

# Corporation of the Township of Springwater

## By-law 2024-074

### A By-law Prescribing Standards for the Maintenance and Occupancy of Property

(Property Standards By-law)

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**Whereas** Section 15.1(3) of the Building Code Act, 1992, S.O. 1992, C.23, as amended, authorizes the council of the municipality to pass a by-law prescribing standards for the maintenance and occupancy of property within the municipality and for prohibiting the occupancy or use of such property that does not conform to the standards; and for requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or requiring the site to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition;

**And Whereas** an official plan that includes provisions relating to property conditions is in effect in the Township of Springwater.

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

**Now Therefore** the Council of The Corporation of the Township of Springwater enacts as follows:

#### 1. Title and Scope

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This By-law may be referred to as “The Property Standards By-law”.

- 1.1 The standards for maintenance and occupancy of property set forth in this By-law are hereby prescribed and adopted as the minimum standards for all property within the Township.
- 1.2 No person shall occupy or use or permit the occupancy or use of a property if there is a condition which poses or constitutes an unsafe condition.
- 1.3 A property within the Township that does not conform with the standards contained in this By-law shall be:
  - (a) repaired and maintained to conform with such standards; or
  - (b) cleared of all buildings, accessory buildings, structures or waste and left in a graded and levelled condition.

- 1.4 This By-law does not apply so as to prevent a farm, meeting the definition of “agricultural operation” under the Farming and Food Production Protection Act, 1998, S.O. 1998, c.1, from carrying out a normal farm practice as provided for and defined under that Act.

## 2. Applied Meaning of Words and Terms

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- 2.1 Interchangeability: words used in the present tense include the future, words in the masculine gender include the feminine and neuter; the singular number includes the plural, and the plural includes the singular.

## 3. Definitions

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3.1 In this by-law, the following words shall have the following meanings:

“**Accessory Dwelling**” means a detached building or structure, not used for human habitation that is subordinate to the primary use on the same property;

“**Basement**” means that portion of a building between two floors, which is partly underground of the first floor joists above the average finished grade level adjacent to the exterior walls of the building and includes a crawl space and cellar;

“**Boat**” means any vessel which floats on the surface of the water and is capable of carrying people or material whether motorized or not and includes but is not limited to pleasure craft, scows, personal water craft, canoes, row boats, pontoon boats and commercial boats, when on the water or on land;

“**Building**” means a building as defined in the Building Code Act, or a structure used or intended to be used for supporting or sheltering any use or occupancy;

“**Building Code Act**” means the Building Code Act, 1992, S.O. 1992, c. 23, as amended and any prescribed regulations under the Building Code Act;

“**Committee**” means the Property Standards Committee established under this By-law;

“**Compost**” means a collection of humus material such as kitchen and table waste, grass clippings, plant trimmings, weeds or other leaves;

“**Council**” means the Council for the Township;

“**Dwelling**” means a building or part of a building, occupied or capable of being occupied, in whole or in part for the purpose of human habitation;

“**Dwelling Unit**” means a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more person and supporting general living conditions including cooking, eating, sleeping and sanitary facilities;

**“Exterior Property Areas”** means the property, exclusive of a building and an accessory building;

**“Fence”** means a structure, wall or barrier, other than a building, erected at grade for the purpose of defining boundaries of property, separating open space, restricting ingress to or egress from property, providing security or protection to property or acting as a visual or acoustic screen;

**“Firewood”** means any lumber, timber, logs, poles, cut up trees or felled trees, any salvaged wood products included but not limited to wood skids, wood boxes and used wood products that are not required for a building, accessory building or structure currently under construction on the property or for which there is a current or regular use;

**“Ground Cover”** means organic or non-organic material applied to prevent the erosion of the soil, e.g., concrete, flagstone, gravel, asphalt, grass or other forms of landscaping;

**“Guard”** means a protective barrier installed around openings in floor area or on the open sides of a stairway, a landing, a balcony, a mezzanine, a gallery, a raised walkway, or other location as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through them;

**“Habitable Room”** means a room or enclosed floor space used, or capable of being used for living, eating, sleeping or domestic food preparation purposes, but excludes a bathroom, water closet compartment, laundry, pantry, foyer, lobby, hall, passageway, corridor, closet, stairway, basement or cellar, recreation room, storage room, furnace room or other accessory space used for service, maintenance or access within a building;

**“Heritage Attribute”** means an attribute of a heritage property that contributes to its cultural heritage value or interest that is defined, described or inferred:

- (a) In a By-law designating a heritage property;
- (b) In a By-law designating a heritage conservation district;
- (c) In a Minister’s Order made under the Ontario Heritage Act;
- (d) In any documentation considered as part of (a), (b) and (c) above;

And includes any elements, features or components that support or protect the heritage attribute.

**“Heritage Property”** means a property designated under Part IV or Part V or by a Minister’s Order under the Ontario Heritage Act.

**“Maintain”** shall mean the preservation and keeping in good repair. Maintenance and maintained shall have the same meaning;

**“Multiple Dwelling”** shall mean a building containing two or more dwelling units;

**“Noxious Weed”** means, as defined in the Weed Control Act, R.S.O. 1990, c. W. 5, as amended, a plant that is deemed to be a noxious weed under subsection 10 (1) or designated as a noxious weed under section 24 (a) of that Act, as amended;

**“Nuisance Lighting”** means anything that is injurious to health, offensive to the senses, or an obstruction to the free use of the property, so as to interfere with the comfortable enjoyment of life or property.

**“Occupancy”** shall mean the use or intended use of a building or part thereof for the shelter or support of persons, animals or property;

**“Occupant”** means any person or persons over the age of eighteen years in possession of the property;

**“Openable Area”** means that part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors;

**“Order”** means the Property Standards Order issued pursuant to section 35 of this by-law;

**“Owner”** includes,

- (a) The person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person’s own account or as agent or trustee of any other person, or who would receive the rent if the land and premises were let; and
- (b) 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;

**“Person”** includes a corporation and its heirs, executors, administrators, or other representatives of a person to whom the context can apply according to law;

**“Plumbing”** means a drainage system, a venting system and a water system or parts thereof;

**“Property”** means a building or accessory building, or part of a building or accessory building, and includes the lands and premises appurtenant thereto and all mobile structures, mobile buildings, mobile homes, outbuildings, fences, retaining walls, and erections thereon, whether heretofore or hereafter erected, and also includes vacant property;

**“Property Standards Officer”** shall mean a Property Standards Officer who has been appointed by by-law to administer and enforce this By-law;

**“Refuse and/or Debris”** means any article, thing, matter, substance or effluent that, has been cast aside, discharged or abandoned, or is discarded from its usual and intended use, or is used up, in whole or in part, or expanded or worn out in whole or in part; and shall include domestic waste and industrial waste, and that domestic waste and/or industrial waste does not cease to be refuse by reason that it may be commercially saleable or recyclable;

**“Repair”** includes provision of such facilities, the making of additions or alterations or the taking of any other actions that may be required so that a property conforms to the standards established in this by-law;

**“Retaining Wall”** means a structure that holds back soil or loose material to prevent it from assuming the natural angle of repose at locations where an abrupt change in ground elevation occurs;

**“Safe Condition”** means a condition that does not pose or constitute an undue or unreasonable hazard or risk of life, limb or health of any person on or about the property, and includes a structurally sound condition;

**“Sewage”** means water-carried waste, together with such ground, surface and storm waters as may be present;

**“Sewerage System”** shall mean the Township sanitary sewerage system or a private sewage disposal system approved by the Township;

**“Standards”** shall mean the standards of physical conditions and occupancy set out in this by-law;

**“Structure”** means anything constructed either permanent or temporary, the use of which requires location on or an attachment to something having location on the ground;

**“Township”** means the Corporation of the Township of Springwater or the land within geographic limits of the Corporation of the Township of Springwater as the context requires;

**“Unsafe Condition”** means any condition that poses or constitutes an undue or unreasonable hazard or risk to life, limb or health of any person on or about the property;

**“Vacant Building”** means any building or accessory building that is or appears to be vacant, partially vacant, or unoccupied, or that, by reason of its unfinished or dilapidated condition, is open to the elements and in a state that there is little to no control over unauthorized entry, but does not include,

- (a) A dwelling unit occupied by the owner on a seasonal basis but otherwise maintained through the year;
- (b) A building on property used for farming purposes, except a dwelling unit.

**“Vacant Property”** means a property that does not have a building or accessory building;

**“Waste”** includes any debris, rubbish, refuse, sewage, effluent, garbage, brush, ashes, litter, wrappings, salvage, vehicle parts, discarded material or things, broken or dismantled things, or materials or things exposed to the elements, deteriorating or decaying on a property due to exposure to the weather.

**“Wrecked/Dismantled/Inoperative”** means a vehicle or trailer which is inoperative, discarded, unused or unlicensed except in an establishment licensed or authorized to conduct and operate such a business and then only in an arrangement such as to prevent an unsafe condition or an unsightly condition out of character with the surrounding environment;

**“Yard”** means that land, other than publicly owned land, around or appurtenant to the whole or any part of a building or accessory building, and includes vacant property;

#### **4. Exterior Property Areas- General Requirements**

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4.1 Exterior Property Areas shall be kept in a neat and tidy condition and free from:

- (a) rubbish, garbage, brush, waste, litter and other debris;
- (b) injurious insects, termites, rodents, vermin and other pests;
- (c) Noxious Weeds and excessive growths of other weeds and grass;
- (d) unsightly and unreasonably overgrown, in relation to their environment, ground cover, hedges and bushes;
- (e) dead, decayed or damaged trees, or other natural growth and the branches and limbs thereof which creates an unsafe condition;
- (f) wrecked, dismantled, derelict, inoperative, discarded, unused or unlicensed vehicles or trailers, except in an establishment licenced or authorized to conduct and operate such a business, and then only in an arrangement such as to prevent an unsafe condition or an unsightly condition and screened from view from adjacent properties;
- (g) wrecked, dismantled, derelict, inoperative, discarded or unused boats and any component parts thereof, except in an establishment licenced or authorized to conduct and operate such a business, and then only in an arrangement such as

to prevent an unsafe condition or an unsightly condition and screened from view from adjacent properties;

- (h) machinery or any parts thereof, or other objects or parts thereof, or accumulations of material or conditions that create an unsafe condition or an unsightly condition out of character with the surrounding environment; and
  - (i) dilapidated or collapsed structures or erections and any unprotected well or other unsafe condition or unsightly condition out of character with the surrounding environment.
  - (j) stagnant water;
  - (k) animal excrement, except in connection with a lawful agricultural use on a property;
  - (l) firewood, except if stored in a neat orderly pile.
- 4.2 Suitable ground cover shall be provided to prevent erosion of the soil. Where grass from a part of the ground cover has been killed due to the application of calcium chloride or other chemical to walkways or driveways adjacent to a property, or for other reasons, such dead areas shall be re-sodded or re-seeded as often as required so as to restore the grass to a living condition.
- 4.3 Hedges, planting, trees or other landscaping, required by the Township as a condition of site development, redevelopment or rearrangement, shall be maintained in a living condition or shall be replaced with equivalent landscaping, so as to carry out its intended function and maintain an attractive appearance.
- 4.4 Landscaping and general maintenance of the exterior property shall not detract from the landscaping and the general maintenance of the neighbourhood of which they are a part.
- 4.5 An abandoned or unused well, septic tank or a hole on a property shall be filled or safely covered and protected.
- 4.6 An ice-box, refrigerator, freezer or other container shall not be placed in an exterior property area for disposal without first removing all locks and doors or taking some other adequate precautionary measure to prevent a person from being trapped in an ice-box refrigerator, freezer or other container.

## **5. Drainage**

5.1 Exterior property areas shall be:

- (a) graded and maintained in such a manner as to prevent excessive or

recurrent ponding of storm water thereon, and

(b) cultivated or protected with suitable cover to prevent erosion of the soil.

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5.2 All catch basins, swales, ditches and culverts that have been installed and or constructed either through development or otherwise shall be maintained so as to not impede the natural flow of water.

5.3 The storm water run-off from all downspouts of impervious surfaces shall be contained within the limits of the property from which it originated until absorbed by the soil or drained to a storm sewer, or to a natural or artificially-created swale, ditch or watercourse.

## **6. Health**

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6.1 All sewage shall be discharged into an approved sewage system or public sewage disposal system.

## **7. Buffering**

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7.1 Property which, because of its use or occupancy, or for other for other reasons under the zoning by-law is required to be buffered shall:

- (a) maintain an effective barrier to prevent lighting and vehicle headlights from shining directly into a dwelling unit;
- (b) maintain an effective barrier to prevent wind-blown waste from encroaching on an adjacent property;
- (c) maintain visual screen, to minimize the visual impact of a nuisance to a person who owns or occupies an adjacent property.

## **8. Retaining Walls**

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8.1 A retaining wall shall be maintained in good repair and free from accident hazards.

8.2 Without restricting the generality of section 8.1 the maintenance of a retaining wall may include:

- (a) redesigning, repairing or replacing all deteriorated, damaged, misaligned or missing portions of the wall, or railings and guards appurtenant thereto;

- (b) installing subsoil drains where required to maintain the stability of the retaining wall;
- (c) grouting masonry cracks;
- (d) applying a coat of paint or equivalent preservative to all metal or wooden exposed components.

## **9. Fences**

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9.1 A fence on a property separating adjoining property shall:

- (a) be in a structurally sound condition and plumb, unless specifically designed to be other than vertical;
- (b) be maintained in a good state of repair and free of accident hazards;
- (c) be free of any graphics or signage.

9.2 Without restricting the generality of section 9.1 the maintenance of a fence may include:

- (a) protecting by paint, treated with preservative or other weather resistant material unless the aesthetic characteristics of the fence are enhanced by the lack of such treatment.

## **10. Lighting Standards and Fixtures**

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10.1 Lighting standards and fixtures shall be kept in a safe condition, in good working order and in good visual condition.

## **11. Recreational Areas**

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11.1 A recreational area and the equipment provided in connection therewith shall be kept in a safe, operable, usable condition.

## **12. Communal Walkways, Driveways, Ramps, Parking Areas and Outside Stairs and Landings**

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12.1 A communal walkway, driveway, ramp, parking area and outside stairs and landings shall be promptly cleared of snow and appropriate measures shall be taken to minimize the risk of persons slipping or vehicles skidding on an icy surface.

12.2 An area used for vehicle traffic and parking shall be maintained through paving or surfaced with crushed stone or other suitable and reasonably dust-free

substance, and shall be free from ponding and puddles and maintained in good state of repair and safe condition.

- 12.3 A paved communal parking area shall be maintained with suitable markings, such as painted lines, to indicate parking spaces, entry and egress for vehicles.
- 12.4 A walkway shall be repaved, resurfaced or regraded as often as necessary to maintain a reasonably smooth, slip-free and safe walkway.

## **13. Buildings and Accessory Buildings**

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### **13.1 Structural Capacity**

13.1.1 A building, accessory building, or any part thereof shall be capable of resisting, with at least the factor of safety specified in the Building Code Act, its own weight and the load that may be applied to it through natural cases, such as snow, wind and all other such causes, all as set out in the Building Code Act, and without exceeding the soil capacity and the maximum differential or other settlement as specified therein. An inspection report prepared, stamped and signed by an engineer qualified in the pertinent field and licensed in the Province of Ontario, shall be submitted for approval when the structural capacity of any part of a building or accessory building, in the opinion of a Property Standards Officer or Building Inspector, is in doubt.

### **13.2 Accident Protection**

13.2.1 When an unsafe condition exists to persons in a building or accessory building, the Building Code Act shall apply to the extent necessary to abate the unsafe condition. In the event that strict application of the Building Code Act is not practical, the Property Standards Officer may accept alternative measures provided the standards of safety that result is generally equivalent to the standards provided by the Building Code Act.

13.2.2 Without limiting the generality of section 13.2.1, the abating of an unsafe condition may include:

- (a) the provision or repair of stairs, balustrades, railings, guards and screens so as to minimize the risk of accident, and
- (b) the elimination of other conditions which, in themselves are a hazard to life or which risk serious injury to persons normally in or about the subject building, accessory building, room, suite of rooms or space.

## **14. Health and Refuse**

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14.1 A building and accessory building on a property shall be kept free of garbage,

refuse and pests, such as rodents, vermin, termites and injurious insects.

- 14.2 Every residence building floor, having a common access corridor to individual apartments, any central storage and disposal facility shall be maintained.
- 14.3 In a dwelling unit and an accessory building, sufficient rooms, containers and receptacles shall be maintained to safely contain all garbage, rubbish, ashes, waste and other refuse, which shall not be allowed to accumulate but shall be removed or made available for removal in accordance with any applicable by-laws.
- 14.4 An external container and receptacle shall be screened from view and shall be provided with a cover so that the material contained therein is not exposed to injurious insects, termites, rodents, vermin or other pests.
- 14.5 Garbage chutes, disposal rooms, containers and receptacles shall be washed down and disinfected as necessary to maintain a clean and odour free condition.
- 14.6 Injurious insects, termites, vermin, rodents and other pests shall be exterminated and appropriate measures shall be taken to prevent their re-entry.
- 14.7 In a dwelling, openings in the exterior walls or roof shall be fitted and maintained to protect all habitable space from water and weather entry, and so as to make such space free from drafts.
- 14.8 No portion of a dwelling shall be used for human habitation unless:
  - (a) the floors, walls and ceiling areas are watertight and free from dampness at all times;
  - (b) the total window area, the total openable area for natural ventilation and the ceiling height are in accordance with the provisions of the Building Code Act or, alternatively, re-ventilation and/or mechanical ventilation is provided as prescribed by the Building Code Act;
  - (c) the required minimum window area of every habitable room is entirely above the grade of the ground adjoining such window area, or the top of the window well, whichever is the higher elevation; and
  - (d) a heating system is provided and operated so as to maintain a minimum of not less than 21 degrees Celsius, between the 15<sup>th</sup> day of September to the 1<sup>st</sup> day of June of the following year.

## **15. Heating, Heating Systems, Chimneys, Vents and Fuel Burning Appliances**

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- 15.1 Every building containing an occupied dwelling unit or habitable room shall be

provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 degrees Celsius. A heating system shall be maintained in good working condition so as to be capable of safely heating the dwelling unit or habitable room to the required standard.

15.2 A fuel burning appliance shall:

- (e) have ample air supply to permit combustion to occur with optimum oxygen available;
- (f) be located in such a manner as to prevent impediment to the free movement of a person and the overheating of adjacent materials and equipment;
- (g) have guards where necessary to minimize the risk of an accident.

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

15.4 A fuel burning appliance, equipment and accessories shall be properly vented to the outside air by means of a smoke-pipe, vent pipe, chimney flue or other approved method and as may be required by the Building Code Act.

15.5 Every chimney, smoke-pipe, flue and vent shall be maintained in a good state of repair so as to prevent the escape of smoke, fumes or gases from entering a building. Maintenance may include the removal of obstructions, sealing open joints, and the repair of loose or broken masonry units.

15.6 Every chimney, smoke-pipe, flue and vent shall be maintained in a good repair so as to prevent the heating of adjacent combustible material or structural members to unsafe temperatures.

## **16. Lighting**

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16.1 Any lights used to illuminate yards or parking areas shall be arranged or shielded to deflect light away from abutting properties and or the public right of way. A barrier or deflector shall be provided to prevent lighting from shining directly into an adjacent dwelling unit to avoid being nuisance lighting.

16.2 Property that, because of its use, occupancy or other reasons, creates a nuisance to other properties in the neighbourhood shall be buffered from these properties so as to minimize the effect of the nuisance by the provision and maintenance of:

- (a) A barrier or deflectors to prevent lighting and motorized and non-motorized vehicle headlights from shining directly into a dwelling unit.

- 16.3 Adequate light fixtures shall be maintained so that the work or operations normally carried out in an area, or the use of an area, can be undertaken in safety and without undue eye strain.

## **17. Ventilation**

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- 17.1 Sufficient ventilation shall be provided to all areas so as to prevent accumulations of heat, dust, vapours, odours, carbon monoxide and other gases likely to create a potential unsafe condition or to become a nuisance.
- 17.2 A kitchen, bathroom, shower room and toilet room shall be provided with adequate natural or artificial means of ventilation.
- 17.3 An enclosed area of a building or an accessory building including a basement, cellar, crawl space and an attic shall be adequately ventilated.
- 17.4 A system of mechanical ventilation shall be maintained in good working order.

## **18. Plumbing**

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- 18.1 A dwelling unit shall be provided with an adequate supply of potable running water from a source approved by the Medical Officer of Health and/or the Chief Building Official of the Township.
- 18.2 A washbasin, bathtub or shower, and one kitchen sink shall be equipped with an adequate supply of hot and cold running water.
- 18.3 A room containing sanitary conveniences or toilet facilities shall be regularly cleaned so as to be maintained in a clean and sanitary condition.
- 18.4 A fixture shall be of such materials, construction and design as will ensure that the exposed surface of all parts are hard, smooth, impervious to hot and cold water, readily accessible for cleansing and free from blemishes, cracks, stains or other defects that may harbor germs or impede thorough cleansing.
- 18.5 All plumbing, including drains, water supply pipes, water closets and other plumbing fixtures shall be maintained in good working order free of leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.
- 18.6 All other buildings, shall maintain toilet and washing facilities as required by the Building Code Act:
- (a) in good working order;
  - (b) in a clean and sanitary condition;

- (c) supplied with hot and cold running water, with cold water connection only to toilets and urinals;
- (d) and connected to the drainage system.

## **19. Kitchen**

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- 19.1 A dwelling unit shall contain a kitchen area equipped with:
- (a) one sink surrounded by a surface that is impervious to grease and water;
  - (b) a suitable storage area;
  - (c) a counter or work area, exclusive of the sink and covered with a material that is impervious to moisture and grease and is easily cleanable;
  - (d) a space provided for cooking and refrigeration appliances including suitable electrical or gas connections;
- 19.2 A cooking appliance and a refrigeration appliance shall be maintained in a good state of repair and operating condition.

## **20. Bathroom**

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- 20.1 A dwelling unit shall contain a bathroom consisting of at least one fully operational toilet, washbasin, and a bathtub or suitable shower unit.
- 20.2 Where a toilet or bathroom facility is shared by occupants of a residential accommodation, other than a self-contained dwelling unit, an appropriate entrance shall be provided from a common passageway, hallway, corridor or other common space to the room or rooms containing the said facility.

## **21. Electrical Service**

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- 21.1 A dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system.
- 21.2 The capacity of the connection to a building or accessory building and the system of circuits distributing the electrical supply of the building or accessory building shall be adequate for the use and intended use.
- 21.3 Electrical wiring, cords, circuits, fuses, circuit breakers, electrical equipment and electrical heating systems shall be installed and maintained in good working order, free from fire and accident hazards.

## **22. Recreational Facilities and Rooms**

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- 22.1 A recreational facility and rooms for the use of occupants of a building or accessory building, shall be maintained repaired and cleaned as necessary to maintain the recreational facility or room in a safe, clean and useable condition.

### **23. Disconnected Utilities**

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

### **24. Foundations**

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- 24.1 A foundation of a building or an accessory building shall be maintained in good repair so as to prevent settlement detrimental to the appearance or structural stability of the building or accessory building, and restrict the entrance of moisture, vermin, termites and insects or rodents into the building or accessory building.
- 24.2 Without limiting the generality of section 24.1, the maintenance of a foundation may include:
- (a) the jacking-up, underpinning or shoring of the foundation where necessary;
  - (b) the extension of footings and foundations below grade or regrading to provide adequate frost cover;
  - (c) installing subsoil drains at the footing where such would be beneficial;
  - (d) the grouting of masonry cracks;
  - (e) waterproofing the wall and joints;
  - (f) the carrying out of such other work as may be required to overcome any existing settlement detrimental to the appearance or structural stability of the building or accessory building;
  - (g) repairing or replacing decayed, damaged or weakened sills, piers, posts or other supports;
  - (h) making sills, piers, posts or other supports insect-proof by the application of suitable materials; and
  - (i) coating with an approved preservative.

## **25. Exterior Walls, Columns and Beams**

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25.1 The components of an exterior wall of a building or an accessory building shall be maintained:

- (a) in good repair;
- (b) weather tight;
- (c) free from loose or unsecured objects or materials;
- (d) so as to prevent the entrance of insects or rodents;
- (e) so as to prevent deterioration due to weather, insects, vermin, termites, rodents and other animals; and
- (f) so as to prevent deterioration detrimental to the appearance of the building or an accessory building.

25.2 Without restricting the generality of section 25.1, the maintenance of an exterior wall of a building or an accessory building may include:

- (a) the applying of materials to preserve all exterior wood and metal work or other materials not inherently resistant to weathering;
- (b) the applying of materials to improve or maintain a pleasant and satisfying appearance at least commensurate with that of the neighbourhood;
- (c) the restoring, repairing or replacing of:
  - i. the wall;
  - ii. the masonry units and mortar;
  - iii. the stucco, shingles or other cladding;
  - iv. the coping; and
  - v. the flashing and waterproofing of the wall and joint.

25.3 Exterior columns and beams shall be maintained in a good state of repair and any decorative trim shall be maintained in a safe condition. Where necessary, such columns, beams and trim shall be restored, repaired or replaced and suitably protected or treated against weathering, so as to prevent or remedy deterioration detrimental to the appearance of the building or accessory building.

## **26. Exterior Doors, Windows and Other Openings**

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- 26.1 Shutters, windows, doors, hatchways and other exterior openings in a building or an accessory building shall be kept weathertight, draft free and in good repair and working order.
- 26.2 Without restricting the generality of section 26.1, the maintenance of a shutter, window, door, hatchway and other exterior opening may include:
- (a) painting or the applying of a similarly effective preservative;
  - (b) the repair, replacement or renewing of damaged, decaying, missing or defective:
    - i. doors;
    - ii. door frames and casings;
    - iii. windows and window sashes;
    - iv. window frames and casings;
    - v. shutters; and
    - vi. screens;
  - (c) Refitting doors, windows, shutters or screens;
  - (d) Reglazing or fitting with a translucent substitute;
  - (e) Rescreening;
  - (f) Using other approved means of weatherproofing where the opening is used or required for ventilation or illumination and is not protected by a window, door or similar closure;
    - i. Screening with wire mesh, metal grills or other equivalent durable material; or
    - ii. Other protection so as to effectively prevent the entry of rodents or vermin.
- 26.3 Glazed doors, windows and other transparent surfaces shall be kept clean so as to permit unimpeded visibility and unrestricted passage of light.
- 26.4 Nothing in this section shall be construed as preventing doors, windows and other openings in an unoccupied building or accessory building from being protected from damage or to prevent entry, for such time as determined by the Chief Building Official.

**27. Exterior Stairs, Verandas, Porches, Decks, Loading Docks and**

## Balconies

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- 27.1 An exterior stair, veranda, porch, deck, loading dock, balcony and every appurtenance attached thereto shall be maintained, reconstructed or repaired so as to be safe to use and capable of supporting the loads to which it may be subjected, as specified in the Building Code Act, and shall be kept in sound condition and good repair, free of all accident hazards and other deterioration or objects detrimental to the appearance of the building or accessory building.
- 27.2 Without restricting the generality of section 27.1, the maintenance, reconstructing or repairing of an exterior stair, veranda, porch, deck, loading dock and balcony may include:
- (a) repairing or replacing treads, risers or floors that show excessive wear or are broken, warped, loose or otherwise defective;
  - (b) repairing, renewing or supporting structural members that are rotted, deteriorated or loose;
  - (c) providing, repairing or renewing guard rails, railings and balustrades; and
  - (d) painting or the applying of an equivalent preservative.

## 28. Roofs and Roof Structures

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- 28.1 A roof, roof deck and related guards of a building or accessory building shall be:
- (a) weather tight and free from leaks;
  - (b) free from loose or unsecured or unsafe objects and materials;
  - (c) free from all other accident and fire hazards;
  - (d) free from dangerous accumulation of ice and snow;
  - (e) kept in a good state of repair;
  - (f) free from other unsightly objects and conditions detrimental to the appearance of the building or accessory building.
- 28.2 The drainage from all roof surfaces shall discharge into an eavestrough or roof gutter and thence to a downpipe.
- 28.3 An eavestrough, roof gutter and downpipe shall be kept:
- (a) in good repair;
  - (b) in good working order;

- (c) water tight and free from leaks;
- (d) free from health and accident hazards; and
- (e) protected by painting or the applying of other equivalent preservative.

28.4 Chimneys, smoke or vent stacks and other roof structures shall be maintained plumb and in good repair so as to be free from:

- (a) loose bricks, mortar and loose or broken capping;
- (b) loose or rusted stanchions, guy wires, braces and attachments;
- (c) any fire or accident hazard; and
- (d) unsightly objects and conditions detrimental to the appearance of the building or accessory building.

## **29. Exterior Maintenance**

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29.1 All exterior surfaces that have been previously painted, stained, varnished or which have received other similar protective finishes shall be maintained without visible deterioration from the original finish, or shall be suitably refinished by application of an equivalent preservative.

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

29.3 In the event of fire or other disaster, measures shall be taken as soon as possible to make the damaged building or accessory building compatible with its environment. Without restricting the generality of the foregoing, such measures include:

- (a) making the building or accessory building safe;
- (b) repairing of damaged surfaces exposed to view;
- (c) cleaning any damaged surfaces exposed to view; and
- (d) refinishing as to be in harmony with adjoining undamaged surfaces.

29.4 In the event the building or accessory building is beyond repair, the property shall be cleared of all remains and left in a graded level and tidy condition.

### **30. Interior Windows, Doors, Surfaces, Floors and Stairs**

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- 30.1 Interior windows, doors, surfaces, floors and stairs shall be maintained:
- (a) in a clean, odour-free and sanitary condition, reasonable for the normal use or occupancy of the room, passageway, enclosure or space;
  - (b) in good working order and repair, free from holes, loose, broken, warped, torn damaged or decayed boards or materials.
  - (c) free from depressions, protrusions, deterioration or other defects which could create an unsafe condition or which are out of character with the normal use of the area in which such defect occurs;
  - (d) so as to afford the fire resistive properties and other protection for which they shall be designed; and
  - (e) free of any graffiti, markings, stains or other defacement.
- 30.2 Interior windows and doors shall also comply with the requirements of section 26.

### **31. Vacant Property and Vacant Buildings- Additional Standards**

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- 31.1 Vacant property shall be kept clear of all garbage, rubbish and debris and other materials and equipment not otherwise permitted by the zoning by-law.
- 31.2 A vacant building shall:
- (a) be secured against authorized entry;
  - (b) have liability insurance; and
  - (c) be protected against the risk of fire, accident, or other danger.
- 31.3 Where a vacant building has been vacant for at least sixty (60) consecutive days, a Property Standards Officer who reasonably believes that a vacant building poses a risk to safety may, in writing, require the Owner of a vacant building to do any one or more of the following, within the timeframe specified by the Property Standards Officer.
- (a) install security measures or devices to the satisfaction of the Property Standards Officer, and such measures may include boarding of doors, windows, or other openings, or
  - (b) do any work or repairs which, in the opinion of the Property Standards Officer, are necessary to secure a vacant building from unauthorized entry or protect a

vacant building against the risk of fire, accident, or other danger.

- 31.4 Where a vacant building has been designated pursuant to the Ontario Heritage Act, it is the responsibility of the Owner to bring that information to the Property Standards Officer's attention to ensure compliance with all other laws or by-laws respecting the property.
- 31.5 Where a vacant building is boarded or required to be boarded:
- (a) boarding materials shall be installed and maintained in good order;
  - (b) boarding materials shall be installed to exclude precipitation and wind from entering the vacant building, and to secure the vacant building from unauthorized entry, and shall be installed within the reveal of the opening frame or cladding, where feasible;
  - (c) unless inherently resistant to deterioration, boarding materials shall be treated with a protective coating of paint or equivalent weather resistant materials; and
  - (d) boarding materials shall be selected, coated, coloured, and installed to match surrounding door/window frames and exterior wall finishes.
- 31.6 Where a vacant building remains vacant for more than ninety (90) consecutive days, the Owner shall ensure that all utilities serving the vacant building are properly disconnected, terminated, or capped, unless such utilities are necessary for the safety or security of the vacant building, or unless such utilities are otherwise required by law to remain connected.
- 31.7 When openings in a vacant building previously boarded or secured become unsecured, such openings shall be secured again, using materials and fasteners or greater strength, installed in such a manner to deter their removal or destruction.
- 31.8 Where a vacant building has remained vacant or unoccupied for a period of two (2) years and continues in a state of disrepair and deterioration, a Property Standards Officer may issue an order to remove all previously installed boarding from windows and doors and to repair the vacant building in compliance with the standards set out in the By-law.

## **32. Administration and Enforcement**

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- 32.1 A Property Standards Officer is responsible for the administration and enforcement of this By-law.
- 32.2 Where a by-law under section 15.1 of the Building Code is in effect, a Property Standards Officer may, upon producing proper identification, enter upon any property at any reasonable time without a warrant for the purpose of inspecting

the property to determine:

- (a) whether the property conforms with the standards prescribed in the by-law; or
- (b) whether an Order made under subsection 15.2(2) of Building Code has been complied with.

### **33. Orders and Compliance**

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- 33.1 An owner of property shall comply with the standards and requirements prescribed in this By-law.
- 33.2 Every Property Standards Officer who finds that a property does not conform with any of the standards of this By-law, may make an order pursuant to the provisions of Section 15.2 of the Building Code Act:
  - (a) requiring the property that does not conform with the standards to be repaired and maintained to conform with the standards; or
  - (b) requiring that the site be cleared of all buildings or accessory buildings, structures, debris or refuse and left in a graded and leveled condition.
- 33.3 The Order shall be served by personal service or sent by registered mail to the owner at their last known address.
- 33.4 If the Property Standards Officer is unable to effectively serve under section 33 of this By-law, the Order may be posted in a conspicuous place on the property.
- 33.5 When an Order has been served pursuant to section 33 of this By-law, by a Property Standards Officer upon any person, the date of service shall be deemed to have been made on the fifth (5<sup>th</sup>) day after the day of mailing or as provided in the Building Code Act, as amended from time to time.
- 33.6 If upon inspection of a property the Property Standards Officer is satisfied that there is non-conformity with the standards in a by-law passed under section 15.1 of the Building Code Act to such extent as to pose an immediate danger to the health or safety of any person, the Property Standards Officer may make an Order containing particulars of the non-conformity and requiring remedial repairs or other work to be carried out immediately to terminate the danger and pursue the steps set out within Section 15.7 of the Building Code Act.
- 33.7 If the owner or occupant of property fails to repair the property or to demolish in accordance with the Order as confirmed or modified, the Township, in addition to all other remedies shall:
  - (a) have the right to repair or demolish the property accordingly and for this purpose with its servants and agents from time to time to enter in and upon the property.

- (b) not be liable to compensate such owner, occupant or any other persons having an interest in the property by reason of anything done by or on behalf of the Township under the provisions of this subsection; and
- (c) recover from the owner of the property the expense incurred by the Township for repair or demolition by action or in like manner as taxes pursuant to the provisions of section 446 of the Municipal Act, 2001.

33.8 That the municipal fees for the administration and enforcement of this bylaw be in accordance with the Township's Fees and Charges By-law and any revisions thereto.

### **34. Appeal of Order**

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- 34.1 An owner who has been served with an order made under this By-law and Building Code Act and who is not satisfied with the terms or conditions of the order may appeal to the Property Standards Committee by sending a notice of appeal by registered mail to the secretary of the Property Standards Committee within 14 days after being served with the order.
- 34.2 An order that is not appealed within the time referred to in Section 36.1 shall be deemed to be confirmed.
- 34.3 The Property Standards Committee shall hear the appeal.
- 34.4 On an appeal, the Property Standards Committee has all the powers and functions of the Property Standards Officer who made the order and the Property Standards Committee may do any of the following things if, in the Property Standards Committee's opinion, doing so would maintain the general intent and purpose of the by-law and of the official plan or policy statement:
  - (a) confirm, modify or rescind the order to demolish or repair.
  - (b) extend the time for complying with the order.
- 34.5 The Township in which the property is situate or any owner or person affected by a decision under this section may appeal to the Superior Court of Justice by notifying the clerk of the Township in writing by applying to the court within 14 days after a copy of the decision is sent.
- 34.6 The Superior Court of Justice shall appoint, in writing, a time and place for the hearing of the appeal and may direct in the appointment the matter in which and the persons upon whom the appointment is to be served.
- 34.7 On the appeal, the judge has the same powers and functions as the Property Standards Committee.

- 34.8 An order that is deemed to be confirmed under section 34.2 or that is confirmed or modified by the Property Standards Committee under section 34.3 or a judge under section 34.7 as the case may be, shall be final and binding upon the owner who shall carry out the repair or demolition within the time and in the manner specified in the order.

### **35. Certificate of Compliance**

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- 35.1 After inspecting a property to which an order was served, a Property Standards Officer who is of the opinion that the property is in compliance with the standards established in this by-law, may issue a certificate of compliance to the owner.
- 35.2 The prescribed fee set out in the Township in the Township's Fee By-law shall be payable prior to the issuance of a certificate of compliance where it is issued at the request of the owner.

### **36. Penalty**

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- 36.1 Every owner who fails to comply with an order, as confirmed, any other order, a direction or a requirement made under this By-law is guilty of an offence under Section 36.(1) of the *Building Code Act* and is liable to a penalty or penalties as set out in Section 36 of the *Building Code Act*.

### **37. Property Standards Committee**

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- 37.1 A Property Standards Committee is hereby established in accordance with the Building Code Act.
- 37.2 The Property Standards Committee shall be composed of such persons, not fewer than three (3), as council considers advisable.
- 37.3 The Property Standards Committee shall hold office for the term of Council or until such time as successors are appointed.

### **38. Validity**

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- 38.1 If any section, subsection, paragraph, sentence, clause, or provision of this By-law be declared by a Court of competent jurisdiction to be invalid, illegal or ultra vires for any reason, all other provisions of this By-law shall remain and continue in full force and effect and shall remain valid and binding.

### **39. Effective Date**

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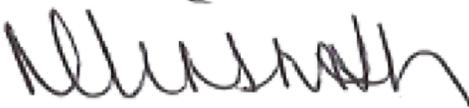
- 39.1 That this by-law shall come into force and effect September 18, 2024.

Read a First, Second and Third Time and Finally Passed this 18<sup>th</sup> day of September, 2024.



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Jennifer Coughlin, Mayor



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Renée Ainsworth, Clerk