) Notwithstanding another provision of this By-law, any condition on or within a *property*, in the opinion of the *officer*, which may pose or constitute an undue or unreasonable danger, hazard or risk to the health and safety of any *person*, place or thing shall be abated or removed by the *owner* or *occupant* thereof.

11. Unprotected Wells, Holes, Cavities

- (1) Unprotected wells, holes, or cavities over one meter (600mm) in depth shall be filled or safely covered.

12. Retaining Walls

- (1) All *retaining walls*, screen walls, and ornamental walls shall be constructed of durable material and shall be maintained in a structurally sound condition.

13. Storm Water Run-Off, Sump Pump and Sewage Discharge

- (1) Storm water run-off, which includes drainage from a roof and sump pump, shall be drained from the grounds of a *property*, and any area below exterior *grade* in a manner that is suitable to the configuration of the *property*, so as to prevent excessive ponding, erosion or the entrance of water into a *building* or *structure*.
- (2) Sump pump discharge lines shall be designed, provided, and maintained to prevent discharge water run-off from ponding onto the *Township's Road* allowance.
- (3) *Sanitary Sewage* shall be discharged into a *sewage system*.

14. Fences

- (1) *Fences* shall be capable of performing safely the function for which they were constructed.
- (2) All *fences* shall be:
 - a) Maintained in a state of good *repair*;
 - b) Protected by deterioration by the application of paint or other suitable protective material of uniform colour and construction using a material that is inherently resistant to such deterioration and compatible with surrounding finished;
 - c) Constructed using suitable materials and designed and erected in a work like manner and maintained so as to not appear in an unsightly condition; and
 - d) Free of any condition that would render the *fence* to be dangerous.

15. Swimming Pools

- (1) All swimming pools, wading pools, ponds, and any appurtenance thereto, including *fences* and gates, shall be maintained in good *repair*.
- (2) All swimming pools *fences* and enclosures shall comply with the *Townships Pool Enclosure By-law*.
- (3) Swimming pools shall be kept free from *stagnant water* and any other *unsafe condition*.
- (4) Swimming pools and any accessory or parts thereof which are not operated shall be removed or fitted with suitable cover so as to prevent visual blight, the entrance of elements, or the infestation of *vermin*, *pests*, or insects.

PART 7 – INTERIOR MAINTENANCE STANDARDS

16. Lighting

- (1) Lighting fixtures, lamps, and their supports and connections shall be maintained in a safe and complete condition, without visible deterioration and in good working order.
- (2) Standby lighting shall be provided at floor level in exits and corridors used by the public for safe passage.
- (3) Lighting as required by the *Building Code* shall provide and be maintained to allow for an adequate level of lighting so that the use normally carried out in such areas can be undertaken safely.

17. Heating, Mechanical, and Ventilation

- (1) Heating, ventilating and mechanical systems, including stoves, heating *appliances*, fireplaces, chimneys, fans, pumps, filtration, and other equipment provided to supply heat, air conditioning, ventilation or other services shall be properly maintained and in good working order.
- (2) Ventilation shall be provided to, maintained, and operated in all rooms and spaces within a *building* so as to prevent accumulations of heat, dust, fumes, gases, including carbon monoxide, vapours and other *contaminants* which may create a fire, explosion, toxic hazard or other hazard.
- (3) Every bathroom, restroom, or toilet room shall be provided with either a natural or mechanical ventilation system in accordance with the *Building Code* which shall be maintained in good working order

18. Heating

- (1) Every *dwelling unit* shall be provided with a heating system capable of maintaining a room temperature of 20 degrees Celsius at 1.5 meters above the floor level in all *habitable rooms*, bathrooms and toilet rooms shall be maintained in good working order.
- (2) Heating shall be available in all *dwelling units* from September 01 until June 15 of the next year.
- (3) No room heater shall be placed that may cause a fire hazard to walls or any other equipment or to impede the free movement of *persons* within the room where the heater is located.
- (4) No *dwelling unit* shall be equipped with portable heating equipment as the primary source of heat.

19. Air Conditioners and Water-Cooled Equipment

- (1) Air Conditioners shall be equipped with adequate devices for the prevention of condensation drainage on to entrance areas, sidewalks or pathways and shall be maintained in a safe mechanical and electrical condition.
- (2) Cooling water from water-cooled equipment shall not be discharged on driveways, walkways, or other areas used for pedestrian or vehicular traffic, or in such manner that it may cause damage to the walls, foundations, or other parts of a *building*.
- (3) The discharge of cooling water from all water-cooled equipment shall be made to a proper drainage system and shall be connected in accordance with all applicable governmental regulations.

20. Walls, Floors, and Ceilings

- (1) Interior walls, floors, and ceilings of a *building* or *structure* shall be maintained:
 - a) In a state of good *repair* and free from holes, large cracks, broken plaster and loose or broken masonry;
 - b) In a clean sanitary condition, which is reasonable considering the use or operation; and
 - c) Free from cracked and broken glass in door panels, glass screens, and windows.
- (2) Interior claddings and finished of walls and ceilings shall be maintained in a safe and sanitary condition, in a state of good *repair* free from holes, mould, loose and broken boards, torn, damaged, decayed, leaks, deteriorating or missing materials.
- (3) In addition to the requirements of subsection 35(1), floors and *floor coverings* in all *buildings* shall be maintained in a state of good *repair*, and free from all warped or decayed boards, large cracks, depressions, protrusions, deterioration, or other defects.
- (4) All interior walls must be painted or finished in a good, maintained condition.
- (5) The floors of room in which plumbing fixtures are installed shall be maintained reasonably impervious to water and in such a condition as to permit easy cleaning.

21. Stairs, Handrails, Guards

- (1) All stairs, porches, decks, landings, treads, risers, fire escapes or other similar *structures* shall have *guards* or handrails which shall be maintained in good *repair* and shall be capable of supporting all loads to which they be reasonably be subjected.
- (2) All *guards* and handrails shall be installed and maintained in accordance with the *Building Code* so as to afford reasonable protection against accident or injury to any *person* in or on a *property*.

22. Means of Egress

- (1) Every *floor area* intended for *occupancy* shall be provided with a direct *means of egress* in accordance with the *Building Code*.
- (2) All *means of egress* and exits shall be maintained in a state of good *repair* and free from objects, obstructions, or conditions that restrict the accessibility of such *means of egress* and exits.
- (3) Every *dwelling unit* shall have access so as to provide a safe, continuous and unobstructed exit from the interior of the *building* to the exterior at the street or *grade level*.

23. Electrical

- (1) All electrical fixtures, switches, receptacles, and connections thereto shall be maintained in a safe and complete condition, and in good working order, with appropriate covers installed.
- (2) An adequate supply of electric power shall be always available in all parts of every occupied *dwelling unit* except where the lease makes the tenant responsible for the supply of electricity and where the supplier has discontinued the service because of arrears in payment.
- (3) No *owner* or *occupant* shall disconnect or cause to be disconnected or permit to be disconnected any service or utility providing light, heat, refrigeration, water or cooking facilities for a *dwelling unit* occupied by a tenant except for such a reasonable period of time as may be required for the purpose of *repairing*, replacing or altering such service or utility.

24. Plumbing

- (1) All plumbing, drainpipes, water pipes, plumbing fixtures and *appliances*, and every connecting line to the *sewage system* shall:
 - a) be maintained in good *repair*, free from leaks or defects
 - b) be protected from freezing
 - c) be connected to the *sewage system* through water sealed traps and
 - d) be kept in a clean sanitary condition

25. Pest Prevention

- (1) Every *property* shall be kept free of rodents, *vermin*, and injurious insects at all times, and methods used for exterminating rodents and injurious insects shall be in accordance with any applicable legislation.
- (2) Openings and holes in a *building* containing rental units, including chimneys, windows, doors, vents, holes for pipes and electrical fixtures, cracks, and floor drains, that might permit the entry of rodents, *vermin*, injurious insects, birds, or other *pests*, shall be screened, or sealed as appropriate.

26. Mould

- (1) Any extensive accumulation of mould shall be immediately cleaned and removed by the *owner* of the *building*.
- (2) No *person* shall occupy, or permit the *occupancy* of a *building*, or portion thereof, where an extensive accumulation of mould exists which could pose a health concern to any *person* who occupies the *building*, or portion thereof.
- (3) Any condition in a *building*, including but not limited to water penetration, humidity, or inadequate ventilation, which relate to the creation and growth of mould, shall be *repaired*, or removed by the *owner* of the *building*.
- (4) Notwithstanding any other provision of this By-law, section 26 (1) and 26 (2) shall not apply if, in the opinion of the *officer*, the presence of mould is minor in nature and relates to the general maintenance and/or lifestyle.

27. Air Quality

- (1) All *buildings*, or part thereof, shall be maintained in good *repair* as to be kept free from accumulation of airborne *contaminants* that may pose a health concern to any *person*.
- (2) No *person* shall occupy, or permit the *occupancy* of, a *building* or part thereof, where a high concentration of airborne *contaminants* exist which may pose a health concern to any *person* who occupies the *building* or part thereof.
- (3) Notwithstanding any provision of this By-Law, this section shall not apply if, in the opinion of the *officer*, the presence of airborne *contaminants* is minor in nature and relates to general maintenance and/or lifestyle.

28. Miscellaneous

- (1) Every *dwelling unit* shall contain at least the following:
 - a) a toilet;
 - b) a kitchen sink;
 - c) a washbasin ; and,
 - d) a bathtub or shower or a combination of thereof.
- (2) A washroom in a unit shall be an enclosed space and shall have:
 - a) a water-resistant floor;
 - b) water resistant walls in a tub surround and a shower;
 - c) a door which can be secured from the inside and can be opened from the outside in an emergency; and,
 - d) an artificial light fixture which is maintained
- (3) No toilet or urinal shall be located in a room used for or intended to be used for sleeping or preparing or consuming or storing food.
- (4) Hot water shall be provided to a sink, basin, bathtub and shower by safe equipment operated to provide water at a temperature of not less than 43 degrees Celsius and not more than 49 degrees Celsius.
- (5) An adequate and safe supply of potable water shall be provided at all times.
- (6) A residential *property* shall be insulated to minimize heat loss, air infiltration and moisture condensation on the interior surfaces of the walls, ceilings, and floors.
- (7) Piped plumbing and drainage systems and appurtenances in a residential *property* shall be maintained free from leaks, defects or obstructions and adequately protected from freezing.

PART 8 EXTERIOR MAINTENANCE STANDARDS

29. Driveways, Ramps, Safe Passage

- (1) All driveways, ramps, walkways, steps, *building* entrances, parking areas and surface paths shall be:
 - a) maintained in good *repair* in a hole free condition and free of any settlements that might cause tripping; and,
 - b) maintained in a condition so as to afford safe passage by pedestrians and *vehicles* in inclement weather, including the removal of snow and ice; and,
 - c) Adequately *graded* and drained to prevent excessive ponding of water; and,
 - d) Be surface treated with asphalt, concrete, interlocking brick, similar hardscaped surface, gravel, or other material sufficient to provide stability, prevent erosion, and be usable in all seasons.

30. Doors and Windows

- (1) Windows, doors, and *basement* cellar hatchways shall be maintained in good *repair*, weather-tight condition to prevent drafts or leakage and protected by suitable material to prevent the entry of *vermin* into the *building*.
- (2) Doors, door frames, window frames, sashes, casings, and weather stripping that have been damaged or show evidence of decay or other deterioration shall be painted, *repaired*, or replaced.
- (3) All exterior openings for doors or windows shall be fitted with doors or window that are capable of being opened and closed easily, and being locked unless, in the case of windows, the windows were manufactured to be fixed or that they have been permanently sealed and the room has adequate ventilation.
- (4) The following items shall be *repaired* or replaced in all *buildings*:
 - a) Missing or broken glass;
 - b) Missing or defective door hardware;
 - c) Missing or defective window hardware.
- (5) All windows in a *dwelling unit* designed to be opened shall be fitted with screens to effectively prevent the entrance of *vermin* and shall be maintained in good *repair*.
- (6) Every opening in an exterior wall which is not protected by a door or window shall be screened with wire mesh, metal grill, or otherwise suitably protected to prevent the entry of *vermin*, rodents, or other *pests*.
- (7) Garage doors shall be:
 - a) Kept in good *repair* and structurally sound;
 - b) Kept free from holes and cracks;
 - c) Able to open and close without impediment;
 - d) Able to open manually if there is an interruption in power or if there is a mechanical failure;
 - e) Kept free from cracked or peeling paint or any other damaged exterior finishing.
- (8) Garage doors equipped with an automatic closing mechanism shall be equipped with an operational sensory device to detect any *person*, *vehicle*, animal, or object when crossing its path so that it may prevent harm.

31. Foundations

- (1) A foundation wall, *basement*, cellar or crawl space floor, slab on *grade*, exterior wall and roof shall be structurally sound, weather tight and damp-proofed and shall be maintained so as to protect against deterioration caused by the elements, fungus, mould, dry rot, rodents, *vermin*, or injurious insects.
- (2) The foundations, walls (including exterior walls) columns, beams, floors, roof slabs and balconies of all *buildings*, including ancillary *buildings* such as parking garages and *accessory structure*, shall be maintained.

- a) In a state of good *repair*;
- b) Free from decayed, damaged or weakened sills, beams, piers, posts, or other supports;
- c) Free from cracked, broken or loose stucco or cracked or broken masonry;
- d) Free from defective or deteriorated wood or metal siding or trim;
- e) Free from loose or unsecure objects;
- f) In a manner so as to prevent the entry of moisture into the *building* and;
- g) In a manner so as to prevent settlement of the *building*.

32. Exterior Walls

- (1) The exterior walls and their components shall be maintained in good *repair*, so as to prevent their deterioration due to weather or *vermin*, and shall be so maintained in good *repair* by.
 - a) Painting, restoring, or *repairing* of the walls coping or flashing; or
 - b) The waterproofing of joints and of the walls themselves.
- (2) Patching and *repairs* to exterior walls shall be made with the same or visually similar material and shall blend with the existing adjacent material or the whole shall be painted or clad to form a solid appearance with the surrounding surface.
- (3) Appropriate measures shall be taken to remove any unsightly makings, stains, or other defacement, including graffiti, occurring on an exposed exterior surface and, where necessary, to restore the surface as nearly as possible to its original condition.
- (4) All exterior surfaces shall be maintained of materials which by themselves or when treated provide adequate protection from the weather.

33. Roofs

- (1) The roof of a *building* including the fascia, soffit, cornice flashing, and coping shall be maintained or free from conditions causing or contributing to leaks or being detrimental to the appearance of the *building*.
- (2) Roofing materials or components which have been damaged or show evidence of rot or deterioration shall be *repaired* or replaced.
- (3) Every roof shall be maintained free from dangerous accumulations of snow or ice or both and they shall be removed as soon as possible from the roofs of *buildings*.
- (4) Where eaves troughing, roof guttering and down piping is provided, it shall be maintained in good *repair* to be watertight and securely fastened to the *building* at all times.
- (5) All soffit and fascia components of a *building* shall be secured and maintained in good *repair* and properly painted or otherwise treated and protected by paint, preservatives, or other weather-resistant materials.
- (6) Every roof shall be maintained so that roof decks and related *guards* are in a good state of *repair*.
- (7) Every chimney, smoke flue, gas vent stack, aerials, satellite dishes, lighting arrestors and other roof *structures* and their supporting members shall be maintained in a safe condition, maintained plumb and in good *repair* so as to be:
 - a) Free from loose or missing brock, mortar and loose or broken capping;
 - b) Free from loose or rusted stanchions, braces and attachments;
 - c) Free from fire or accident hazards;
 - d) Clear of obstructions;
 - e) Free from open joints

- (8) No roof drainage shall be discharged on an entranceway, walkway, stair or neighbouring *property*, on onto any impervious road allowance or in such a manner that it will penetrate or damage the *building* or *structure*.

34. Accessory Structures

- (1) *Accessory Structures* shall be kept in good *repair* and in accordance with the *Townships Zoning By-law*.
- (2) Where an *accessory structure* harbours insects, *vermin*, or rodents, all necessary steps shall be taken to eliminate such insects, *vermin*, or rodents and to prevent reoccurrence.
- (3) Temporary *structures* shall be maintained in a condition that allows them to function for what they were designed to do and shall be kept in good repair.
- (4) The exterior of any *accessory structure* shall be weather resistant and constructed and maintained with suitable and uniform materials; protected by paint, preservatives, or other weather-resistant materials to prevent water leakage into the *structure*.
- (5) All sea containers, *shipping containers*, or similar *structures* shall be maintained in good condition and shall be painted to blend in with their surroundings.

35. Exterior Lighting

- (1) Lighting fixtures, lamps and their supports and connections shall be maintained in a safe and complete condition, without visible deterioration and in good working order.
- (2) Outdoor lighting shall be placed and maintained, or have a *barrier* placed and maintained, so as to prevent or block direct illumination of the interior of a *dwelling* or *dwelling unit* on adjoining *property* regardless of whether such *dwelling* or *dwelling unit* has or may have shades, drapes or other interior window coverings.
- (3) Sensor activated lighting shall not be triggered by activity off the *property*.
- (4) Lighting as required by the Ontario *Building Code* shall provide and be maintained to allow for an adequate level of lighting so that the use normally carried out in such areas can be undertaken safely.

PART 9 ADDITIONAL STANDARDS FOR NON-RESIDENTIAL PROPERTIES

36. Additional Standards for Non-Residential Properties

- (1) In addition to the general standards for all properties set out in Part 6 of this By-law, *owners* of non-residential properties shall also comply with Part 09 of this By-law.
- (2) Every *owner* of a *non-residential property* shall provide containers for the disposal of *waste*.
- (3) In a multi-tenant *building*, no *owner* or *occupant* or anyone acting on behalf of an *owner* or *occupant*, shall disconnect or cause to be disconnected, any service or utility providing light, heat, refrigeration, water or cooking facilities to 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) A *person* liable for rates for gas, water, steam, electric power, fuel oil, or other service utility, who fails to pay such rates with the result that the gas, water, steam, electric power, fuel, oil or other service or utility is disconnected or shut off, removed or discontinued, shall be deemed to have caused or permitted such disconnection, shutting off, removal, or discontinuance.
- (5) All *means of egress* for non-residential properties shall be maintained free from all obstructions or impediments and provided with clean, clear, unobstructed, and readily visible exit signs for every exit.
- (6) Openings in exterior walls, other than doors and windows, shall be effectively protected by suitable materials to prevent entry of rodent's *vermin* and injurious insects unless it can be shown, to the satisfaction of the *Officer*, that the implementation of this section would adversely affect the normal operations in a *non-residential property*.

37. Interior Walls, Ceilings, and Floors

- (1) Interior walls, floors, and ceilings of a *non-residential property* shall be maintained:
 - a) Free from health, fire and accident hazards;
 - b) In a state of good *repair* and free from holes, large cracks, broken plaster, and loose or broken masonry;
 - c) In a clean and sanitary condition which is reasonable considering the use or operation; and
 - d) Free from cracked or broken glass in door panels, glass screens and windows.
- (2) Cracked or broken glass in door panels, glass screens, and windows as outlined in section 37 (1)(d) shall be replaced with glass or other material approved by an *officer*.
- (3) Plaster *repairs* made to the walls and ceilings of non-residential properties shall be completed in a workmanlike manner and each *repair* shall be finished to match the existing wall or ceiling.
- (4) Glazed doors, windows and other transparent surfaces shall be kept in a reasonably clean condition.
- (5) Interior doors and door frames including automatic door closers and all necessary hardware shall be maintained in a state of good *repair* to ensure the proper operation and integrity of the door.

38. Plumbing, Drainpipes, and Water Pipes

- (1) Plumbing fixtures shall be provided and maintained in accordance with the requirements of all applicable governmental regulations.
- (2) All plumbing drainpipes, water pipes, and plumbing fixtures and every connecting line to the *sewage system* shall:
 - a) Be maintained in a state of good *repair*, and,
 - b) Be free from leaks and defects.
- (3) All water pipes, drainpipes and appurtenances thereto shall be protected from freezing.

PART 10 VACANT AND/OR DAMAGED BUILDINGS

39. Vacant Buildings

- (1) If any *building* is unoccupied, the *owner* or the agent shall protect every such *building* against the risk of fire, accident, or other hazard and shall effectively prevent the entrance thereto of all unauthorized *persons*.
- (2) The *owner* or agent of a *vacant building* shall board up the *building* to the satisfaction of the *officer* by covering all openings through which entry may be obtained with at least 12.7mm (0.5inch) weatherproof sheet plywood securely fastened to the building and painted a colour compatible with the surrounding walls.
- (3) If a *building* remains vacant for a period of more than ninety (90) days, the *owner* or agent thereof, shall ensure that all utilities serving the building are properly disconnected or otherwise and secure the *building* to prevent accidental or malicious damage to the *building* or adjacent *property*, but this provision shall not apply where such utilities are necessary for the safety or security of the *building*.

40. Vacant Lands

- (1) Vacant land shall be maintained to the standards as described in part 6 of this By-law.
- (2) Vacant land shall be *graded*, filled, or otherwise drained so as to prevent recurrent ponding of water.

41 Damaged Buildings or Structures

- (1) If a *building* or *structure* is damaged by fire, storm, or by other causes:
 - a) Immediate steps shall be taken to prevent or remove a condition which might endanger *persons* in, on or near the *property*, *building*, or *structure*;
 - b) The aforesaid *building* or *structure* shall be properly supported and barricaded until the necessary demolition or *repair* can be carried out; and,
 - c) The aforesaid *building* or *structure* shall be demolished or *repaired*
- (2) Defacements by smoke or by other similar causes on the exterior walls and surfaces of
The *buildings* or *structures*, or of the remaining parts of the *building* or *structures*, shall be removed and defaced areas refinished in a work like manner.

PART 11 DEMOLITION

42. Demolition

- (1) Where a *building*, *accessory structure*, *fence*, or other *structure* is demolished, the *property* shall be cleared of all rubbish, *waste*, refuse, masonry, lumber, wood, and other materials and left in a *graded* leveled condition.
- (2) Where a *building*, *accessory structure*, *fence*, or other *structure* is being demolished, every precaution shall be taken to protect the adjoining *property* and members of the public. The precautions to be taken include the erection of *fences*, barricades, covered walkways for pedestrians and any other means of protection necessary for the protection of the adjoining *property* and members of the public.

PART 12 ENFORCEMENT

43. Inspection

- (1) An *officer* may, upon producing proper identification, enter upon any *property* at any reasonable times without a warrant for the purpose of inspecting the *property* to determine:
 - a) Whether the *property* conforms with the standards prescribed in this by-law; or,
 - b) Whether an order under the *Building Code Act* has been complied with.
- (2) The *owner* or *occupant* of a *property* shall:
 - a) Comply with all standards prescribed in this by-law;
 - b) Comply with any final and binding order of the *officer*;
 - c) Produce documents or things requested by the *officer* for inspection as relevant to the *property* or any part thereof;
 - d) Allow the removal of such documents or things for the purpose of making copies, provide information or assist in the collection of information from other *persons* concerning a matter related to the *property* or part thereof;
 - e) Allow entry by the *officer* or such *persons* as needed to carry out an inspection or test or in aid thereof;
 - f) Permit examination, tests, sampling or photographs necessary for the purpose of an inspection or in aid thereof; and
 - g) Provide at their expenses when requested, reports, tests and samples as are specified in an order, all as may aid or assist in the carrying out of an inspection and determination of compliance with this by-law and the relevant portions of the *Building Code Act*.
- (3) The *Township* may charge the *owner* of a *property* a fee or charge pursuant to the rates and fees schedule to conduct an inspection, including increased fees for multiple inspections.
- (4) Where an *officer* has reasonable grounds to believe that an offence has been committed by a *person*, the *officer* may require the name, address, and proof of identity of that *person*, and the *person* shall supply the required information.

44. Orders

- (1) An *officer* who finds that a *property* does not conform to any of the standards prescribed in this by-law may make an order:
 - a) Stating the municipal address or the legal description of the *property*;
 - b) Giving reasonable particulars of the *repairs* to be made or stating that the site is to be cleared of all *buildings*, *structures*, debris or refuse and left in a *graded* and levelled condition;
 - c) Indicating the time for complying with the terms and conditions of the order and giving notice that, if the *repair* or clearance is not carried out with that time, the municipality may carry out the *repair* or clearance at the *owner's* expense; and,
 - d) Indicating the final date for giving notice of appeal from the order.

45. Service

- (1) An order shall be served on the *owner* of the *property* and such other *persons* affected by it, as the *officer* determines, and a copy of the order may be posted on the *property*.
- (2) A notice or order required by this by-law to be served in accordance with subsection 45(1) may be served:
 - a) In *person*;

- b) By email to the last known email address of the *person* to whom service is required to be made; or
- c) By registered mail sent to the *last known address* of the *person* whom notice is to be given or to that *person's* agent for service.

(3) A notice or order served in accordance with subsection 45(2) is considered to be served:

- a) On the fifth day after the day of mailing if served by registered mail;
- b) On the day of sending if served by email, unless the document was sent after 5:00pm, in which case service shall be deemed to have been made on the following day.

(4) An order may be registered in the proper land registry 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 with the order on the day on which the order was served and, when the requirements of the order have been satisfied, the *clerk* of the *Township* shall forthwith register in the proper land registry office a certificate that such requirements have been satisfied, which shall operate as a discharge of the order.

46. Property Standards Committee

- (1) A property standards *committee* shall be established and composed of not fewer than three members appointed by *Council*.
- (2) Three members of council, or employees of the municipality or local board thereof, shall constitute and thereby be appointed as members of the *property standards committee*.
- (3) The term of office for members shall be the term of *Council* (four years).
- (4) The members of the *committee* shall elect one of themselves as chair, and when the chair is absent through illness or otherwise, the *committee* may appoint another member as acting chair.
- (5) A majority of the members of the *committee* constitutes a quorum for transacting the *committee's* business.
- (6) The members of the *committee* shall make provisions for a secretary for the *committee*.
- (7) The secretary shall keep on file the records of all official business of the *committee*, including records of all applications and minutes of all decisions respecting those applications.
- (8) The *committee* may, subject to subsection 15.6(8) of the *Building Code Act*, 1992, adopt its own rules of procedure and any member may administer oaths.
- (9) 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.

47. Appeals

- (1) An *owner* or *occupant* who has been served with an order may appeal the order and who is not satisfied with the terms or conditions of the order may appeal to the *committee* by sending a notice of appeal, including the grounds for an appeal and the applicable fee set out in Schedule "A" by registered mail to the secretary of the *committee* within fourteen (14) days after being served with the order.

- (2) An order that is not appealed within the prescribed time shall be deemed to be confirmed.
- (3) The *committee* shall hear appeals pursuant to section 15.3 of the *Building Code Act*.

48. Hearing

- (1) The secretary of the *committee*, in receipt of the notice of appeal, shall
 - a) Determine the date, place and time of the hearing of the appeal which shall take place not less than seven (7) days and not more than thirty (30) days from the date of receipt of the aforesaid notice;
 - b) Give notice in writing, via registered mail, of the date, place and time of the hearing referred to in Section 47(1)(a) to:
 - i. The appellant;
 - ii. Any other interested *persons* who the *committee* consider should receive notice.
- (2) The *committee* shall hold the hearing referred to in section 47(1) at the date, place and time set out in the notice.
- (3) The *committee* may adopt its own rules and procedures.
- (4) The applicant may appear with or without counsel at the hearing to present the appeal.
- (5) The *Township* may be represented at the hearing by its counsel who is entitled to reply to the appeal presented on behalf of the applicant.

49. Failure to Comply with an Order

- (1) If an order is not complied with in accordance with the order as deemed confirmed or as confirmed or modified by the *committee* or a judge of the Superior Court of Justice, the *Township* may cause the *property* to be *repaired*, cleaned, cleared up or demolished. As the case may be.
- (2) For the purposes of section 49(1) of this by-law, employees or agents of the *Township* may enter the *property* at any reasonable time, without a warrant, in order to *repair*, clean, clear or demolish the *property*.
- (3) The *Township* or a *person* acting on its behalf is not liable to compensate the *owner*, *occupant*, or any other *person* by reason of anything done by or on behalf of the *Township* in the reasonable exercise of its powers under section 49(1) of this by-law.
- (4) The *Township* shall have a lien on the land for the amount spent on the *repair*, cleaning, clearing or demolition under section 49(1) of this by-law and the amount shall have priority lien status as described in S.1 of the Municipal Act, 2001.

50. Emergency Provisions

- (1) If upon inspection of a *property*, the *Officer* is satisfied there is nonconformity with the standards prescribed in this by-law to such extent so as to pose an immediate danger to the health or safety of any *person*, the *officer* may make an

order in accordance with section 15.7 of the *Building Code Act* containing particulars of the non-conformity and requiring remedial *repairs* or the work to be carried out immediately to terminate the danger.

51. Certificate of Compliance

- (1) An *officer* who inspects a *property* and is of the opinion that the *property* is in compliance with the standards established by this By-law may issue a *certificate of compliance* to the *owner*.
- (2) Where an *owner* requests a *certificate of compliance* and where, having inspected the *property*, an *officer* is of the opinion that the *property* is in compliance with the standards established by this By-law, the *officer* shall issue a certificate to the *owner*, upon payment of the required fee.

PART 13 OFFENCES AND PENALTIES

52. Offences and Penalties

- (1) A *person* who fails to comply with an order, direction or other requirement made under the Act and this By-law is guilty of an offence.
- (2) A *person* who fails to comply with an order made under this By-law is guilty of an offence, and on conviction, in addition to the penalties set out in subsections 52(3) and 52(4), is liable to a fine of not more than \$10,000 per day for every day the offence continues after the time given for complying with the order has expired.
- (3) Every *person* who is convicted of an offence is liable to a fine of not more than \$50,000, for a first offence and to a fine of not more than \$100,000 for a subsequent offence.
- (4) Every *corporation* who is convicted of an offence is liable to a fine of not more than \$500,000 for the first offence and to a fine of not more than \$1,500,000 for a subsequent offence.
- (5) An offence is a subsequent offence if there has been a previous conviction under the *Building Code Act*.

PART 14 GENERAL

53. Validity

- (1) Where a provision of this By-law conflicts with the provisions of another by-law that is in force in the municipality or provincial or federal legislation, the provisions that establish the higher standards to protect the health, safety, and welfare of the general public prevails.
- (2) It is declared that if any section, subsection or part or parts thereof be declared by any court of law to be bad, illegal, or ultra vires, such section, subsection, part or parts shall be deemed severable, and all parts hereof are declared to be separate and independent and enacted as such and shall remain in effect until repealed.
- (3) This by-law shall come into force and take effect upon its passing.
- (4) That By-law 09-13, being a bylaw prescribing Property Standards for the *Township* of South Glengarry is hereby repealed in its entirety.

54. Transitional Rules

- (1) After the date of passing of this by-law, By-law No. 09-13, as amended, shall apply only to those properties in which a notice or order to comply has been issued prior to the date of passing of this by-law, and then only to such properties, until such time as the work required by such order has been completed or any enforcement proceedings with respect to such order has been completed, including any demolition, clearance, or *repair* carried out by the *Township* shall have been concluded.

READ A FIRST AND SECOND TIME IN OPEN COUNCIL ON JUNE 17, 2024

READ A THIRD AND FINAL TIME, PASSED, SIGNED, AND SEALED IN OPEN COUNCIL THIS 15th DAY OF JULY, 2024.

MAYOR



CLERK





RECEIVED
JAN 10 1966

RECEIVED
JAN 10 1966

RECEIVED
JAN 10 1966

RECEIVED
JAN 10 1966

Schedule 'A'
Corporation of the Township of South Glengarry
By-law No. 2024: Property Standards By-law
Service Use and Activity Charges

Item	Service or Activity fee	Fee
1.	Issuing a Property Standards Order	\$50.00
2.	Subsequent Orders	\$350.00
3.	Appeal Property Standards Order	\$150.00
4.	Attend hearing of the Property Standards Committee	\$150.00
5.	Officer Attendance on site during clean-up and/or remedial work (Minimum 2 Hours)	\$75.00/hr.
6.	Registering an Order on Title (Fee plus Legal Fees)	\$250.00
7.	Discharging and Order on Title (Fee plus Legal Fees)	\$250.00
8.	Title Search	\$40.00 + Legal fees
9.	Certificate of Compliance	\$50.00
10.	Re-Inspection Fee (Per Inspection)	\$75.00
11.	Administration Fee – Cost of work + Administration Fee	30 % to a max \$1000.00