



**PROPERTY STANDARDS
BY-LAW NO. 146/2000**

Revision 1

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BY-LAW No. 146/2000

WHEREAS under Section 15.1(3) of the *Building Code Act, S.O. 1992, c.23*, a by-law may be passed by the Council of a municipality prescribing the standards for the maintenance and occupancy of property within the municipality provided the official plan for the municipality includes provisions relating to property conditions;

AND WHEREAS the Official Plan for The Town of Petawawa includes provisions relating to property conditions.

AND WHEREAS the Council of The Town of Petawawa is desirous of passing a by-law under Section 15.1(3) of the *Building Code Act, S.O. 1992, c.23*;

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

NOW THEREFORE the Council of The Town of Petawawa hereby enacts as a By-law the following:

PART I

DEFINITIONS

In this By-law:

- 1.01 "Accessory Building"** means a detached building or structure, not used for human habitation that is subordinate to the primary use of the same property.
- 1.02 "Apartment Building"** means a building containing more than four dwelling units with individual access from an internal corridor system.
- 1.03 "Approved,"** means acceptance by the Property Standards Officer.
- 1.04 "Basement"** means that space of a building that is partly below grade, which has half or more of its height, measured from floor to ceiling above the average exterior finished grade.
- 1.05 "Balustrade"** means a protective barrier that acts as a guard around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways, or other locations to prevent accidental falls from one level to another (such barrier may or may not have openings through it).
- 1.05.1 "Bathroom"** means a room, which shall contain a water closet and basin and may contain a bathtub or shower.

- 1.06 **"Building Code"** means the building code under the *Building Code Act, 1997*.
- 1.08 **"Cellar"** space of a building that is partly or entirely below grade, which has more than half of its height, measured from floor to ceiling below the average exterior finished grade.
- 1.09 **"Committee"** means the Property Standards Committee established pursuant to the provisions of this By-law.
- 1.10 **"Day Nursery"** shall mean a day nursery as defined by the *Day Nurseries Act*.
- 1.11 **"Dwelling"** means a building or structure or part of a building or structure, occupied or capable of being occupied, in whole or in part for the purpose of human habitation.
- 1.12 **"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 persons and supporting general living conditions usually including cooking, eating, sleeping, and sanitary facilities.
- 1.13 **"First Storey"** means that part of a building having a floor area closest to grade with a ceiling height of more than 1.8 metres (6 ft.) above grade.
- 1.14 **"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 through them.
- 1.15 **"Group Home"** means a supportive housing facility occupied by four (4) to ten (10) persons, which is required to be registered pursuant to the Town's zoning By-laws.
- 1.16 **"Habitable Room"** means any room in a dwelling unit used for or capable of being used for living, cooking, sleeping or eating purposes.
- 1.17 **"Lodging House"** means a dwelling in which rooms or room and board are supplied for hire or gain, for more than two persons, but shall not include a hotel, motel or group home.
- 1.18 **"Means of Egress"** means a continuous, unobstructed path of travel provided by a doorway, hallway, corridor, exterior passage way, balcony, lobby, stair, ramp, or other exit facility used for the escape of persons from any point within a building, a floor area, a room, or a contained open space to a public thoroughfare or an approved area of refuge usually located outside the building.
- 1.19 **"Mixed Use Building"** means a building containing one or more dwelling units and other uses not accessory to the dwelling units.
- 1.20 **"Multiple Dwelling"** means a building containing three or more dwelling units.
- 1.21 **"Non-Habitable Room"** means any room in a dwelling or dwelling unit other than a habitable room and includes a bathroom, a toilet room, laundry, pantry, lobby, corridor, stairway, closet, boiler room, or other space for service and maintenance of the dwelling for public use, and for access to and vertical travel between storeys, and basement or part thereof which does not comply with the standards of fitness for occupancy set out in this By-Law.

- 1.22 **"Non-Residential Property"** means a building or structure or part of a building or structure not occupied in whole or in part for the purpose of human habitation, and includes the lands and premises appurtenant and all of the outbuildings, fences or erections thereon or therein.
- 1.23 **"Officer"** means a Property Standards Officer or other enforcement officer duly appointed by a By-law of the Town to administer and enforce the provisions of this By-law.
- 1.24 **"Owner"** includes 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 his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let and shall also include 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 maintenance and occupancy of property.
- 1.25 **"Person"** means an individual, firm, corporation, association or partnership.
- 1.26 **"Property"** means a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected, and includes vacant property, on which there are not structures of any kind.
- 1.27 **"Repair"** includes the provision of such facilities and the making of additions or alterations or the taking of such action as may be required so that the property shall conform to the standards established in this By-law.
- 1.28 **"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 lands or buildings that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces, and fences associated with the dwelling or its yard.
- 1.29 **"Sewage System"** means an approved sanitary sewage system or an approved private sewage disposal system, which is in compliance with the applicable By-law.
- 1.30 **"Standards"** means the standards of the physical condition and of occupancy prescribed for property by this By-Law.
- 1.31 **"Toilet Room"** means a room containing a water closet and a wash basin.
- 1.32 **"Town"** means the Corporation of the Town of Petawawa;
- 1.33 **"Vehicle"** includes a motor vehicle, trailer, boat, motorized snow vehicle or other mechanical power driven equipment.
- 1.34 **"Yard"** means the land other than publicly owned land around or appurtenant to the whole or any part of a residential or non-residential property and used or capable of being used in connection with the property.

PART II

GENERAL STANDARDS FOR ALL PROPERTY

- 2.01** (a) 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, Ontario Fire Code and the *Fire Prevention and Protection Act* where applicable;
- (b) every owner shall ensure his property is maintained in accordance with the provisions of this By-law; and,
- (c) every person to whom an order is issued under this By-law shall obey such order as required.

YARDS

- 2.02** Lawns shall be kept trimmed and from becoming unreasonably overgrown, hedges and trees shall be kept trimmed and from becoming unreasonably overgrown in a fashion that may affect safety, visibility or passage of the general public.
- 2.03** Every yard, including vacant lots shall be kept clean and free from:
- (a) rubbish or debris and objects or conditions that may create a health, fire, or accident hazard;
- (b) wrecked, dismantled, discarded or abandoned machinery, vehicles, trailers or boats unless it is necessary for the operation of a business enterprise lawfully situated on the property and then only in an arrangement such as to prevent an unsafe or unsightly condition.
- (c) long grass, brush, undergrowth and noxious weeds as defined by the *Weed Control Act*;
- (d) dilapidated, collapsed or partially constructed structures which are not currently under construction;
- (e) injurious insects, termites, rodents, vermin or other pests;
- (f) dead, decayed or damaged trees and the branches and limbs thereof which may fall and cause an accident.
- (g) whenever landscaping hedges, fences, curbs, retaining walls or similar changes to property have been required by the Corporation as a condition of development or redevelopment, such works shall be undertaken and maintained so as to ensure continuous compliance with the Corporation's requirements;

- (h) no vehicle shall be parked in the front yard, rear yard, interior side yard or exterior side yard except on a paved or appropriate finished surface;
- (i) swimming pools and appurtenances thereto, including safety fences and gates, shall be kept in good repair, clean and free from health and safety hazards, including the pool water therein; and,
- (j)
 - i) where a zoning By-law permits outside storage, such storage shall not exceed lesser of 2.44 metres (8 feet) or the height of a surrounding fence; and,
 - ii) outside storage shall be maintained so as to prevent an unsafe or unsightly condition out of character with the surrounding environment.
- (k) Domestic storage such as firewood, building materials, garden equipment and materials must be stored neatly but not in the front or exterior side yards.

SURFACE CONDITIONS

2.04 Surface conditions of yards shall be maintained so as to:

- (a) prevent ponding of storm water;
- (b) prevent instability or erosion of soil;
- (c) prevent surface water run-off from entering basements;
- (d) not exhibit an unsightly appearance;
- (e) be kept free of garbage and refuse;
- (f) be kept free of deep ruts and holes;
- (g) provide for safe passage under normal use and weather conditions, day or night; and,
- (h) not to create a nuisance to other property.

SEWAGE AND DRAINAGE

2.05 Sewage shall be discharged into the sewage system.

2.06 Sewage of any kind shall not be discharged onto the surface of the ground, whether into a

natural or artificial surface drainage system or otherwise.

- 2.07 Roof drainage shall not be discharged onto sidewalks, stairs, or adjacent property.
- 2.08 Storm water, sump or swimming pool discharge, and water artificially brought on the land, shall be drained from the yard so as to prevent recurrent ponding or the entrance of water into a basement, cellar, or onto adjacent lands.
- 2.09 Adequate drainage shall be installed where there is recurring excessive ponding caused by surface water.

PARKING AREAS, WALKS, DRIVEWAYS AND AREAS FOR LOADING AND UNLOADING

- 2.10 All areas used for vehicular traffic, parking areas and walks 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.
- 2.11 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.
- 2.12 Provided with curb stops or other restraining devices to prevent vehicular damage to structures on this or adjoining property.

ACCESSORY BUILDINGS, FENCES, AND OTHER STRUCTURES

- 2.13 Accessory buildings, fences and other structures appurtenant to the property shall be maintained in structurally sound condition and in good repair and shall be appropriate to the nature of the adjacent uses to minimize the visual impact of nuisances to persons at grade adjacent to the property.
- 2.14 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 and shall be of uniform colour unless the aesthetic characteristics of said structure are enhanced by the lack of such material.
- 2.15 All fences, retaining walls and other such structures shall be constructed in such a manner as to prevent all cartons, wrappers, paper, rubbish, and debris from blowing onto adjoining property. In regards to residential properties, the fence shall be allowed only in the rear and side yards.
- 2.16 Lightning arrestors, television and radio antennae and structures of similar character shall be maintained in good repair and free of fire hazards and properly anchored and plumb, unless specifically designed to be other than vertical.

GARBAGE DISPOSAL

- 2.17** Every building, dwelling, and dwelling unit shall be provided with a sufficient number of suitable receptacles to contain all garbage, refuse and ashes that may accumulate on the property between the regularly designated collection days. Such receptacles shall be standard garbage bags or 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.
- 2.18** All garbage, refuse, and ashes shall be promptly placed in a suitable container and made available for removal in accordance with the municipal garbage collection by-law where applicable.
- 2.19** Garbage storage areas shall be screened from public view and shall not be located in the front or exterior side yard.
- 2.20** Garbage bags shall not be stored outdoors unless adequately protected from damage.
- 2.21** Every building shall be provided with vermin-proof storage space for garbage and trade waste and stored in an approved, acceptable, or appropriate area.
- 2.22** Containers shall be made available for the disposal of refuse which may be discarded by customers and the yard shall be kept free of such refuse.
- 2.23** Notwithstanding the foregoing, properly maintained compost heaps are permitted.

COMPOST HEAPS

- 2.24** The occupant of a residential property may provide for a compost heap in accordance with the health regulations, 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 block, 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, or totally enclosed by fine wire mesh.

PART III

RESIDENTIAL STANDARDS

GENERAL CONDITIONS

- 3.01** Every tenant, or occupant or lessee of a residential property shall maintain the property or part thereof and the land which they occupy or control, in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis, in accordance with municipal by-laws.
- 3.02** Every tenant, or occupant or lessee of a residential property shall maintain every floor, wall, ceiling and fixture, under their control, including hallways, entrances, laundry rooms, utility rooms, and other common areas, in a clean, sanitary and safe condition.

- 3.03** Accumulations or storage of garbage, refuse, appliances, or furniture in a means of egress shall not be permitted.

OCCUPANCY STANDARDS

- 3.04** The maximum number of occupants in a dwelling and/or dwelling unit shall not exceed one person for each 14 sq. metres (150 sq. ft.) of the total floor area of all of the habitable rooms within the dwelling unit. For the purposes of this section, a child under twelve (12) years of age shall be deemed to be one-half (1/2) person.
- 3.05** No room shall be used for sleeping purposes unless it has a minimum width of 1.83 metres (6 feet) and a floor area of at least 5.6 sq. metres (60 sq. ft.) and further, a room used for sleeping purposes by two or more persons shall have a floor area of at least 3.7 sq. metres (40 sq. ft) for each person so using the room.
- 3.06** For the purpose of this section, the minimum ceiling height shall be established as follows:
- 2.3 metres (7.56 feet) over at least fifty (50) percent of the required floor area or an average of 2.13 metres (7.0 feet) over all of the required floor area. Any part of the floor area having a clear height of less than 1.37 metres (4.5 feet) shall not be considered in computing the required floor area.
- 3.07** No kitchen, bathroom or hallway shall be used for sleeping purposes.
- 3.08** The number of occupants, residing on a permanent basis in an individual dwelling unit, shall not exceed one person for every nine square metres (97 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 (7 ft.) shall not be considered
- 3.09** Any basement, or portion thereof, used as a dwelling unit shall conform to the following requirements:
- (a) each habitable room shall comply with all the requirements set out in this By-law;
 - (b) floors and walls shall be constructed so as to be damp proof and impervious to water leakage;
 - (c) each habitable room shall be separated from service rooms 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 service room.

PEST PREVENTION

- 3.10** Property 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*.

- 3.11** Openings, including windows, that might permit the entry of rodents, insects, vermin or other pests shall be appropriately screened or sealed.

STRUCTURAL SOUNDNESS

- 3.12** 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 level of safety as required by the Ontario Building Code.
- 3.13** Walls, roofs, and other exterior parts of a building shall be free from loose, rotted, warped, broken or improperly secured objects or materials. Such materials and objects shall be removed, repaired or replaced.
- 3.14** All exterior surfaces shall be of materials, which provide adequate protection from the weather.

FOUNDATIONS

- 3.13** Foundation walls of a dwelling shall be maintained so as to prevent the entrance of insects, rodents and excessive moisture. Maintenance includes the shoring of the walls to prevent settling, installing sub soil drains, where necessary, at the footings, grouting masonry cracks, damp proofing and waterproofing walls, joints, and floors.
- 3.14** 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.
- 3.15** Subsection (3.14) does not apply to accessory buildings.

EXTERIOR WALLS

- 3.16** 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. 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.
- 3.17** Exterior walls of a dwelling and their components shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.
- 3.18** All exterior surfaces shall be of materials which provide adequate protection from the weather.
- 3.19** All canopies, marquees, signs, awnings, stairways, fire escapes, stand pipes, exhaust ducts, air conditioners and similar overhang extensions shall be:

- a. maintained in good repair;
- b. properly anchored; and,
- c. protected from the elements and against decay and rust by the periodic application of a weather coating material such as paint or other protective treatment.

3.20 All air conditioners which are installed and operated directly over a public sidewalk shall be equipped with proper devices for the prevention of condensation drainage upon the sidewalk.

WINDOWS AND DOORS

3.21 Windows, doors, skylights, and basement or cellar hatchways shall be maintained in good repair, weather tight and reasonably draught-free, to prevent heat loss and infiltration by the elements. Maintenance includes painting, replacing damaged doors, frames and other components, window frames, sashes and casings, replacement of non-serviceable hardware and re-glazing where necessary. Where screening is provided on windows and doors it shall also be maintained in good repair.

3.22 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. 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.

3.23 Solid core doors shall be provided for all entrances to dwellings and dwelling units.

3.24 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.

3.25 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. Such safety device shall not prevent the window from being fully opened during an emergency situation by an adult without the use of tools.

3.26 Windows, skylights and electrical lighting fixtures shall be provided and maintained in order to furnish illumination in all passageways and stairways, and in all stairways provided for use in case of fire or other emergency as required by the *Building Code*.

3.27 Every habitable room in a dwelling or dwelling unit, except a kitchen, shall contain a window or skylight that complies with the *Building Code*.

ROOFS

3.28 Roofs of dwellings and their components shall be maintained in a weather tight condition, free from loose or unsecured objects or materials. The attic shall be ventilated in conformance with the *Ontario Building Code*

- 3.29** The roofs of dwellings and accessory buildings shall be kept clear of accumulations of ice or snow or both.
- 3.30** Where eavestroughing, roof gutters, are provided they shall be kept in good repair, free from obstructions and properly secured to the building.
- 3.31** Every chimney, smoke or vent stack 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, braces and attachments; and,
 - c. fire or accident hazard.

WALLS, CEILINGS AND FLOORS

- 3.32** 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.
- 3.33** Every floor in 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.
- 3.34** Every floor in a bathroom, toilet room, kitchen, shower room, and laundry room shall be maintained so as to be impervious to water and readily cleaned.
- 3.35** A basement, cellar or crawl space which is not served by a stairway may have a dirt floor provided it is covered with a moisture proof covering.
- 3.36** Basements or cellars which are served by a stairway shall have a concrete floor with a floor drain located at the lowest point of the said floor and connected to a sewage system or to an acceptable system of disposal.
- 3.37** A concrete floor in a basement or cellar shall be free from major cracks, breaks, or such as to create a hazardous condition.
- 3.38** Where a basement or cellar is served by an outside stairwell, the floor of the stairwell shall have a floor drain connected to an approved system.

STAIRS, PORCHES AND BALCONIES

- 3.39** 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.

GUARDRAILS

- 3.40** A guard shall be installed at a minimum height of 800 mm (2' 7") 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") between adjacent levels. A handrail shall be installed and maintained good repair in all stairwells. Guardrails shall be installed and maintained good repair around all landings, porches, balconies. Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

KITCHENS

- 3.41** Every dwelling shall contain a kitchen area equipped with:
- (a) a sink that is served with hot and cold running water and is surrounded by surfaces impervious to grease and water;
 - (b) suitable storage area of not less than 0.23 cubic metres (8 cubic feet);
 - (c) a counter or work area at least 610 mm (2 ft) in width by 1,220 mm (4 ft) in length, exclusive of the sink, and covered with a material that is impervious to moisture and grease and is easily cleaned; and
 - (d) a space provided for cooking and refrigeration appliances including the suitable electrical or gas connections.

TOILET AND BATHROOM FACILITIES

- 3.42** Every dwelling unit shall contain a bathroom consisting of at least one fully operational water closet, washbasin, and a bathtub or suitable shower unit. Every washbasin and bathtub or shower shall have an adequate supply of hot and cold running water. Every water closet shall have a suitable supply of running water.
- 3.43** 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 said room.
- 3.44** Where toilet or bathroom facilities are shared by occupants of residential accommodation, other than self-contained dwelling units, an appropriate entrance shall be provided from a common passageway, hallway, corridor or other common space to the room or rooms containing the said facilities.
- 3.45** All bathroom facilities and bathrooms shall be kept clean and neat at all times.
- 3.46** The bathroom walls and ceiling of every bathroom shall be provided with a smooth surface and where paint is used as the surface coating it shall be maintained and painted as is necessary for cleanliness.

- 3.47 On non-residential properties, each bathroom shall be provided with toilet paper, soap and individual towels or other means of drying.
- 3.48 Every bathroom shall be provided with an opening or openings for natural ventilation located in an exterior wall or through operable parts of skylights and all such openings shall have a minimum aggregate unobstructed free flow area of 930 sq. cms. (1 sq. foot).
- 3.49 An opening for natural ventilation may be omitted from a bathroom where a system of mechanical ventilation in proper working order has been provided, such as an exhaust fan with a duct leading to outside the building.
- 3.50 The occupants of not more than two dwelling units may share a water closet, washbasin and bathtub or shower, provided:
- a) not more than a total of eight (8) persons occupy both dwelling units; and,
 - b) access to the fixtures can be gained without going through rooms of another dwelling unit or outside the dwelling.
- 3.51 No toilet or urinal shall be located in a room used for or intended to be used for sleeping or preparing, consuming or storing food.

PLUMBING

- 3.52 Each washbasin, a bathtub or shower, and one kitchen sink shall be equipped with an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 43 degrees Celsius (110° F).
- 3.53 Every dwelling unit shall be provided with an adequate supply of potable running water from a source approved by the Medical Officer of Health.
- 3.54 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.
- 3.55 All plumbing fixtures shall be connected to the sewerage system through water seal traps.
- 3.56 Every 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 harbour germs or impede thorough cleansing.

ELECTRICAL SERVICE

- 3.57 Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system.
- 3.58 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. All electrical services shall conform to the regulations established by the *Power Corporations Act*, as amended.

- 3.59 Every habitable room in a dwelling shall have at least one electrical duplex outlet for each 11.1 square metres (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. Extension cords shall not be used on a permanent basis.
- 3.60 No fuse or overload device shall exceed the capacity indicated on the fuse panel.
- 3.61 No person shall place an extension cord directly beneath a floor covering or through a transom, doorway, wall, ceiling or floor and no person shall use, cause or permit the use of an extension cord so placed.
- 3.62 All intercom system and security system wiring and appurtenances shall be maintained in good working order.
- 3.63 Where supplied, service equipment and appliances, such as stoves, refrigerators, washers and dryers and their components shall be maintained in good repair.
- 3.64 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.
- 3.65 Lighting fixtures and appliances installed throughout a dwelling unit, including hallways, stairways, corridors, passageways, garages and basements, shall provide sufficient illumination so as to avoid health or accident hazards in normal use.
- 3.66 Outdoor lighting shall be of a low-level, low-intensity nature; directed in a manner which will minimize glare and the undue intrusion of light on abutting properties, dwellings and streets.

HEATING, HEATING SYSTEMS, CHIMNEYS AND VENTS

- 3.67 Every dwelling and building containing a residential dwelling unit or units shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 21° Celsius (70° F.) in the occupied dwelling units. The heating system shall be maintained in good working condition so as to be capable of safely heating the individual dwelling unit to the required standard.
- 3.68 All fuel burning appliances, equipment, and accessories in a dwelling shall be installed and maintained to the standards provided by the *Energy Act*, as amended or other applicable legislation.
- 3.69 Where a heating system or part thereof that requires solid or liquid fuel to operate, a place or receptacle for such fuel shall be provided and maintained in a safe condition and in a convenient location so as to be free from fire or accident hazard.
- 3.70 Every dwelling shall be so constructed or otherwise separated to prevent the passage of smoke, fumes, and gases from that part of the dwelling which is not used, designed or

intended to be used for human habitation into other parts of the dwelling used for habitation. Such separations shall conform to the Ontario Building Code.

- 3.71 All fuel burning appliances, equipment, and accessories in a dwelling shall be properly vented to the outside air by means of a smoke-pipe, vent pipe, chimney flue or other approved method.
- 3.72 Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good repair so as to prevent the escape of smoke, fumes or gases from entering a dwelling unit. Maintenance includes the removal of all obstructions, sealing open joints, and the repair of loose or broken masonry units.
- 3.73 Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good condition so as to prevent the heating of adjacent combustible material or structural members to unsafe temperatures.
- 3.74 Auxiliary heaters shall not be used as a primary source of heat.
- 3.75 No room heater shall be placed so as to cause a fire hazard to walls, curtains and furniture, or to impede the free movement of persons within the room where the heater is located.
- 3.76 An adequate supply of fuel shall be available at all times.
- 3.77 Where combustible materials are stored in the basement the fuel burning heating system shall be enclosed.
- 3.78 A fuel burning central heating system in a mixed use building shall be located in a separate room having walls, ceiling and doors with a fire resistance rating of not less than one (1) hour.
- 3.79 Where, in the opinion of the Officer, there exists a hazardous condition due to storage in or use of a space adjacent to a heating system, the furnace shall be enclosed in accordance with the provisions of the *Ontario Building Code*
- 3.80 All fuel shall be stored in a safe manner.

BASEMENT, CELLAR OR UNHEATED CRAWL SPACE

- 3.81 Every basement or unheated crawl space should be adequately vented to the outside air by means of screened windows which can be opened by louvers with screened openings, the area of which shall not be less than one (1) percent of the floor area for basements and 930 sq. cms. (1 sq. foot) per 46.5 sq. metres (500 sq. feet) of crawl space area.
- 3.82 An opening for natural ventilation may be omitted from the basement or unheated crawl space where a system of mechanical ventilation has been provided which changes the air once each hour.

PARKING FACILITIES

- 3.83** Parking facilities shall be maintained in a clean and safe condition.
- 3.84** Lighting in parking facilities shall be considered to be adequate if the number and arrangement to light fixtures is such as to provide an average level of illumination of at least 54 lux (5 foot candles) at floor level over the entire floor area with a minimum level of 10 lux (1 foot candle) at any location on the floor.
- 3.85** The walls, ceilings and columns of all parking facilities shall be luminous white and shall be suitable for application to the material of which the walls, ceilings and columns are formed and be washable and shall be washed or renewed as often as is necessary to maintain their original reflective value.
- 3.86** Mechanical ventilation for parking facilities shall conform with the requirements of the *Ontario Building Code*.
- 3.87** If in the opinion of an Officer there is a doubt as to the structural adequacy or condition of a parking garage or appurtenance, the Officer may order that an examination and written report be prepared by a professional engineer, licensed in Ontario, and employed by the owner or his authorized agent.

LODGING HOUSES

- 3.88** Every lodging house, group home and day nursery shall conform with the relevant provisions of the *Ontario Building Code* and *Ontario Fire Code*.
- 3.89** All electrical wiring shall be in accordance with the *Ontario Electrical Safety Code*, and a certificate of inspection shall be filed with the Town.
- 3.90** Every lodging house in which 3 or more persons are harboured, received or lodged shall comply with the following standards in addition to requirements of the Comprehensive Property Standards section of this By-law and all other relevant legislation.
- 3.91** Adequate toilet and bathing facilities shall be provided and maintained, with at least one room-4 with access provided by means of an entrance from a common hallway or corridor, containing at least one wash-basin, one water-closet and one bathtub, for each five lodgers.
- 3.92** Where food is prepared or intended to be prepared, adequate facilities shall be provided for the proper preparation and protection of food, with such equipment to be in safe operating condition at all times.
- 3.93** No cooking or heating appliances shall be located or used in cupboards or clothes closets

FIRE ESCAPES, ALARMS AND DETECTORS

- 3.94** A listed fire alarm and a fire detection system, approved by the Canadian Standards Association or Underwriters Laboratories of Canada, shall be provided by the owners of buildings of residential occupancies where sleeping accommodations are provided for more than ten (10) persons, except that such systems need not be provided where a public corridor or exit serves not more than four (4) dwelling units or individual leased sleeping rooms.
- 3.95** In addition to the provisions of Article 3.46 hereof, in every dwelling unit in a building, a listed smoke alarm, approved by the Canadian Standards Association or Underwriters Laboratories of Canada, or detectors of the single station alarm type, audible within bedrooms when intervening doors are closed, shall be installed by the occupant between bedrooms or the sleeping area and the remainder of the dwelling unit, such as in a hallway or corridor serving such bedrooms or sleeping area. The products of combustion detector referred shall be:
- (a) equipped with visual or audio indication that they are in operating condition;
 - (b) mounted on the ceiling or on a wall between 152.4 and 304.8 mm (6 to 12 inches) below the ceiling.
- 3.96** Buildings using a fire escape as a secondary means of egress shall have the escape in good condition, free from obstructions and easily reached through an open able window or door.

EGRESS

- 3.97** 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.
- 3.98** Each dwelling containing more than one dwelling unit shall have at least two (2) 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. 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 559 mm, (42 x 22 inches) with a sill height of not more than 914mm, (36 inches), above the inside floor. 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.

NATURAL LIGHT

- 3.99** 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 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.

VENTILATION

- 3.100** Every habitable room in a dwelling unit, including kitchens, bathroom 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.
- 3.101** All system of mechanical ventilation shall be maintain in good working order
- 3.102** All enclosed areas including basements, cellars, crawl spaces and attics or roof spaces shall be adequately ventilated.
- 3.103** Every room where people work shall have an opening or openings for natural ventilation which openings shall be located in the exterior walls or through operable parts of skylights and shall have a minimum aggregate unobstructed free flow area of one percent of the floor area of the room.
- 3.104** An opening for ventilation may be omitted if mechanical ventilation is provided which provides two air changes each hour.
- 3.105** Where mechanical ventilation is used, the ventilation duct which is on the exterior wall shall be located not less than 1.83 metres (6 feet) from a window located in an adjoining building.

ELEVATING DEVICES

- 3.106** 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.

DISCONNECTED UTILITIES

- 3.107** 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.

PART IV

VACANT LANDS AND BUILDINGS

- 4.01** 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.

VACANT LANDS

- 4.02** Vacant land shall be maintained to the standards as described in Part II, Article 2.02, of this By-Law.
- 4.03** Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent ponding of water.

VACANT BUILDINGS

- 4.04** 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.
- 4.05** The owner or agent of a vacant building shall board up the building 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 securely fastened to the building and painted a colour compatible with the surrounding walls.

PART V

NON-RESIDENTIAL PROPERTY STANDARDS

- 5.01** 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.

YARDS

- 5.02** The yards of non-residential property shall be maintained to the standards as described in Part II, Article 2.02 of this By-Law.
- 5.03** 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 unobstructive access for emergency vehicles. 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.

PARKING AREAS AND DRIVEWAYS

- 5.04** 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.
- 5.05** All 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.

STRUCTURAL SOUNDNESS

- 5.06** 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 level of safety required by the Ontario Building Code. Structural members or materials that have been damaged or indicate evidence of deterioration shall be repaired or replaced.
- 5.07** Walls, roofs, and other exterior parts of a building or structure shall be free from loose or improperly secured objects or materials.

EXTERIOR WALLS

- 5.08** Exterior walls of a building or a 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, or trim. 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.
- 5.09** Exterior walls of a building or a structure and their components, shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.

GUARDRAILS

- 5.10** A guard 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") between adjacent levels. 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, balconies. Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

LIGHTING

- 5.11** 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 neighbouring properties.

PART VI

ADMINISTRATION AND ENFORCEMENT

ENFORCEMENT PROCEDURE

- 6.01** Prior to the issuance of an Order to Remedy Violation of Property Standards By-Law it is Council's intent to ensure the following:
- a)** the complainant shall send a letter to their landlord notifying the landlord of the deficiency and give 14 days notice to remedy the problem; and,
 - b)** If the landlord has not taken action to rectify the problem within 14 days, the complainant shall provide a copy of the notice, together with proof of service, to the Property Standards Officer. Only after proper notice has been given and proof of service provided will the Property Standards Officer issue an Order to Remedy Violation of Standards of Maintenance and Occupancy.
- 6.02** This By-law shall apply to all property within the limits of the municipality
- 6.03** The imperial measurements contained in this By-Law are given for reference only.

OFFICERS

- 6.04** The Council of the municipality shall appoint a Property Standards Officer(s) to be responsible for the administration and enforcement of this By-Law.

PROPERTY STANDARDS COMMITTEE

- 6.05** Council shall appoint, by By-Law no fewer than three (3) persons to the Property Standards Committee for a term of office concurrent with Council.

COMPLIANCE

- 6.06** The owner of any property which does not conform to the standards as set out in this By-law shall repair and /or maintain said property to comply with the standards or the property shall be cleared of all buildings, structures, debris or refuse and left in a levelled and graded condition.

VALIDITY

- 6.07 If an article of this By-Law is for any reason held to be invalid, the remaining articles shall remain in effect until repealed.
- 6.08 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.

TRANSITIONAL RULES

- 6.09 After the date of the passing this by-law, By-Law No. 85-15 and 1069-88, as amended, shall apply only to those properties in which an Order to Comply has been issued prior to the date of passing of this by-law, and then only to such properties until such time as the work required by such Order has been completed or any enforcement proceedings with respect to such Order, including any demolition, clearance, or repair carried out by the municipality shall have been concluded.

TITLE

- 6.12 This By-law may be referred to as "The Property Standards By-Law".

By-law read a first and second time this 16th day of May, 2000.

By-law read a third time and passed this 5th day of June, 2000.



Mayor



Clerk

Corporation of the Town of Petawawa

***ORDER TO REMEDY VIOLATION
OF STANDARDS OF MAINTENANCE AND OCCUPANCY**
Pursuant to Section 15.2 of the Ontario Building Code Act, S.O. 1992, c.23

Date

Owner's Name and Address

Dear Sir/ Madam:

RE: *Description and Location of Property in Violation*

WHEREAS on (*Date*) you were served with an Informal **NOTICE** that required you to remedy certain violations of standards of maintenance and occupancy at your property, described above.

AND WHEREAS you have failed to remedy the noted violation(s) as set out in **Schedule "A"**, attached hereto and which forms part of this **ORDER**.

THEREFORE, IT IS HEREBY CHARGED THAT the violation(s) as set out in **Schedule "A"** be remedied and the property brought into a condition of compliance with the prescribed standards as set out in the Property Standards By-Law No. 146/2000 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 may appeal to the committee by sending a NOTICE OF APPEAL by registered mail to the Secretary of the committee within fourteen (14) days after service of the order, and, in the event that no appeal is taken, the order shall be deemed to have been confirmed.

FINAL DATE FOR APPEAL: _____

Property Standards Officer
Ph. 687-5536

- *NOTE: ORDER PROVIDED AFTER AN INFORMAL NOTICE WAS ISSUED.*

Corporation of the Town of Petawawa

INFORMAL NOTICE

Owner's Name and Address

Current Date

Dear Sir/ Madam:

RE:

Description and Location of
Property in Violation

Be advised that on (Date of Inspection) an inspection of your property, as noted above, revealed certain violations of the Municipality's Property Standards By-Law No. 146/2000.

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

Be advised that By-Law No. 146/2000 gives the municipality the authority to issue an **ORDER TO COMPLY** pursuant to Section 15.2-(2), *Ontario Building Code Act, S.O. 1992, c.23*.

It is desired that you will comply with this informal notice that the aforementioned procedural step will not be necessary.

A re-inspection of this property will take place on or about (Date) to ascertain compliance.

Should you require further information pertaining to this matter please do not hesitate to contact the undersigned during normal business hours.

Property Standards Officer
Ph. 687-5536

- NOTE: AN INFORMAL NOTICE IS NOT REQUIRED UNDER PROVINCIAL STATUTE. HOWEVER, IT MAY BE GIVEN AS A COURTESY

**NOTICE OF APPEAL
TO PROPERTY STANDARDS COMMITTEE**
Pursuant to Section 15.1 of the Ontario Building Code Act

Date

*To the Secretary
Property Standards Appeal Committee
Corporation of the Town of Petawawa
1111 Victoria Street
Petawawa, Ontario
K8H 2E6*

**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 _____

Name (Owner or Agent)

Address:

Telephone Number:

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 may appeal to the committee by sending a NOTICE OF APPEAL by registered mail to the Secretary of the committee within fourteen days after service of the order, and, in the event that no appeal is taken, the order shall be deemed to have been confirmed.

The Building Code Act, S.O. 1992, Chapter 23, section 15.3(1)

Signature of Owner or Authorized Agent

SUBSTANDARD PROPERTY

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

ORDER TO COMPLY

RE: *Description and Location of Property in Violation*

THIS PROPERTY has been found NOT to be in conformity with the Standards of Maintenance and Occupancy established by this Municipality and as set out in the Property Standards By-Law No. 146/2000.

SCHEDULE "A", attached hereto, sets out the work required to remedy such violation(s) and to bring the property into compliance with the By-Law.

**BE ADVISED THAT THIS PROPERTY MUST BE MADE TO
CONFORM WITH THE BY-LAW ON OR BEFORE THE
__ DAY OF ____, 2__.**

Further information may be obtained at the Property Standards Office located at:
1111 Victoria Street Petawawa Ontario

Dated at _____, This ____ Day of _____ 20 ____.

Property Standards Officer
Ph. 687-5536