

BY-LAW 2001/71

BEING A BY-LAW TO PROVIDE STANDARDS AND VITAL SERVICES FOR THE MAINTENANCE OF THE PHYSICAL CONDITION AND OCCUPANCY OF PROPERTY WITHIN THE MUNICIPALITY OF WEST NIPISSING

WHEREAS the Corporation of the Municipality of West Nipissing 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 and level condition;

AND WHEREAS the Municipality of West Nipissing has in effect an Official Plan that includes provisions relating to property standards as provided in the *Building Code Act*, S.O. 1992, c. 23;

NOW THEREFORE the Council of the Municipality of West Nipissing hereby enacts as follows:

1. DEFINITIONS

- 1.1 **Accessory Building:** means a detached building or structure, the use of which is customarily incidental and subordinate to a principal use, building or structure and located on the same property herewith.
- 1.2 **Approved:** means, as applied to grade, material, device or method of construction, approved by the Property Standards Officer under the provisions of this By-law; approved by the Building Inspector under the provisions of the Building Code; approved by the Fire Chief under the provisions of the Fire Code, or approved by other authority designated by law to give approval to the matter in question.
- 1.3 **Balustrade:** means a row of balusters or spindles surmounted by a railing.
- 1.4 **Bathroom:** means a room containing at least a toilet and bathtub or shower, or two rooms which contain a total of at least one toilet and one bathtub and one bathtub or shower.
- 1.5 **Basement:** means a storey or storeys of a building located below the first storey.
- 1.6 **Storey:** means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.
- 1.7 **First Storey:** means the storey with its floor closest to grade and having its ceiling more than 1.8 m (5 ft. 11 in.) above grade.
- 1.8 **Building:** means a structure having a roof, supported by columns or walls or supported directly on the foundation and used for the shelter or accommodation of persons, animals or goods.
- 1.9 **Cellar:** means that portion of a building between two floor levels which is partly or wholly underground and which has more than one-half of its height, from finished floor to ceiling, below the adjacent finished grade.
- 1.10 **Chief Property Standards Officer:** means the officer appointed by the Council to be the Chief Property Standards Officer responsible for the administration and enforcement of this By-law.
- 1.11 **Compost:** means a mixture of decaying organic matter used or intended to be used as fertilizer.
- 1.12 **Committee:** means a Property Standards Committee, established under Section 15.6-(1) of the Building Code Act, as set out in this by-law.
- 1.13 **Corporation:** means the Corporation of the Municipality of West Nipissing.

- 1.14 **Dwelling**: means a building or structure or part of a building or structure occupied or capable of being occupied for human habitation, and includes a building that would be or could be intended to be used for such purposes, except for its state of disrepair, and shall include any mobile dwelling unit.
- 1.15 **Graffiti**: means one or more letters, symbols or marks, howsoever made, that disfigure or deface a property or object, but does not include a sign pursuant to the Municipality's sign by-laws or a mural which has been authorized by the Municipality.
- 1.16 **Dwelling Unit**: means a suite of two or more rooms, designed or intended for use by one family only, in which sanitary conveniences are provided, in which facilities are provided for cooking, or the installation of cooking equipment, in which a heating system is provided and containing a private entrance from outside the building or from a common hall or stairway inside.
- 1.17 **Fire Resistance Rating**: means time in hours or parts thereof that a material construction or assembly will withstand fire exposure, as determined in a fire test made in conformity with generally accepted standards, or as determined by extension or interpretation of information derived therefrom.
- 1.18 **Guard**: means a protective barrier installed around openings in floor areas or on the open sides of a stairway, a landing, a balcony, a mezzanine, a gallery, a raised walkway and other locations as required to prevent accidental falls from one level to another; such barriers may or may not have openings.
- 1.19 **Ground Cover**: means organic or non-organic materials applied to prevent the erosion of the soil, e.g. concrete, flagstone, gravel, asphalt, grass or other forms of landscaping.
- 1.20 **Habitable Room**: means a room designed for living, sleeping, eating or food preparation including but not only a den, library, sewing room or enclosed sunroom.
- 1.21 **Maintenance**: means the preservation and keeping in good repair of a property.
- 1.22 **Municipality**: means the Corporation of the Municipality of West Nipissing.
- 1.23 **Non-Residential Property**: means a building or structure or part of a building or structure not occupied in whole or in part for the purposes of human habitation, with the lands and premises appurtenant thereto, and all outbuildings, fences or erections thereon or therein.
- 1.24 **Noxious**: means when used with reference to any land, building or structure, a use which, from its nature, or from the manner of carrying on the same, creates or is liable to create, by reason of destructive gas or fumes, dust, objectionable odour, noise or vibration or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other material, a condition which may become hazardous or injurious as regards health or safety or which prejudices the character of the surrounding area or interferes with the normal enjoyment of any use of land, building or structure.
- 1.25 ~~**Notice**: means a Notice of Violation and Order to demolish or repair property served by an officer pursuant to this By-Law.~~
- 1.26 **Occupancy**: means the use or intended use of building or part thereof for the shelter or support of persons, animals or property.
- 1.27 **Occupant**: means any person or persons over the age of eighteen years in possession of the property.
- 1.28 **Vacant Lot or land** in this By-law shall not include municipally-owned properties
- 1.29 **Officer**: means the Property Standards Officer appointed by the Corporation to administer and enforce this By-law.
- 1.30 **Owner**: includes:
- 1.1 the person who, for the time being, receives the rent of, or manages, or pays the municipal taxes on residential property in connection with which the word is used, whether on his own account or as agent or trustee of any other person, or who would so receive the rent if the residential property were let; or
- 1.2 a vendor or such land under an agreement for sale who has paid any municipal taxes thereon after the effective date of the agreement; or

- 1.3 the person for the time being receiving installments of the purchase price of the land or premises in connection with which the word “owner” is used, sold under an agreement for sale, whether on his own account or as an agent or trustee for any other person or who would so receive the installments of the purchase price if such land premises were sold under agreement for sale; and
- 1.4 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.
- 1.31 **Person:** means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executors or legal representatives of a person to whom the context can apply according to law.
- 1.32 **Plumbing and Plumbing Fixtures:** means water heating facilities, water pipes, gas pipes, garbage disposal units, water closets, bathtubs, showers, installed clothes washing or drying machines, laundry tubs, sinks or other similar equipment; catch basins, drains, vents, traps, together with all connections to water, gas sewerage, or vent pipes.
- 1.33 **Premises:** means that portion of real property which is owned by a specific person and includes all buildings and structures thereon.
- 1.34 **Property:** means a building or structure or part of a building or structure and may include the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon, whether heretofore or hereafter erected and includes vacant property.
- 1.35 **Repair Residential Property:** means any property that is used, or designed for use, as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any land or buildings that are appurtenant to such establishment.
- 1.36 **Sewage:** means any liquid waste containing animal, vegetable or mineral matter in suspension or solution but does not include roof water or runoff.
- 1.37 **Sewerage System:** means the municipal sanitary sewerage system when it becomes available; until then, a private sewage disposal system approved by the Medical Officer of the Health or the North Bay-Mattawa Conservation Authority.
- 1.38 **Standards:** means the standard for the maintenance and improvement of the physical condition and for the fitness for occupancy prescribed in this By-law.
- 1.39 **Sub-Standard:** means a quality less than that required by this By-law.
- 1.40 **Unsafe Condition:** means any condition that could be hazardous to the health or safety of persons in the normal use of the premises or, persons whose access to the premises has not been reasonably prevented.
- 1.41 **Yard:** means a space, appurtenant to a building or structure, located on the same lot as the building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted.
- 1.42 **Municipal Law Enforcement Officer:** means the ~~West Nipissing Police Service or~~ any person appointed by Council for the purpose of enforcing the by-laws of the Municipality

2. SCOPE -

This By-law shall apply to all property in the Municipality of West Nipissing, except property owned by the Municipality.

3. MAINTENANCE OF YARD AND ACCESSORY BUILDINGS

3.1 Yards

- 3.1.1 Every yard, including vacant lots shall be kept clean and free from;

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Every yard, including vacant lots shall be kept clean and free from heavy undergrowth and excessive growth of grass and weeds, additionally in residential urban areas where grass forms part of the ground cover, it shall be maintained in a living condition and at a height of not more than 12 inches or 30 centimetres;

2. noxious plants, such as ragweed, poison oak, etc.;
3. dead, decaying or damaged trees or other natural growth, and the branches and limbs which create an unsafe condition;
4. garbage, rubble, waste, construction material or other debris that constitutes an unsafe condition;
5. holes, pits, excavations or trenches constituting an unsafe condition;

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every yard, including vacant lots shall be kept clean and free from wrecked, dismantled, inoperative, unused or any vehicles without valid licence plates, trailers, boats, snowmobiles or other machinery or part thereof and junk and refuse of any kind, except in an establishment licensed or authorized to conduct and operate such a business;

7. dilapidated, collapsed or partially constructed structures; and
8. injurious insects, termites, rodents, vermin or other pests.

3.2 Exemptions

3.2.1 Property located in the following zone, as designated in the Zoning by-law, shall be exempt from the provisions of Section 3.1.1 of this By-law.

- a) environmental protection zones
- b) development zones more than 60 metres from all other abutting zones unless otherwise directed by Council.

3.2.2 Nothing contained herein shall be deemed to prevent an antique car, being a motor vehicle more than 30 years old, from being stored on any property for restoration purposes, provided it is housed in a building.

3.2.3 Yards which allow for natural uncut grasses (i.e. - vetch) and alternative gardening or landscaping methods may be permitted at the discretion of the Chief Property Standards Officer.

3.3 Sewage and Drainage

3.3.1 Sewage or organic waste shall be discharged into the municipal sanitary sewage system where such a system exists, or shall be disposed of in a manner acceptable to the local health authorities.

3.3.2 All yards and exterior property areas shall be cultivated or protected with suitable ground cover to allow safe passage of pedestrians.

3.3.3 No roof drainage or sump pump shall be discharged on sidewalks or stairs of the premises or neighbouring property.

3.3.4 No person shall maintain or change the grade of any property which causes excessive ponding or the entrance of water into a basement or cellar or an unsafe condition.

3.4 Parking Area, Walks and Driveways

3.4.1 All areas used for vehicular traffic and parking shall have a surface covering of asphalt, concrete, interlocking stone or compacted stone or gravel and shall be kept in good repair free of dirt and litter.

3.4.2 Steps, walks, driveways, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions day or night.

3.5 Accessory Buildings, Fences and Other Structures

3.5.1 Accessory buildings, fences and other structures appurtenant to the property shall be maintained in structurally sound condition and in good repair.

3.5.2 Accessory buildings, fences and other structures shall be protected from deterioration by the application of appropriate weather resistant materials, including paint or other suitable preservative.

3.6 Garbage Disposal

3.6.1 All garbage and refuse shall be promptly placed and kept in a suitable container and made

- available for removal.
- 3.6.2 Every garbage and refuse receptacle shall be constructed of watertight material, provided with a tight fitting cover, and shall be maintained in a clean and odour-free condition at all times.
- 3.6.3 Where private containerized garbage pick-up is provided, such containers shall be placed behind the building line and kept in a neat and tidy condition.
- 3.6.4 Every residential property shall be maintained in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis, in accordance with the municipal by-laws.
- 3.6.5 Every floor, wall, ceiling and fixture of a residential property, including hallways, entrances, laundry rooms, utility rooms and other common areas shall be maintained in a clean, sanitary and safe condition.
- 3.6.6 Accumulation or storage of garbage, refuse, appliances, furniture or any other obstruction in public hallways or stairways shall not be permitted.
- 3.7 Compost Heaps**
- 3.7.1 The occupant of a residential property may provide for a compost pile, provided that the compost pile is no larger than one square metre and 1.8 metres in height and is enclosed on all sides by concrete blocks or lumber or in a forty-five gallon container, a metal frame building with a concrete floor, or a commercial plastic enclosed container designed for composting.

4. RESIDENTIAL STANDARDS

4.1 Prohibition

- 4.1.1 No person shall use or occupy, or permit the use or occupancy of any property that does not conform to the standards set out in Sections 4.3 and 4.4 of this By-law.
- 4.1.2 The owner of any property which does not conform to the standards in this by-law shall repair and maintain the property to conform to such standards or the property shall be cleared of all buildings, structures, debris or refuse and left in a graded, leveled condition.

4.2 Pest Prevention

- 4.2.1 Dwellings shall be kept free of rodents, vermin and insects at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the Pesticides Act.
- 4.2.2 Openings, including windows, that might permit the entry of rodents, insects, vermin or other pests, shall be appropriately screened or sealed.

4.3 Structural Soundness

- 4.3.1 Every part of a dwelling shall be maintained in a structurally sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use, having a factor of safety required by the Ontario Building Code.
- 4.3.2 Walls, roofs and other exterior parts of a building shall be free from loose or improperly secured objects or materials.
- 4.3.3 Foundation walls of a dwelling shall be maintained so as to prevent the entrance of insects, rodents and excessive moisture.
- 4.3.4 Maintenance includes the shoring of the walls to prevent settling, installing sub-soil drains, when necessary, at the footings, grouting masonry cracks, waterproofing walls, joints and floors.
- 4.3.5 Every dwelling, except for slab on grade construction, shall be supported by foundation walls or piers which extend below the frost line or to solid rock.

4.4 Foundations and Foundation Walls

- 4.4.1 The foundations and the foundation walls of every building or structure or part of a building

or structure shall be structurally sound and maintained in that condition so that all masonry cracks are grouted; walls, joists, beams or other exposed wood members are waterproofed, so that there are adequate subsoil drains at footing levels and that jacking, underpinning or shoring is done where necessary.

4.5 *Fire Damage*

- 4.5.1 In the event of fire, measures shall be taken as soon as possible to make the damaged residence unit or residence building compatible with its environment and intended use.
- 4.5.2 Without restricting the generality of 4.5.1, such measures shall include:
1. making the residence building or residence unit or accessory building structure safe;
 2. cleaning any smoke or water damaged surfaces exposed to view;
 3. refinishing such exposed surfaces so as to be in harmony with adjoining undamaged surfaces and the general environment;
 4. Repairing of fire damaged surfaces exposed to view.
- 4.5.3 In the event of the exterior surface becoming damaged or marked by water or smoke or by other natural causes, appropriate action shall be taken to restore or renew the affected surface.

4.6 *Exterior Walls*

- 4.6.1 Exterior walls of a dwelling and their components, including soffits, fascia, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco and other defective cladding or trim.
- 4.6.2 Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.
- 4.6.3 Exterior walls of a dwelling and their components shall be free of inappropriate signs, painted slogans, graffiti and similar defacements.

4.7 *Windows and Doors*

- 4.7.1 Windows, doors, skylights and basement or cellar hatchways shall be maintained in good repair, weather tight and reasonably draft-free, to prevent heat loss and infiltration by the elements.
- 4.7.2 Maintenance referred to in 4.7.1 includes painting, replacing damaged doors, frames and other components, window frames, sashes and casings, replacement of non-serviceable hardware and re-glazing where necessary.
- 4.7.3 In a dwelling unit, all windows that are intended to be opened and all exterior doors shall have suitable hardware so as to allow locking or otherwise securing from inside the dwelling unit, and at least one entrance door to a dwelling unit shall have suitable hardware so as to permit locking or securing from either inside or outside the dwelling unit.
- 4.7.4 Where storm windows and doors are installed in dwellings, they shall be maintained in good repair and, where screening is provide on windows and doors, it shall also be maintained in good repair.
- 4.7.5 All shutters on windows shall be maintained in good repair, including painting, replacing or other suitable means to prevent deterioration due to weather and insects.
- 4.7.6 Solid core doors shall be provided for all entrances to dwelling units and hallways for reasons of security, fire separation, noise barrier and heat loss.
- 4.7.7 In residential buildings where there is a voice communication unit working in conjunction with a security locking and release system controlling a particular entrance door and installed between individual dwelling units and a secured entrance area, the said system shall be maintained in good working order at all times.
- 4.7.8 Every window in a leased dwelling unit that is located above the first storey of a multiple dwelling shall be equipped with an approved safety device that would prevent any part of the window from opening greater than would permit the passage of a 100 mm diameter (3.9 inches) sphere and such safety device shall not prevent the window from being fully opened during an emergency situation by an adult without the use of tools.

4.8 *Roofs*

- 4.8.1 Roofs of dwellings and their components shall be maintained in a weather-tight condition, free from loose or unsecured objects or materials.
- 4.8.2 Accumulations of excessive or dangerous ice or snow or both shall be promptly removed from the roofs of dwellings and accessory buildings.
- 4.8.3 Where eavestroughing and roof gutters are provided, it shall be kept in good repair, free from obstructions and properly secured to the building.

4.9 *Walls, Ceilings and Floors*

- 4.9.1 Every wall, ceiling and floor in a dwelling shall be maintained so as to provide a continuous surface free of holes, cracks, loose coverings or other defects. Walls surrounding showers and bathtubs shall be impervious to water.
- 4.9.2 Every floor of a dwelling shall be reasonably smooth and level and maintained so as to be free of all loose, warped, protruding, broken or rotted boards or other material that might cause an accident or allow the entrance of rodents and other vermin or insects.
- 4.9.3 Every floor in a bathroom, toilet room, kitchen, shower room, laundry room and kitchen shall be maintained so as to be impervious to water and readily cleaned.

4.10 *Stairs, Porches and Balconies*

- 4.10.1 Inside and outside stairs, porches, balconies and landings shall be maintained so as to be free of holes, cracks and other defects which may constitute accident hazards. Existing stair treads or risers that show excessive wear or are broken, warped or loose and any supporting structural members that are rotted or deteriorated shall be repaired or replaced.

4.11 *Guardrails and Balustrades*

- 4.11.1 A balustrade shall be installed and maintained in good repair on the open side of any stair treads or risers that show excessive wear or are broken, warped or loose, and any supporting structural members that are rotted or deteriorated shall be repaired or replaced.
- 4.11.2 A handrail shall be installed and maintained in good repair in all stairwells. Guardrails shall be installed and maintained in good repair around all landings, porches and balconies and guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

4.12 *Kitchens*

- 4.12.1 Every dwelling shall contain a kitchen area equipped with:
 - 1. a sink that is served with hot and cold running water and is surrounded by surfaces impervious to grease and water;
 - 2. suitable storage area of not less than 0.23 metres (8 cubic feet);
 - 3. a counter or work area at least 0.61 m (2 ft.) in width by 1.22 m. (4 ft.) in length, exclusive of the sink and covered with a material that is impervious to moisture and grease and is easily cleanable;
 - 4. a space provided for cooking and refrigeration appliances including the suitable electrical or gas connections.

4.13 *Toilet and Bathroom Facilities*

Toilet: A toilet shall be as indicated in the Ontario Building Code, Part 8- Sewage System.

- 4.13.1 Every dwelling unit shall contain a bathroom consisting of at least one fully-operational water closet, wash basin and a bathtub shower unit.
- 4.13.2 Every wash basin and bathtub or shower shall have an adequate supply of hot and cold running water.
- 4.13.3 Every water closet shall have a suitable supply of running water.
- 4.13.4 Every required bathroom or toilet room shall be accessible from within the dwelling unit and shall be fully enclosed and provided with a door capable of being locked so as to allow privacy for the persons using the said room.
- 4.13.5 All appropriate plumbing fixtures shall be provided with an adequate supply of potable hot and

cold running water.

4.13.6 Hot water shall be supplied at a temperature of not less than 43 degrees Celsius (110F).

4.13.7 All plumbing, including drains, water supply pipes, water closets and other plumbing fixtures shall be maintained in good working condition free of leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

4.13.8 Every fixture shall be connected to the sewerage system through water seal traps.

4.13.9 Every fixture shall be of such material, construction and design as will ensure that the exposed surface or all parts are hard, smooth, impervious to hot and cold water, readily accessible for cleansing and free from blemishes, cracks, stains or other defect that may harbour germs or impede thorough cleansing.

4.14 *Electrical Service*

4.14.1 Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system.

4.14.2 The electrical wiring, fixtures, switches, receptacles and appliances located or used in dwellings, dwelling units and accessory buildings shall be installed and maintained in good working order so as not to cause fire or electrical shock hazards.

4.14.3 All electrical services shall conform to the regulations established by the Power Corporations Act, as amended.

4.14.4 Every habitable room in a dwelling unit shall have at least one electrical duplex outlet for each 11.1 square metre (120 sq. ft.) of floor space and for each additional 9.3 square metres (100 sq. ft.) of floor area, a second duplex outlet shall be provided.

4.14.5 Every bathroom, toilet room, kitchen, laundry room, furnace room, basement cellar and non-habitable work or storage room shall be provided with a permanent light fixture.

4.14.6 Lighting fixtures and appliances installed throughout a dwelling unit, including stairways, corridors, passage ways, garages and basements shall provide sufficient illumination so as to avoid health or accidental hazards in normal use.

4.15 *Heating, Heating Systems, Chimneys and Vents*

4.15.1 Every dwelling and building containing a residential dwelling unit shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21 degrees Celsius (70 degrees F.) in the occupied dwelling units.

4.15.2 The heating system shall be maintained in good working condition so as to be capable of safely heating the individual dwelling units to the required standards.

4.16 *Egress*

4.16.1 Every dwelling and each dwelling unit contained therein shall have a safe continuous and unobstructed passage from the interior of the dwelling and the dwelling unit to the outside at street or grade level.

4.16.2 Each dwelling containing more than one dwelling unit shall have at least two exits, both of which may be common or the one of which may be common and the other may be an exterior stair or fire escape.

4.16.3 Access to the stairs or fire escape shall be from corridors through doors at floor level, except access from a dwelling unit, may be through a vertically mounted casement window having an unobstructed opening of not less than 1.067 by 0.558 metres (42 X 22 inches) with a sill height of not more than 0.914 metres (35 inches) above the inside floor.

4.16.4 A single exit is permitted from a dwelling unit where the path of egress is through an exterior door located at or near ground level and access to such exit is not through a room not under the immediate control of the occupants of the dwelling unit.

4.17 *Natural Light*

4.17.1 Every habitable room, except a kitchen, bathroom or toilet room, shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space and

admits as much natural light equal to and not less than ten percent of the floor area for living and dining rooms and five percent of the floor area for bedrooms and other finished rooms.

4.18 Ventilation

- 4.18.1 Every habitable room in a dwelling unit, including kitchens, bathrooms or toilet rooms, shall have openings for ventilation providing an unobstructed free flow of air of at least 0.28 square metres (3 sq. ft.) or an approved system of mechanical ventilation such that provide hourly air exchanges.
- 4.18.2 All systems of mechanical ventilation shall be maintained in good working order.
- 4.18.3 All enclosed areas, including basements, cellars, crawl spaces and attics or roof spaces, shall be adequately ventilated.

4.19 Elevating Devices

- 4.19.1 Elevators and other elevating devices including all mechanical and electrical equipment, lighting fixtures, lamps, control buttons, floor indicators, ventilation fans and emergency communication systems shall be operational and maintained in good condition and inspected as required by the Elevating Devices Act.

4.20 Vital Services

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

4.21 Occupancy Standards

- 4.21.1 The number of occupants, residing on a permanent basis in an individual dwelling unit, shall not exceed one person for every nine square metres (96.88 sq. ft.) of habitable floor area. For the purpose of computing habitable floor area, any area with the minimum ceiling height less than 2.1 metres shall not be considered as habitable.
- 4.21.2 No room shall be used for sleeping purposes unless it has a minimum width of two metres and a floor area of at least seven metres (75.35 sq. ft.). A room used for sleeping purposes by two or more persons shall have a floor area of at least four square metres per person.
- 4.21.3 Any basement, or portion thereof, used as a dwelling unit shall conform to the following requirements:
 - (a) each habitable room shall comply with all requirements set out in this by-law;
 - (b) floor and walls shall be constructed so as to be damp-proof and impervious to water leakage;
 - (c) each habitable room shall be separated from the fuel fired heating unit or other similarly hazardous equipment by a suitable fire separation and approved under the Ontario Building Code;
 - (d) access to each habitable room shall be gained without passage through a furnace room, boiler room or storage room.

5. VACANT LANDS AND BUILDINGS

- 5.1 All repairs and maintenance for property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned, and all new construction or repairs shall conform to the Ontario Building Codes where applicable.

5.2 Vacant Lands

- 5.2.1 Vacant land shall be maintained to the standards as described in 3.1 and 3.2 of this By-law.
- 5.2.2 Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent ponding of water.
- 5.2.3 In this By-law, vacant lands owned by the Municipality of West Nipissing shall not be included.

5.3. Vacant Buildings

- 5.3.1 Vacant buildings shall be kept cleared of all garbage, rubbish and debris and shall have all water, electrical and gas services turned off except for those services that are required for the security and maintenance of the property.
- 5.3.2 Every vacant building shall be boarded up to the satisfaction of the Property Standards Officer by covering all openings through which entry may be obtained with at least 12.7 mm. (0.5 inch) weatherproof sheet plywood in a colour compatible with the surrounding walls and securely fastened.

6. NON-RESIDENTIAL PROPERTY STANDARDS

6.1 All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned. All new construction or repairs shall conform to the Ontario Building Code where applicable.

6.1.1 The yards of non-residential property shall be maintained to the standards as described in section 3.1 of this By-law.

6.1.2 The warehousing or storage of material or operative equipment that is required for the continuing operation of the industrial or commercial aspect of the property shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard or any unsightly condition and shall provide unobstructed access for emergency vehicles.

6.1.3 Where conditions are such that a neat and orderly fashion is achieved but is still offensive to view, the offensive area shall be suitably enclosed by a solid wall or a painted board or metal fence, not less than 1.8 metres (6 ft.) in height and maintained in good repair.

6.2 *Parking Areas and Driveways*

6.2.1 All areas used for vehicular traffic and parking shall have a surface covering of asphalt, concrete or compacted stone or gravel and shall be kept in good repair free of dirt and litter. Notwithstanding the foregoing, non-residential properties which abut residential properties, all areas used for vehicular traffic and parking shall have a surface covering of asphalt or similar hard surface.

6.2.2 Areas used for vehicular traffic, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions.

6.3 *Structural Soundness*

6.3.1 Every part of a building structure shall be maintained in a sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use, having a factor of safety required by the Ontario Building Code and structural members or materials that have been damaged or indicate evidence of deterioration shall be repaired or replaced.

6.3.2 Walls, roofs and other exterior parts of a building or structure shall be free from loose or improperly secured objects or materials.

6.4 *Exterior Walls*

6.4.1 Exterior walls of a building or structure and their components, including soffits, fascia, windows and doors shall be maintained in good repair free from cracked, broken or loose masonry units, stucco and other defective cladding, and trim and paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.

6.4.2 Exterior walls of a building or a structure, and their components, shall be free of inappropriate signs, painted slogans, graffiti and similar defacements.

6.5 *Guardrail and Balustrades*

6.5.1 A balustrade shall be installed and maintained in good repair on the open side of any stairway or ramp containing three (3) or more risers including the landing or a height of 600 mm (24").

6.5.2 A handrail shall be installed and maintained in good repair in all stairwells, guardrails shall be installed and maintained in good repair around all landings, mezzanine and similar areas and, guardrails, balustrades and handrails shall be constructed and maintained rigid in

nature.

6.6 **Lighting**

- 6.6.1 All non-residential establishments shall install and maintain sufficient windows, skylights and lighting fixtures necessary for the safety of all persons attending the premises or as may be required by the Occupational Health and Safety Act, for industrial and commercial properties, however lighting shall not be positioned so as to cause any impairment of use or enjoyment of neighboring properties.

7. **ADMINISTRATION AND ENFORCEMENT**

- 7.1 The imperial measurements contained in this By-law are given for reference only.

7.2 **Officers**

- 7.2.1 i) The Council of the municipality shall appoint a Property Standards Officer(s) responsible for the administration and enforcement of this By-law and Inspection and Enforcement Procedural Guidelines are included as Schedule “A” to this By-law. The Property Standards Check List shall be as per Schedule “B” to this By-law.

Added By-Law 2011/78

Notwithstanding that the Property Standards Officer is responsible for the administration and enforcement of this By-law, the ~~West Nipissing Police Service~~ **Municipal Law Enforcement Officer** shall provide assistance in the administration and enforcement of this By-law during the busy building season, or as/when required.

- ii) A specific property will be inspected:
- a) upon receipt of a written complaint from an occupant or person residing in the Municipality of West Nipissing; or
 - b) if the Property Standards Officer(s) deem(s) it necessary.

Such written complaint shall be in the form as prescribed in Schedule “H” to this By-law.

- 7.2.2 An officer or any person acting under his/her instructions may, at reasonable times and on producing proper identification, enter and inspect any property.

- 7.2.3 An officer or any person acting under his/her instructions shall not enter any room or place actually used as a dwelling without the consent of the occupier except under the authority of a Search Warrant issued under Section 21 of the Building Code Act.

~~7.3 **Notice of Non-Compliance**~~

Deleted By-Law 2012/03

~~7.3.1 If, after an initial inspection, the officer is satisfied that in some respect the property does not conform to the standards prescribed in the By-law, he or she shall serve or cause to be served by personal service upon or sent by prepaid registered mail, to the owner of the property and all who have interest therein, a Notice of Non-Compliance per Schedule “C” to this By-law, containing particulars of the non-conformity and may, at the same time, provide all occupants with a copy of such notice.~~

~~7.3.2 The Notice shall state that the property does not comply with the standard prescribed in the by-law and shall specify the standards with which the property does not comply.~~

~~7.3.3. The Notice shall state that after a certain date to be specified in the Notice of Non-Compliance by the officer, the property will be subject to a re-inspection, at which time the officer may issue an Order under Section 7.4 of this By-law, per Schedule “D” to this By-law.~~

~~7.3.4 The Notice shall state that the Officer may be contacted for the purpose of requesting information and advice or reporting what action is being or will be taken to effect compliance with the By-law.~~

Order to Comply

- 7.4.1 If, after an initial inspection, the officer is satisfied that in some respect the property does not confirm to the standards prescribed in the By-law, he or she shall serve or cause to be served by personal service upon or sent by prepaid registered mail to the owner of the property and all who have interest therein an ‘Order to Remedy Violation of Standards of Maintenance and Occupancy’ as per Schedule ‘D’ to this by-law.
- i) stating the municipal address or the legal description of such property;

- ii) 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 leveled condition;
 - iii) 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 within that time, the municipality may carry out the repair or clearance at the owner's expense; and
 - iv) indicating the final date for giving notice of appeal from the Order.
- 7.4.2 An Order issued in accordance with article 7.4.1 shall be served on the owner of the property and such other persons affected by it as the officer determines, and it shall be served personally or by registered mail, sent to the last known address of the person to whom the Order is being given.
- 7.4.3 If the Officer is unable to effect service under article 7.4.2, he/she shall place a placard containing the terms of the Order in a conspicuous place on the property and the placing of the placard shall be deemed as sufficient service of the Notice or Order on the owner or other persons.

7.5 Registration of Order

- 7.5.1 An Order made under article 7.4.1 may be registered in the proper Land Registry Office and, upon such registration, any person acquiring an interest in the land subsequent to the registration of the Order, shall be deemed to have been served under article 7.4.1 and, when the requirements of the Order have been satisfied, the Clerk of the Municipality 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.

7.6 Certificate of Compliance Charges

- 7.6.1 The Corporation may charge a fee for inspection and administration services, as set out in Schedule "E" to this By-law, and a Certificate of Compliance issued under section 15.5 (2) of the Building Code Act.

7.7 Property Standards Committee

- 7.7.1 A Property Standards Committee shall be established by the Municipality of West Nipissing, consisting of residents in the municipality.
- 7.7.2 Pursuant to Section 15.6 (1) of the Ontario Building Code, the Property Standards Committee shall be composed of such persons, not fewer than three, as the council considers advisable to hold office for such term and on such conditions as the by-law may establish.
- 7.7.3 The term of office for any member shall not exceed a three-year term and appointment to hold office should be staggered so that as nearly as possible, one third of such members' terms shall expire each year.
- 7.7.4 This Committee shall be established under separate By-law.
- 7.7.5 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 and shall make provisions for a secretary for the Committee, and any member of the Committee may administer oaths.
- 7.7.6 The members of the Committee shall be paid such compensation as the Council may provide.
- 7.7.7 The members of the Committee shall keep on file minutes and records of all applications and the decisions thereon and of all other business of the Committee.

7.8 Appeal of Order

- 7.8.1 When the owner or occupant upon whom an Order has been served in accordance with article 7.4.1 is not satisfied with the terms or conditions of the Order, he/she may appeal to the Committee by sending a Notice of Appeal per Schedule "F" to this By-law, by registered mail to the Secretary of the Committee, within fourteen (14) days after the service of the Order, and in the event that no appeal is taken, the Order shall be deemed to have been confirmed.
- 7.8.2 Where an appeal has been taken, the Committee shall hear the appeal and shall have all the authority functions of the Officer and may confirm, modify or quash the Order or may extend the time period for compliance provided that, in the opinion of the Committee, the general

intent of the By-law and of the Official Plan or policy statement are maintained.

7.8.3 If any party is dissatisfied with the decision of the Property Standards Committee, an appeal can be made to the Court of Appeal for Ontario, as per section 15.3(4), (5), (6) and (7) of the Building Code Act.

7.9 Penalty

7.9.1 No person shall fail to comply with a Property Standards Order as confirmed or modified.

7.9.2 Should a person fail to demolish or repair the property in accordance with an Order as confirmed or modified, the municipality, in addition to other remedies;

- a) without further notice to the owner or other affected parties, shall have the right to demolish or repair the property accordingly and for this purpose with its servants and agents from time to time, to enter in and upon the property; and
- b) shall not be liable to compensate such owner, occupant or another person having interest in the property by reason of anything done by or on behalf of the municipality under the provisions of this article; and
- c) may cause a prosecution to be brought against any person who is in breach of such an Order and upon conviction, such person shall forfeit and pay, at the discretion of the convicting Judge or Justice of the Peace of the Ontario Court of Justice (Provincial Division), or any successor Court thereto acting within his/her territorial jurisdiction, a penalty in accordance with the provisions of section 36 of the *Building Code Act*, S.O. 1992, c. 23.

7.9.3 An owner who fails to comply with an Order that is final and binding under this By-law, as per Schedule “G” to this By-law, is guilty of an offence under Section 36(1) of the Building Code Act, S.O. 1992, c. 23, and is liable to a penalty or penalties as set out in Section 36 of that Act.

7.9.4 Notwithstanding the provisions of Article 7.4, 7.5, 7.6, 7.7 and 7.8, in the event that any subsequent offence(s) pursuant to this By-law are committed within twelve (12) months of the date of issuance of any previous Order to comply through the provisions of this By-Law, the Officer may proceed directly to enforcement pursuant to Section 7.9.2(c), hereof.

7.9.5 Every person who contravenes any provision of this by-law is guilty of an offence and, on conviction, is liable to a fine as provided for in the Provincial Offences Act.

7.10 Validity

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

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

7.10.3 This By-law may be referred to as “The Property Standards and Vital Services By-Law.”

7.10.4 That any by-law inconsistent with this by-law is hereby repealed.

7.10-5 This By-law shall come into force and take effect immediately on the date of passing.

READ A FIRST TIME AND A SECOND TIME IN OPEN COUNCIL THE 20TH DAY OF NOVEMBER 2001.

MAYOR

CLERK

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 3RD DAY OF SEPTEMBER 2002.

MAYOR

CLERK

SCHEDULE “A” TO BY-LAW 2001/71

INSPECTION AND ENFORCEMENT PROCEDURE GUIDELINES

This by-law shall be administered and enforced by the Property Standards officer based on the following guidelines:

1.01 Yards and Exterior Wall and Site Features

- 1.1 Inspection and Enforcement, if required, shall be carried out on a routine basis for specific property or properties as directed by Council.
- 1.2 General inspection and enforcement, if required, shall be conducted on a routine basis of all streets and neighbourhoods within the limits of the Corporation.
- 1.3 A specific property will be inspected only upon receipt of a written complaint from an occupant or person residing in the Municipality of West Nipissing. Such written complaint shall be as prescribed by Schedule “H” of this By-law.
- 1.4 Inspection of a yard will require a comparison of the property on each side of the property identified by complaint as well as the property across the street from said property.

2.0 Interior Areas of Dwelling Units

- 2.1 A specific property will be inspected upon receipt of a written complaint from an occupant or person residing in the Municipality of West Nipissing.
- 2.2 Upon inspection of the interior of a building, should there be a number of violations, the inspector shall complete a full review of the building in accordance with a check list as identified as Schedule “B” to this By-law.

SCHEDULE “B” TO BY-LAW 2001/71

PROPERTY STANDARDS CHECKLIST

➤➤➤ EXTERIOR

ROOF

☐	Did you check the roof for loose or missing shingle, holes, unsecured objects or materials related decks and guards and water-tight?
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CHIMNEY

☐	Did you check the chimney, flue and related equipment for obstructions, heating of adjacent combustible materials, entrance of smoke or gases into the building, property secured, loose or missing mortar and bricks, missing chimney cap?
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WALLS

☐	Did you check the exterior walls for evidence of water penetration, holes, loose or missing materials, deteriorated painted surfaces, damaged or missing eaves trough, rainwater pipes and flashing and for defacements? Did you check the foundation for holes, loose or missing mortar, bricks, blocks, cracked concrete?
☐	Did you check balconies porches, stairways, fire escapes, etc. that they are safe, in good repair, and free from rubbish and debris?
☐	Did you check that all doors, windows and skylights are in good working order, weather-tight, have proper hardware, are weather-stripped and caulked, free from missing or broken screens or glass?
☐	Did you check for any other openings in the walls for protection to prevent entry of rodents and insects?

STAIRS AND GUARDS

☐	Did you check if guards and handrails are required and if already there, are they the required height?
☐	Did you check all stairs, porches, landings, treads, risers, guards and all supporting members for cracked, rotted and deteriorated materials?

EXTERIOR LIGHTING

☐	Did you check exterior steps, walks, parking spaces, etc. that they are adequately lit?
☐	Did you check that the standards supporting artificial lights and all exterior lighting and they are connections safe, in good repair and in working order?

YARDS

☐	Did you check the yards for debris, unusable vehicles, long grass and weeds, dilapidated structures, termites, rodents, dead or damaged trees, unsightly or damaged hedges and bushes?
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PAVING

☐	Did you check the yards for ponding of water, suitable ground cover, erosion of soil and is it graded away from the building?
☐	Did you check the driveway, parking area, etc. for refuse, holes and ruts, ponding of water, necessary secured curb stops, good repair and suitable markings?
☐	Did you check if the exterior steps, walks, ramps, driveway, parking area, etc. are being maintained in good repair?

FENCES, WALLS AND SIGNS

☐	Did you check that all fences, retaining walls, etc. are in good repair, structurally sound, protected from deterioration, made with suitable materials and free from defacements?
☐	Did you check for any damaged, broken and deteriorated signs and supporting members?

ACCESSORY BUILDINGS

☐	Did you check if all accessory buildings are in good repair, made with suitable materials, and are safe and protected from deterioration?
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STRUCTURAL

☐	Did you check to see if every part of the property is in good repair and structurally sound?
☐	Should the property be examined by professional engineer?

FIRE DAMAGE

☐	Did you check to see if the building or structure has been damaged by fire, storm or by any other cause?
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NUISANCE

☐	Did you check to see if the property because of its condition, its use or occupancy is creating a nuisance to occupants of adjacent property or others?
☐	Did you check if the place for the storage and disposal of garbage and refuse is maintained clean?
☐	Did you check if the place for the storage and disposal of garbage requires to be screened from view?
☐	Did you check if sufficient containers are being provided?

VACANT PROPERTY

☐	Did you check if the property is vacant?
☐	Does the property require boarding up?
☐	Do the utilities require disconnecting?

DEMOLITION

☐	Is the property to be demolished?
☐	Is the demolished site left in a clean, graded and levelled condition?
☐	Did you check if the demolition site is sage?

GARAGES

☐	Did you check if the lighting in the storage garage is adequate?
☐	Did you check if the garage walls, ceiling and columns require painting?
☐	Did you check if unusable vehicles, boats, etc. are stored in the garage?
☐	Did you check if the garage is being maintained clean?
☐	Did you check if all exits from the garage are clean and unobstructed have the required exits signs?

➤➤➤ **INTERIOR**

CLEAN

☐	Did you check the entire building for signs of rodents, roaches and other insect infestation?
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☐	Did you check the garbage disposal rooms, garbage chutes, garbage storage area for cleanliness and odour free conditions?
☐	Did you check to see if all garbage chutes and garbage disposal rooms are kept in use and in good working order?

OCCUPANCY STANDARDS

☐	Did you check if a non-habitable room is being used as a habitable room? Note: a bathroom and hallway is not habitable room.
☐	Did you check that if the basement has habitable rooms that the ceiling height is at least 2.1 meters (7 feet)?
☐	If the basement is being used as a habitable area, did you check if the area complies with all requirement for ingress, egress, light, ventilation and ceiling height, any leaks in the walls and is the habitable area separated from the furnace room?
☐	Did you check if the kitchen in the unit has approved gas or electrical supply for cooking purposes?
☐	Did you check that the kitchen has refrigerator, cooking stove, kitchen fixtures and fittings and that they are maintained in good repair?

GENERAL MAINTENANCE

☐	Did you check if every supplied facility, piece of equipment or appliance is installed so that it will function safely and is maintained in good repair?
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UTILITIES

☐	Did you check all services or utilities providing light, heat, refrigeration water or cooking facilities that they are not disconnected?
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DOORS, WALLS AND CEILINGS

☐	Did you check that all interior doors and doorframes, automatic door closer and all necessary hardware are installed and maintained in good condition?
☐	Did you check that the doors connecting the unit to the exterior or common hallway have locking devices and necessary hardware to lock the doors?
☐	Did you check all parts of the building for missing, cracked and broken glass in door panels and windows?
☐	Did you check ceilings and walls in the building or unit for holes, cracks, loose plaster or wallpaper and peeling paint?
☐	Did you check if repairs to the walls and ceilings require repainting?
☐	Did you check if the walls and ceiling in the building need to be refinished because of chalk marks slogans or defacements?
☐	Did you check if glazed doors, windows or other transparent surfaces in the common areas of the building need to be cleaned?
☐	Did you check if the building is being maintained clean?
☐	Did you check if the garbage chutes and garbage disposal rooms have proper fire doors and all necessary hardware?

FLOORS

☐	Did you check the floors of the building for rubbish, debris and cleanliness?
☐	Did you check the floors in the building and or unit where plumbing fixtures are installed that they are impervious to water?
☐	Did you check the floors in the building and or unit for warped or decayed boards, cracks, depressions, protrusions, broken or torn floor coverings, or other defects?

FIRE PROTECTION

☐	Did you check the means for fire protection?
☐	Did you check the smoke alarms etc. if they are in good working condition?

HEATING

☐	Did you check the heating system for any sign of leaks, damage or deterioration and if it is connected to a chimney?
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SEPARATION

☐	Did you check for any passages of fumes and gases from a part of the building that is not used, designed or intended to be used for human habitation into other parts of the building?
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PLUMBING

☐	Did you check all plumbing, drainpipes, water pipes, plumbing fixtures and every connecting line in the building or unit for leaks or other defects?
☐	Did you check if there is sufficient potable water?
☐	Did you check if the unit has been provided with a water closet, a wash basin, a kitchen sink and a bathtub or shower?
☐	Is the bathroom separated from other areas by walls and a door for privacy?
☐	Is every sink, wash basin, bathtub or shower in the building and laundry facility being provided with adequate hot and cold water?
☐	Did you check if the hot water ranges between 45 degrees and 50 degrees Celsius?

ELECTRICAL

☐	Is the building and or dwelling unit connected to an electrical supply system?
☐	Is the electrical wiring, equipment and appliances for use in the building installed and maintained in accordance with all applicable governmental regulations?
☐	Did you check for open electrical wiring and frayed wiring?
☐	Is adequate artificial light being provided in all rooms, stairways, hall and basement?
☐	Did you check all electrical fixtures, switches, receptacles and connections?

WINDOWS

☐	Did you check if every habitable room in the building except a kitchen has a window?
☐	Is the exterior window space 10% of total floor area in living room and dining room and 5% of total floor area in bedrooms and other finished rooms?
☐	Do windows open and shut easily and area of openable portion comply with the requirements of the Ontario Building Code?
☐	Did you check if the windows have proper locking devices?
☐	Did you check if all windows designed to open are fitted with screens?

VENTILATION

☐	Did you check if all windows in a habitable room open for adequate ventilation?
☐	Did you check if all bathrooms are ventilated by natural or mechanical means?
☐	Is the mechanical ventilation system in the bathroom and kitchen in good working condition?
☐	Is the laundry room, garbage room, corridor , boiler room and storage garage adequately ventilated?
☐	Did you check if the mechanical ventilation system in the laundry room, garbage room, corridor, boiler room and storage garage is in good working condition, safe and clean?

EGRESS

☐	Are the passages from the interior of the building and or dwelling unit to the exit at or near grade level unobstructed and safe?
☐	Did you check if all exits within the building have clean, clear and unobstructed exit signs?

☐	Is the building and garage reasonably secure?
☐	Does the building require a two way voice communication system between the front door and the dwelling units?
☐	Is the two way voice communication system in good working order?

WINDOWS, SAFETY

☐	Did you check if the windows in the unit require safety devices?
☐	Did you check if the windows in the common areas of the building require guards?

ELEVATORS

☐	Are the elevators in good repair?
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~~THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING~~
~~LA CORPORATION DE LA MUNICIPALITÉ DE NIPISSING-OUEST~~

~~**SCHEDULE "C" TO BY-LAW 2001/71**~~

NOTICE OF NON-COMPLIANCE

Date: _____

Owner(s) name and address: _____

Dear sir/Madam:

_____ **RE:**

(Description and location of property in violation)

Be advised that on _____ an inspection of your property, as noted above, revealed certain violations of the Municipality's Property Standards and Vital Services By-law No. 2001/71.

Schedule "B", attached hereto, sets out the work required to remedy such violation and to bring the property into compliance with the By-law.

Also, be advised that the indicated By-law gives authority of the issuance of an Order to Comply, pursuant to Section 15.2 (2) of the Ontario Building Code Act, S.O. 1992 c.23. However, it is desired that you comply with this informal notice and that further action will not be necessary.

A reinspection of this property will take place on or about _____ to ascertain compliance.

Should you require further information pertaining to this matter, please feel free to contact the undersigned during normal business hours (8:30 a.m. to 4:30 p.m.)

Property Standards Officer



THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
LA CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

SCHEDULE “D” TO BY-LAW 2001/71

ORDER TO REMEDY VIOLATION OF
STANDARDS OF MAINTENANCE AND OCCUPANCY

Pursuant to Section 15.2 (2) of the Ontario Building Code Act

Date:	
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Owner(s) name and Address:

Dear Sir/Madam:

Subject: (description and location of property in violation)

WHEREAS on _____, an inspection of your property, as noted above, revealed certain violations of the Municipality’s Property Standards and Vital Services By-law No. 2001/71;

THEREFORE, IT IS HEREBY CHARGED THAT the violation(s) as set out within this Order be remedied and the property brought into a condition of compliance with the prescribed standards as set out in the Property Standards and Vital Services By-law No. 2001/71 on or before _____.

(date)

TAKE NOTICE that if such violations are not remedied within the time specified in this Order, the Municipality may correct such violations at the expense of the owner.

APPEAL TO PROPERTY STANDARDS COMMITTEE

If an owner or occupant upon whom an Order has been served is not satisfied with the terms or conditions of the Order, the owner may appeal to the Committee by sending a Notice of Appeal by registered mail. In the event that no appeal is taken, the Order shall be deemed to have been confirmed.

FINAL DATE FOR APPEAL: _____

SCHEDULE “E” TO BY-LAW 2001/71

FEE SCHEDULE FOR INSPECTION AND
FOR ISSUANCE OF CERTIFICATE OF COMPLIANCE

CATEGORY		COST
<i>Residential property, Multiple, Commercial and Industrial Buildings</i>	<i>Number of Inspected Units per Building</i>	<i>Charge</i>
	1 to 2 units	\$50.00 per unit/inspection fee
	More than 2 and not more than 5 units	\$40.00 per unit/inspection fee
	More than 5 and not more than 15 units	\$200.00 plus \$15.00 per unit above 5 th unit/inspection fee
	More than 15 and not more than 25 units	\$300.00 plus \$10.00 per unit above the 15 th unit/inspection fee
	More than 25 units	\$400.00 plus \$5.00 per unit above the 25 th unit/inspection fee
Free Standing Industrial and Commercial Buildings (Single occupancy)		\$50.00 per 98 square meters (1,000 square feet) \$200.00 minimum inspection fee
Vacant and Derelict Property		\$100.00
Certificate of Compliance		\$100.00



SCHEDULE “F” TO BY-LAW 2001/71

NOTICE OF APPEAL TO PROPERTY STANDARDS COMMITTEE

Ontario Building Code Act, S.O. 1992 C.23

Date:	
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To: Secretary
Property Standards Appeal Committee
Municipality of West Nipissing
101-225 Holditch Street
Sturgeon Falls, ON
P2B 1T1

RE: ORDER TO REMEDY VIOLATION OF STANDARDS OF MAINTENANCE
AND OCCUPANCY AT

Description and location of property in violation:

TAKE NOTICE of the Appeal of the undersigned to the Property Standards Appeal Committee because of dissatisfaction with the above referenced Order to Remedy Violation of Standards of Maintenance and Occupancy served upon the undersigned on _____, 20__ .
(MONTH) (DAY) (YR)

(Print name of owner or agent)	(Signature of owner or agent)

Address:	
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SCHEDULE "G" TO BY-LAW 2001/71

ORDER TO COMPLY WITH ACT OR BUILDING CODE

Ontario Building Code Act, S.O. 1992 C.23

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* Reg. T.M. in Canada, Municipal World Inc.
Multicopy Form - PRESS FIRMLY

ORDER TO COMPLY
WITH ACT OR BUILDING CODE

Building Code Act, 1992, c. 23,
ss. 12, 13

Name of Municipality Phone

Date of Inspection	Time : a.m./p.m.	Permit No.
Location of building (municipal address)		
Owner		
Occupant		
Contractor		

A CONTRAVENTION OF THE BUILDING CODE ACT AND/OR BUILDING CODE IS FOUND TO EXIST AT THE ABOVE-NOTED LOCATION BY REASON OF THE FOLLOWING:

PENALTIES ARE PROVIDED FOR VIOLATION OF THE BUILDING CODE ACT AND BUILDING CODE

NATURE OF CONTRAVENTION	LOCATION	SECTION REFERENCE

REQUIRED ACTION

- | | |
|---|--|
| ☐ Comply with Act or Code | ☐ Do not cover or enclose, pending inspection |
| ☐ Obtain permit for | ☐ Uncover for the purpose of inspection |
| ☐ Post permit card | ☐ Call office for inspection appointment |
| ☐ Secure against illegal entry | ☐ Other |
- ☐ CONTINUED ON SCHEDULE 'A' ATTACHED

YOU ARE HEREBY ORDERED TO TAKE THE ACTIONS SET OUT ABOVE ON OR BEFORE19.....

Date order issued

Signature of Inspector

Stop work order - If an order of an inspector made under section 12 or 13 is not complied with within the time specified in it, or where no time is specified, within a reasonable time, the Chief Building Official may order that all or any part of the construction or demolition cease. Such order shall be served on such persons affected thereby as the Chief Building Official determines and a copy shall be posted on the site of the construction or demolition. The order is effective from the time it is posted. If an order to cease construction or demolition is made, no person shall perform any act in the construction or demolition of the building in respect of which the order is made other than work necessary to carry out the order. See section 14.

Removal of order - prohibition - No person shall remove the copy of any order posted under this Act unless authorized by an inspector or obstruct the visibility of an order. See section 20.

The personal information on this form was collected pursuant to the Building Code Act and forms part of a public record open to inspection by any person upon request at the office of the clerk during normal office hours. See the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, s. 14(1)(c).

Original - CONTRAVENOR - OWNER/OCCUPANT/CONTRACTOR

Copy - OFFICE

Copy - INSPECTOR

Card Copy - FIELD

SCHEDULE “H” TO BY-LAW 2001/71

FORMAL COMPLAINT AND AGREEMENT

I, _____, am lodging a formal complaint under By-law 2001/71, the Property Standards and Vital Services By-law, about the property located at:

(Street #)	(Street)	(Apt. #)

The complaint(s) include(s), but is/are not restricted to the following:

I, the undersigned, request that the property listed above be inspected by the Property Standards Officer(s) of the Municipality of West Nipissing and to take whatever action is necessary under By-law 2001/71.

I, the undersigned, agree that if the Property Standards Officer(s), upon inspection of the property above, determine(s) that this complaint is frivolous and vexatious in manner and/or the conditions are so minor as not to constitute any action under this By-law, I agree to pay the fee for the inspection of the property (as set out in Schedule “E” to By-law 2001/71.

I, the undersigned, also agree and understand that, if the complaint is valid and does constitute action under By-law 2001/71, any fees to be paid in relation to this complaint as listed in the By-law, will be paid by the owner of the property. “Owner of the property” is determined in the definitions of By-law 2001/71.

This agreement was made and hereby understood and agreed to by the undersigned.

(Print name)		(Signature)
Address:		

Witnessed by the following **employee** of the Municipality of West Nipissing:

(Print name)	(Signature)

on this _____ day of _____ 20____ .
(DAY) (MONTH) (YR)

PROPERTY STANDARDS BY-LAW
SCHEDULE “I” TO BY-LAW 2001/71
AS AMENDED BY-LAW 2003/10

SET FINE SCHEDULE FO
STANDARDS FOR THE MAINTENANCE AND OCCUPANCY OF ALL PROPERTY

PART 1 PROVINCIAL OFFENCES ACT

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 OFFENCE CREATING PROVISION	COLUMN 3 SET FINE (INCLUDES COSTS)
1	Fail to keep yard free from heavy undergrowth and excess grass and weeds	Sec. 3.1.1. (1)	\$ 105.00
2 **	Fail to maintain grass in residential urban areas not more than 12 inches or 30 cm.	Sec. 3.1.1. (1)	\$ 105.00
3	Fail to keep yard free from noxious plants i.e. ragweed and poison oak	Sec. 3.1.1. (2)	\$ 105.00
4	Fail to keep yard free from dead, decaying or damaged trees creating unsafe condition	Sec. 3.1.1. (3)	\$ 105.00
5	Fail to keep yard free from garbage, rubble, waste, construction material or debris constituting unsafe condition	Sec. 3.1.1. (4)	\$ 105.00
6	Fail to keep yard free from holes, pits, excavations, trenches constituting unsafe conditions	Sec. 3.1.1. (5)	\$ 105.00
7	Fail to keep yard free from wrecked vehicles without license.	Sec. 3.1.1. (6)	\$ 105.00
8	Fail to keep yard free from dismantled vehicles without license.	Sec. 3.1.1. (6)	\$ 105.00
9	Fail to keep yard free from inoperative vehicles without license.	Sec. 3.1.1. (6)	\$ 105.00
10**	Fail to keep yard free from unused or any vehicles without valid license plate.	Sec. 3.1.1. (6)	\$ 105.00
11	Fail to keep yard free from trailers without licence.	Sec. 3.1.1. (6)	\$ 105.00
12	Fail to keep yard free from boats without license.	Sec. 3.1.1. (6)	\$ 105.00
13	Fail to keep yard free from snowmobiles without license.	Sec. 3.1.1. (6)	\$ 105.00
14	Fail to keep yard free from machinery without a license.	Sec. 3.1.1. (6)	\$ 105.00
15	Fail to keep yard free from dilapidated, collapsed or partially constructed structures	Sec. 3.1.1. (7)	\$ 105.00
16	Fail to keep yard free from pests	Sec. 3.1.1. (8)	\$ 105.00
17	Fail to cultivate or provide ground cover for safe passage for pedestrians	Sec. 3.3.2	\$ 105.00
18	Discharge roof drainage or sump pump on sidewalks or stairs or premise	Sec. 3.3.3	\$ 105.00
19	Discharge roof drainage or sump pump on neighboring property	Sec. 3.3.3	\$ 105.00
20	Maintain or change grade causing ponding	Sec. 3.3.4	\$ 105.00
21	Maintain or change grade causing entrance of water into basement or cellar	Sec. 3.3.4	\$ 105.00
22	Maintain or change grade causing unsafe condition	Sec. 3.3.4	\$ 105.00
23	Fail to keep vehicular traffic or parking spaces covered and in good repair	Sec. 3.4.1	\$ 105.00
24	Fail to maintain safe passage to steps	Sec. 3.4.2	\$ 105.00
25	Fail to maintain safe passage to walks	Sec. 3.4.2	\$ 105.00
26	Fail to maintain safe passage to driveways	Sec. 3.4.2	\$ 105.00

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 OFFENCE CREATING PROVISION	COLUMN 3 SET FINE (INCLUDES COSTS)
27	Fail to maintain safe passage to parking spaces	Sec. 3.4.2	\$ 105.00
28	Fail to maintain accessory buildings	Sec. 3.5.1	\$ 105.00
29	Fail to maintain fences	Sec. 3.5.1	\$ 105.00
30	Fail to maintain other structures	Sec. 3.5.1	\$ 105.00
31	Fail to protect accessory buildings from deterioration	Sec. 3.5.2	\$ 105.00
32	Fail to protect fences from deterioration	Sec. 3.5.2	\$ 105.00
33	Fail to protect other structures from deterioration	Sec. 3.5.2	\$ 105.00
34	Fail to promptly place and keep garbage in suitable container, available for removal	Sec. 3.6.1	\$ 105.00
35	Fail to keep garbage receptacle clean and odor free, with tight-fitting cover	Sec. 3.6.2	\$ 105.00
36	Fail to keep garbage receptacle behind building line, in clean condition	Sec. 3.6.3	\$ 105.00
37	Fail to maintain residential property in clean, sanitary and safe condition	Sec. 3.6.4	\$ 105.00
38	Fail to dispose of garbage regularly	Sec. 3.6.4	\$ 105.00
39	Fail to maintain floor in clean/sanitary/safe condition	Sec. 3.6.5	\$ 105.00
40	Fail to maintain laundry rooms in clean/sanitary/safe condition	Sec. 3.6.5	\$ 105.00
41	Fail to maintain utility rooms in clean/sanitary/safe condition	Sec. 3.6.5	\$ 105.00
42	Fail to maintain common areas in clean/sanitary/safe condition	Sec. 3.6.5	\$ 105.00
43	Fail to maintain wall in clean/sanitary/safe condition	Sec. 3.6.5	\$ 105.00
44	Fail to maintain ceiling in clean/sanitary/safe condition	Sec. 3.6.5	\$ 105.00
45	Fail to maintain fixtures of residential property in clean/sanitary/safe condition	Sec. 3.6.5	\$ 105.00
46	Fail to maintain hallways in clean/sanitary/safe condition	Sec. 3.6.5	\$ 105.00
47	Fail to maintain entrances in clean/sanitary/safe condition	Sec. 3.6.5	\$ 105.00
48	Allow obstruction in public hallways	Sec. 3.6.6	\$ 105.00
49	Allow obstruction of stairways	Sec. 3.6.6	\$ 105.00
50	Operate compost pile larger than one square meter and 1.8 meters in height	Sec. 3.7.1	\$ 105.00
51	Operate compost pile -fail to enclosed on all sides in commercial enclosed container.	Sec. 3.7.1	\$ 105.00
52	Use property not conforming to standards	Sec. 4.1.1	\$ 105.00
53	Occupy property not conforming to standards	Sec. 4.1.1	\$ 105.00
54	Permit the use or occupancy of property not conforming to standards	Sec. 4.1.1	\$ 105.00
55	Owner of property - fail to repair	Sec. 4.1.2	\$ 105.00
56	Owner of property to- fail maintain property	Sec. 4.1.2	\$ 105.00
57	Owner of property- fail to keep property in graded leveled condition	Sec. 4.1.2	\$ 105.00
58	Fail to keep dwelling free of rodents, vermin & insects	Sec. 4.2.1	\$ 105.00
59	Fail to use methods for exterminating pests in accordance with Pesticides Act	Sec. 4.2.1	\$ 105.00
60	Fail to screen or seal window openings	Sec. 4.2.2	\$ 105.00
61	Fail to maintain dwelling to structurally sound condition	Sec. 4.3.1 Sec. 6.3.1	\$ 105.00
62	Fail to keep exterior building parts free from loose or improperly secured objects.	Sec. 4.3.2	\$ 105.00

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 OFFENCE CREATING PROVISION	COLUMN 3 SET FINE (INCLUDES COSTS)
63	Fail to properly maintain foundation walls of dwelling	Sec. 4.3.3	\$ 105.00
64	Fail to provide proper foundation walls for dwelling	Sec. 4.3.5	\$ 105.00
65	Fail to grout cracks	Sec. 4.4.1	\$ 105.00
66	Fail to waterproof walls, joists	Sec. 4.4.1	\$ 105.00
67	Fail to waterproof beams or other exposed wood members	Sec. 4.4.1	\$ 105.00
68	Fail to provide adequate drains	Sec. 4.4.1	\$ 105.00
69	Fail to jack, underpin or shore where necessary	Sec. 4.4.1	\$ 105.00
70	Fail to make residence buildingsafe after fire	Sec. 4.5.2 (1)	\$ 105.00
71	Fail to make residence unit safe after fire	Sec. 4.5.2 (1)	\$ 105.00
72	Fail to make accessory building structure safe after fire	Sec. 4.5.2 (1)	\$ 105.00
73	Fail to clean smoke or water damaged surfaces exposed to view after fire	Sec. 4.5.2 (2)	\$ 105.00
74	Fail to refinish exposed surfaces afer fire	Sec. 4.5.2 (3)	\$ 105.00
75	Fail to repair fire damage surfaces exposed to view after fire	Sec. 4.5.2 (4)	\$ 105.00
76	Fail to take action to restore affected exterior surface	Sec. 4.5.3	\$ 105.00
77	Fail to keep exterior walls in good repair	Sec. 4.6.1	\$ 105.00
78	Fail to keep soffits in good repair	Sec. 4.6.1	\$ 105.00
79	Fail to keep fascia in good repair	Sec. 4.6.1	\$ 105.00
80	Fail to provide suitable preservative to exterior to prevent deterioration	Sec. 4.6.2	\$ 105.00
81	Fail to keep exterior walls and their components free of inappropriate signs	Sec. 6.4.2	\$ 105.00
82	Fail to keep exterior walls and their components free of painted slogans	Sec. 6.4.2	\$ 105.00
83	Fail to keep exterior walls and their components free of graffiti	Sec. 6.4.2	\$ 105.00
84	Fail to keep exterior walls and their components free of defacement	Sec. 6.4.2	\$ 105.00
85	Fail to maintain windows weather tight and draft-free	Sec. 4.7.1	\$ 105.00
86	Fail to maintain doors weather tight and draft-free	Sec. 4.7.1	\$ 105.00
87	Fail to maintain skylights weather tight and draft-free	Sec. 4.7.1	\$ 105.00
88	Fail to provide suitable hardware to lock or secure windows	Sec. 4.7.3	\$ 105.00
89	Fail to provide one secure entrance door to dwelling unit	Sec. 4.7.3	\$ 105.00
90	Fail to maintain storm windows and doors	Sec. 4.7.4	\$ 105.00
91	Fail to maintain screening for windows and doors in good repair	Sec. 4.7.4	\$ 105.00
92	Fail to maintain shutters on windows in good repair	Sec. 4.7.5	\$ 105.00
93	Fail to provide solid-core doors to entrances to dwellings and hallways	Sec. 4.7.6	\$ 105.00
94	Fail to maintain voice communication unit and security locking system in good working order	Sec. 4.7.7	\$ 105.00
95	Fail to equip window above first storey in multiple dwelling, with safety device in case of emergency	Sec. 4.7.8	\$ 105.00
96	Fail to equip window with approved safety device	Sec. 4.7.8	\$ 105.00
97	Fail to keep roof weather-tight, free from loose or unsecured objects/material	Sec. 4.8.1	\$ 105.00
98	Fail to remove ice or snow from roofs or accessory buildings	Sec. 4.8.2	\$ 105.00

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 OFFENCE CREATING PROVISION	COLUMN 3 SET FINE (INCLUDES COSTS)
99	Fail to keep eavestroughing and roof gutters in good repair	Sec. 4.8.3	\$ 105.00
100	Fail to keep walls in dwelling free of defects	Sec. 4.9.1	\$ 105.00
101	Fail to keep ceilings in dwelling free of defects	Sec. 4.9.1	\$ 105.00
102	Fail to keep floors in dwelling free of defects	Sec. 4.9.1	\$ 105.00
103	Fail to keep shower or bathtub walls impervious to water	Sec. 4.9.1	\$ 105.00
104	Fail to maintain floors of dwellings	Sec. 4.9.2	\$ 105.00
105	Fail to maintain floor impervious to water	Sec. 4.9.3	\$ 105.00
106	Fail to maintain outside stairs	Sec. 4.10.1	\$ 105.00
107	Fail to maintain porches	Sec. 4.10.1	\$ 105.00
108	Fail to maintain balconies/landings	Sec. 4.10.1	\$ 105.00
109	Fail to maintain stair treads/risers	Sec. 4.10.1	\$ 105.00
110	Fail to maintain balustrade or guardrails in good repair on open side of stairway	Sec. 4.11.1	\$ 105.00
111	Fail to install and maintain handrail in all stairwells	Sec. 4.11.2	\$ 105.00
112	Fail to equip kitchen area with proper sink	Sec. 4.12.1. (1)	\$ 105.00
113	Fail to provide suitable storage area in kitchen	Sec. 4.12.1 (2)	\$ 105.00
114	Fail to provide suitable counter or work area in kitchen	Sec. 4.12.1 (3)	\$ 105.00
115	Fail to provide space for appliance	Sec. 4.12.1 (4)	\$ 105.00
116	Fail to provide suitable electric/gas connection	Sec. 4.12.1 (4)	\$ 105.00
117	Fail to provide suitable bathroom	Sec. 4.13.1	\$ 105.00
118	Fail to provide adequate supply of hot and cold running water	Sec. 4.13.2	\$ 105.00
119	Fail to provide suitable supply of running water for water closet	Sec. 4.13.3	\$ 105.00
120	Fail to provide inside access to every required bathroom/toilet room	Sec. 4.13.4	\$ 105.00
121	Fail to provide fully enclosed quarters to every required bathroom/toilet room	Sec. 4.13.4	\$ 105.00
122	Fail to provide inside-locking door to every required bathroom/toilet room	Sec. 4.13.4	\$ 105.00
123	Fail to provide hot and cold running water for plumbing fixtures	Sec. 4.13.5	\$ 105.00
124	Fail to supply hot water not less than 43 ⁰ Celsius	Sec. 4.13.6	\$ 105.00
125	Fail to maintain plumbing	Sec. 4.13.7	\$ 105.00
126	Fail to keep water pipes and appurtenances thereto protected from freezing	Sec. 4.13.7	\$ 105.00
127	Fail to connect fixture to sewerage system through water seal traps	Sec. 4.13.8	\$ 105.00
128	Fail to maintain fixtures	Sec. 4.13.9	\$ 105.00
129	Fail to properly wire dwelling and to connect to approved electrical supply system	Sec. 4.14.1	\$ 105.00
130	Fail to install and maintain all electrical wiring	Sec. 4.14.2	\$ 105.00
131	Fail to install and maintain all fixtures	Sec. 4.14.2	\$ 105.00
132	Fail to install and maintain all switches	Sec. 4.14.2	\$ 105.00
133	Fail to install and maintain all receptacles	Sec. 4.14.2	\$ 105.00
134	Fail to install and maintain appliances	Sec. 4.14.2	\$ 105.00
135	Fail to conform electrical services to regulations of Power Corporations Act.	Sec. 4.14.3	\$ 105.00

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 OFFENCE CREATING PROVISION	COLUMN 3 SET FINE (INCLUDES COSTS)
136	Fail to provide adequate electrical duplex outlets	Sec. 4.14.4	\$ 105.00
137	Fail to provide permanent light fixtures	Sec. 4.14.5	\$ 105.00
138	Fail to provide light fixtures with sufficient illumination	Sec. 4.14.6	\$ 105.00
139	Fail to provide suitable heating facilities	Sec. 4.15.1	\$ 105.00
140	Fail to maintain heating system for dwelling units to required standards	Sec. 4.15.2	\$ 105.00
141	Fail to provide safe and unobstructed passage from interior to outside at street level	Sec. 4.16.1	\$ 105.00
142	Fail to provide each dwelling unit in one dwelling with at least two exits	Sec. 4.16.2	\$ 105.00
143	Fail to provide adequate access to stairs or fire escape through corridors or through doors at floor level	Sec. 4.16.3	\$ 105.00
144	Fail to provide adequate windows	Sec. 4.17.1	\$ 105.00
145	Fail to provide adequate openings for ventilation	Sec. 4.18.1	\$ 105.00
146	Fail to maintain systems of mechanical ventilation in good working order	Sec. 4.18.2	\$ 105.00
147	Fail to provide ventilation for basements and cellars	Sec. 4.18.3	\$ 105.00
148	Fail to provide ventilation for crawl spaces	Sec. 4.18.3	\$ 105.00
149	Fail to provide ventilation for attics	Sec. 4.18.3	\$ 105.00
150	Fail to provide ventilation for roof spaces	Sec. 4.18.3	\$ 105.00
151	Fail to maintain elevating devices operational and in good condition and inspected	Sec. 4.19.1	\$ 105.00
152	Disconnect services for unreasonable periods of time	Sec. 4.20.1	\$ 105.00
153	Allow more than one person for every nine square meters of habitable floor area to occupy dwelling unit	Sec. 4.21.1	\$ 105.00
154	Fail to provide adequate space in room for sleeping	Sec. 4.21.2	\$ 105.00
155	Basement unit - fail to comply with regulation	Sec. 4.21.3 (a)	\$ 105.00
156	Fail to construct walls and floors of basements so as to be damp-proof and impervious to water leakage	Sec. 4.21.3 (b)	\$ 105.00
157	Fail to separate habitable room from fuel fired heating unit or hazardous equipment	Sec. 4.21.3 (c)	\$ 105.00
128	Fail to provide access without passage through furnace room, boiler room or storage room	Sec. 4.21.3 (d)	\$ 105.00
159	Fail to do repairs and maintenance to vacant lands	Sec. 5.1	\$ 105.00
160	Fail to do repairs and maintenance to vacant buildings	Sec. 5.1	\$ 105.00
161	Fail to do repairs and maintenance to non-residential property	Sec. 6.1	\$ 105.00
162	Fail to provide proper drainage, grading or filling	Sec. 5.2.2	\$ 105.00
163	Fail to maintain vacant buildings clear of debris	Sec. 5.3.1	\$ 105.00
164	Fail to have water, electrical and gas services turned off on vacant lands	Sec. 5.3.1	\$ 105.00
165	Failing to board up all openings of entry to vacant building	Sec. 5.3.2	\$ 105.00
166	Fail to maintain non-residential property -yards to standards	Sec. 6.1.1	\$ 105.00
167	Fail to maintain warehouse, storage of material or equipment, in orderly fashion	Sec. 6.1.2	\$ 105.00
168	Fail to provide unobstructed access of emergency vehicles	Sec. 6.1.2	\$ 105.00
169	Fail to enclose offensive conditions of warehouse or storage space on non-residential property	Sec. 6.1.3	\$ 105.00
170	Failure of abutting non-residential property areas used for vehicular traffic or parking, to have surface covering of asphalt or hard surface	Sec. 6.2.1	\$ 105.00

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 OFFENCE CREATING PROVISION	COLUMN 3 SET FINE (INCLUDES COSTS)
171	Fail to maintain safe passage to area used for vehicular traffic or parking spaces	Sec. 6.2.2	\$ 105.00
172	Fail to apply paint or other preservative and to maintain exterior walls of structure to prevent deterioration	Sec. 6.4.1	\$ 105.00
173	Fail to install sufficient windows as required by the Occupational Health and Safety Act	Sec. 6.6.1	\$ 105.00

NOTE: The general penalty provision for the offences indicated above is Section 7.9.4 of By-law no. 2001/71, a certified copy of which has been filed.