

THE CORPORATION OF THE TOWNSHIP OF NORWICH**BY-LAW NO. 5-00****TO PROVIDE STANDARDS FOR THE MAINTENANCE AND
OCCUPANCY OF PROPERTY IN THE TOWNSHIP OF NORWICH**

WHEREAS this By-law is passed and enacted under section 15.1 of the *Building Code Act* which enables a municipality that has an Official Plan in effect that includes provisions relating to property conditions, to pass a by-law for prescribing standards for the maintenance and occupancy of property within the municipality and for prohibiting the occupancy or use of such property that does not conform to the standards; for requiring property that does not conform to the standards to be repaired and maintained, and to conform to the standards, or for the site to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition; and for prohibiting the removal from any premises of any sign, notice or placard placed thereon pursuant to the said section or a by-law passed under the authority of the said section, and

AND WHEREAS under *the Oxford County Act*, the Corporation of the County of Oxford has approved an Official Plan applicable to properties within the Township of Norwich, and which contains provisions relating to municipal housekeeping and property maintenance.

AND WHEREAS it is the intent of the Corporation of the Township of Norwich to enact and utilize a property standards by-law as an enforcement tool enabling the Corporation to respond to community observations relative to the preservation of the municipality, and

AND WHEREAS it is deemed desirable to enact this by-law to extend the useful life of individual properties, to enhance the quality of the community of the Township of Norwich and to prevent fire hazards or conditions likely to cause accidents or nuisances or to prevent injury to any person using any property or residing adjacent thereto.

NOW THEREFORE DOES THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NORWICH ENACTS AS FOLLOWS:

1. DEFINITIONS

In this By-law:

- (1) "**Accessory Building**" means a separate building or structure not used for human habitation, the use of which is incidental, secondary, subordinate and exclusively devoted to the principal use, building, structure or activity and located on the same lot therewith and shall also mean and include a detached private garage.
- (2) "**Building**" means a structure occupying an area greater than ten square meters consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all the plumbing, works, fixtures and service systems appurtenant thereto, and includes such other structures as are designated in the building code.

- (3) "**Chief Property Standards Officer**" means the chief property standards officer appointed under this by-law.
- (4) "**Township**" means the Corporation of the Township of Norwich.
- (5) "**Township Council**" means the Council of the Corporation of the Township of Norwich.
- (6) "**Clerk**" means an employee of the Corporation of the Township of Norwich appointed under the Municipal Act. with the statutory duty and responsibilities as Clerk for the municipality.
- (7) "**Committee**" means an *Ad Hoc* property standards committee established under section 15.1 of the *Building Code Act*. and as appointed by Council for the Corporation of the Township of Norwich.
- (8) "**Debris**" includes refuse, or wrecked, decaying, dismantled, inoperative, discarded, dilapidated, unused, un-roadworthy or unlicensed vehicles, or machinery (including farm implements), or objects or parts thereof.
- (9) "**Demolition**" means the dismantling, taking apart, leveling of any building or structure on any property pursuant to the order of an officer.
- (10) "**Exit**" means that part of a means of egress, including doorways, that leads from the floor area it serves, to a separate building, an open public thoroughfare, or an exterior open space protected from fire exposure from the building and having access to an open public thoroughfare.
- (11) "**Fence**" means a vertical structure including a railing, hedge, line of posts, shrubs, wire, gate boards or pickets of other similar substances used to enclose or divide in whole or in part a yard or other land or to establish a property boundary line.
- (12) "**First Story**" means the story with its floor closest to grade and having its ceiling more than 1.8 meters (5 ft. 11 in.) above grade.
- (13) "**Garage, Private**" means an accessory building or part thereof used in conjunction with a dwelling for the storage of non-commercial motor vehicles including partially enclosed vehicle parking areas such as Carports.
- (14) "**Good Repair**" means that a building, structure or appurtenances thereto, including mechanical equipment, is maintained to such a condition as to be free from accident or fire hazard, structurally sound, and in good working order.
- (15) "**Grade**" means the average level of proposed or finished ground adjoining a building at all exterior walls.
- (16) "**Ground Cover**" means organic or non-organic material applied to prevent soil or sand erosion such as concrete, flagstone, gravel, asphalt, grass or other landscaping.
- (17) "**Guard**" means a protective barrier 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.

- (18) "**Habitable Room**" means any room in a dwelling unit used or capable of being used for living, sleeping, cooking, and eating purposes.
- (19) "**Highway**" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
- (20) "**Lot**" means a lot of record, or any parcel of land which can be alienated or otherwise disposed of separately and apart from any abutting lands, whether or not such parcel is described in a registered deed or shown on a registered plan of subdivision;
- (21) "**Means of Egress**" means a continuous path of travel provided for the escape of persons from any point in a building or contained open space to a separate building, an open public thoroughfare, or to an exterior open space from fire exposure from the building and having access to an open public thoroughfare and includes exits and access to exits.
- (22) "**Medical Officer of Health**" means the Medical Officer of Health for the County of Oxford, duly appointed under the *Health Protection and Promotion Act*, R.S.O. 1990, c.H.7 and includes any staff official acting on their behalf.
- (23) "**Motor Vehicle**" includes an automobile, motorcycle, motor assisted bicycle and any other vehicle or conveyance designed to be propelled or driven other than by muscular power, but does not include the cars of electric or diesel railways, or other motor vehicles running only upon rails, or a traction engine, farm tractor, self propelled implement of animal husbandry or road building machine within the meaning of the *Highway Traffic Act*, R.S.O. 1990, c.H.8, as amended.
- (24) "**Motor Vehicle Commercial**" means a motor vehicle which has attached thereto a truck or delivery body; and which for the purposes of the *Highway Traffic Act*, R.S.O. 1990, c.H.8, has a registered gross weight of more than 3,629 kilograms; and this definition includes truck tractors used for hauling trailers on the highways but does not include a mobile home.
- (25) "**Motor Vehicle Repair Garage**" means every place or premises where motor vehicles are repaired including mechanical and body repairs and painting and includes alignment shops, muffler shops, rust proofing shops, auto glass shops, radiator shops, car stereo equipment shops and a towing service or rentals of motor vehicles ancillary to the permitted use.
- (26) "**Multiple Dwelling**" means a building or group of buildings containing two or more dwelling units.
- (27) "**Non-Habitable Room**" means any room in a dwelling or dwelling unit other than a habitable room and includes a bathroom, toilet room, laundry, pantry, lobby, corridor, stairway, closet, boiler room, or other space for service and maintenance of the dwelling for public use, for access to and vertical travel between story's, and a basement or part thereof which does not comply with the standards of fitness for occupancy set out in this by-law.
- (28) "**Noxious Insects**" shall mean any insect that is considered a pest or nuisance to persons including cockroaches, termites, silverfish, carpenter ants and all stinging insects.
- (29) "**Occupant**" means any person or persons over the age of eighteen years in possession of property or residing therein or thereon

- (30) **"Officer"** means a property standards officer who has been appointed under this By-law and who has been assigned the responsibility of administering and enforcing this by-law.
- (31) **"Owner"** includes the person for the time being, managing or receiving the rent of the land or premises, whether on his/her 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 the maintenance and occupancy of property, and shall include a Mortgager in possession of the property.
- (32) **"Person"** includes a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.
- (33) **"Pest"** means any animal, vermin, or bird that is considered a nuisance to persons including rodents, English sparrows, starlings, pigeons, snakes, raccoons, opossums, bats, seagulls, and skunks but shall not mean any domestic animal.
- (34) **"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.
- (35) **"Property Standards Officer"** means an officer appointed under this by-law.
- (36) **"Refuse"** means waste matter of any kind including animal, commercial, industrial or domestic rubbish or garbage.
- (37) **"Repair"** includes the provision of such facilities and the making of additions or alternations or the taking of such action as may be required so that the property shall conform to the standards established in this by law.
- (38) **"Residential Property"** means a building or structure or part of a building or structure that is used or intended to be used or previously used as a residential unit and includes any lands and premises appurtenant thereto and all out buildings, fences and erections thereon; whether heretofore or hereafter erected and includes vacant residential property.
- (39) **"Residential Unit"** means a unit that consists of a self-contained set of rooms located in a building or structure, and is used or intended for use as a residential premise, containing kitchen and bathroom facilities that are intended for the use only of the unit, and has a means of egress to the outside of the building or structure in which it is located, which may be a means of egress through another residential unit.
- (40) **"Salvage Yard"** means any premises where derelict, discarded, abandoned or inoperable motor vehicles or other salvaged articles are stored, wholly or partly in the open, including junkyards, scrap yards or motor vehicle wrecking yards.
- (41) **"Sewage"** means any effluent or wastewater coming from yard drains, or toilet rooms, or laundries, or shower stalls.
- (42) **"Sewage System"** means the municipal sanitary sewer system or a private sewage disposal system approved by the Medical Health Officer for Oxford County
- (43) **"Sign"** means any surface upon which there is printed, projected or attached any announcement, declaration, picture, or insignia used for direction, information,

identification, advertisement, business promotion or promotion of products, activity services and events, and includes a structure, or device, whether in a fixed location or designed to be portable or capable of being relocated or part thereof specifically designed for the foregoing uses.

- (44) **"Standard"** means the standards of physical condition and occupancy prescribed for property by this by-law.
- (45) **"Storage Garage"** means any part of a multiple occupancy residential building intended for the storage or parking of motor vehicles.
- (46) **"Story"** means that portion of a building other than a basement or cellar located between the surface of any floor and the surface of the floor, roof deck or ridge next above it, except an attic story.
- (47) **"Structure"** means a combination of materials assembled so as to form a construction or fixed erection to or supported by the soil, other than a building which is not adapted to permanent or continuous occupancy and shall include a tent, receiving stand, platform, staging, wall, retaining wall, radio or television antenna, supporting structure, shed, garbage bin, fence, sign, and every other construction or erection that is not a building.
- (48) **"Toilet Room"** means any room containing a water closet.
- (49) **"Tree"** includes a growing tree or shrub planted or left growing on a property or a highway for the purpose of shade or ornament, or profit such as orchards and tree nurseries.
- (50) **"Vegetation"** means any woody or herbaceous plant material other than mature trees and includes shrubs, bushes, undergrowth, brush, weeds and grasses.
- (51) **"Vehicle"** means a motor vehicle, trailer, boat, motorized snow machine, mechanical equipment and any vehicle drawn, propelled or driven by any kind of power, including muscular power.
- (52) **"Vacant Property "** means any property on which there are no buildings or structures of any kind but shall not mean public lands identified as areas of environmental importance or lands utilized for agricultural production.
- (53) **"Weeds"** means a plant that is obnoxious or a plant that is deemed to be a noxious weed under the *Weed Control Act* R.S.O. 1990, c.W.5.
- (54) **"Yard"** means the land, other than publicly owned land, within the boundary lines of the lot and not occupied by the principal building.

2. APPLICATION OF BY-LAW

The provisions of this by-law shall apply to all property located in the Township of Norwich unless otherwise stated.

3. SHORT TITLE

This bylaw may be referred to as the "Property Standards By-law".

4. SCOPE OF BY-LAW

Where a provision of this by-law conflicts with a provision of another by-law in force in the Township of Norwich, the provision that establishes the higher standard shall prevail in order to protect the health, safety and welfare of the general public.

5. STANDARDS

The standards for maintenance and occupancy of property set out in schedule "A" to this by-law are prescribed as the minimum standards for all property located in the Township.

6. GENERAL DUTIES AND OBLIGATIONS

- (1) No person shall use or occupy, permit the use or occupancy of, any property that does not conform to the standards prescribed by this by-law.
- (2) No person who is the owner of property which does not conform with standards prescribed by this by-law shall fail to repair or to maintain the property to conform with the standards.
- (3) Notwithstanding subsection 6 (2), where a person who is the owner of property which does not conform with standards prescribed by this by-law elects not to repair or to maintain the property to conform with the standards, then that person shall clear the property of all buildings, structures, debris or refuse which does not conform to standards, leaving the property in a graded and leveled condition.
- (4) No person shall remove, pull down or deface any sign, notice or placard in the form set out in schedule "D" to this by-law after the officer has caused it to be placed in a prominent position on the exterior of any building which does not conform to the standards prescribed in this by-law except with the consent of the officer.

7. (1) PROPERTY STANDARDS COMMITTEE

- (a) There shall be and is hereby established a Property Standards Committee, composed of a minimum of three (3) persons appointed by Council for the Corporation, and who shall hold office until the expiry of the term of the Council that appointed them and successors have been appointed.
- (b) The members of the committee shall elect from among themselves a chairperson. Should this chairperson be absent through illness or otherwise, and unable to chair a meeting of the committee, its members shall appoint another member as acting chairperson for that meeting.
- (c) Any/all members of the committee are empowered to administer oaths related to the conduct of the committee's business and mandate.
- (d) The committee shall be provided with a secretary for the committee by the Corporation, and who shall have responsibility to keep all minutes and records of all applications and decisions thereon and of all other official business of the committee.
- (e) A majority of the committee constitutes a quorum and the committee may adopt its own rules of procedure but, before hearing an appeal shall give notice or direct that notice be given of such hearing to such persons as the committee considers should receive such notice.

(2) PROPERTY STANDARDS OFFICER

- (a) Council for the Corporation may from time to time appoint officers to carry out the administrative functions of this by-law including the enforcement thereof.
- (b) For purposes of this bylaw, any person duly appointed and employed by the Corporation as an official, a building inspector, a plumbing inspector, a fire prevention officer, or a bylaw enforcement officer for the Corporation shall hereby be appointed, authorized and directed to act when required as a Property Standards Officer for purposes of enforcing the standards so established herein.

8. RIGHT OF ENTRY AND INSPECTION

- (1) Subject to subsection (2) of this section, the officer, inspector, or any other person acting under the instruction of the officer may, at all reasonable times and upon producing proper identification, enter and inspect any property or premises to which this by-law applies.
- (2) Except under the authority of a search warrant issued under section 49.1 of the *Planning Act*, R.S.O. 1990, c.P.13, the officer or any person acting under the officer's instructions shall not enter any room or place actually used as a dwelling without requesting and obtaining the consent of the occupant, first having informed the occupant that the right of entry may be refused and entry may be made only under the authority of a search warrant

9. NOTICE OF VIOLATION

- (1) Where, after an inspection, the officer is satisfied that in some respect the property does not conform with the standards prescribed in schedule "A" of this by-law, the officer may serve or cause to be served by personal service upon, or send by prepaid registered mail

to the owner of the property and all persons shown by the records of the land registry office and the sheriff's office to have any proprietary interest therein, a notice containing particulars of the nonconformity, and may, at the same time, provide all occupants of the property with a copy of such notice.

- (2) The owner of any property which does not conform to the standards in schedule "A" shall repair and maintain the property to conform to those standards or the property shall be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition subject to obtaining all necessary approvals

10. ORDER TO COMPLY

After affording any person served with a notice provided for by section 9 a period of no less than five (5) days, excluding weekends and statutory holidays to comply, the officer may make and serve or cause to be served upon or send by prepaid registered mail to such person an order containing:

- (1) The municipal address or legal description of such property
- (2) Reasonable particulars of the repairs to be effected or a statement that the property is to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition;
- (3) Set out the time period within which there must be compliance with the terms and conditions of the order;
- (4) Give notice that if such repair or clearance is not done within the time set out, the Township may carry out the repairs of clearance at the expense of the owner;
- (5) Advise to the person of his right of appeal to the property standards committee in accordance with the provisions of section (14) of this by-law and advise as to the last date for such appeal.

11. SERVICE

- (1) A notice or order issued under section 9 or 10, when sent by registered mail shall be sent to the last known address of the person, as recorded in the property tax files of the Corporation, to whom it is being sent.
- (2) Where service of a notice or order is made by registered mail, service shall be deemed to be made on the third day after the mailing unless the person on whom service is being made establishes that they did not, acting in good faith, through absence, accident, illness, or other cause beyond their control, receive the notice or order until a later date.
- (3) Where service cannot be effected under subsection (1) or (2), it is deemed sufficient if the officer places a placard containing the terms of the notice or order in a conspicuous place on the affected property, and the placing of the placard shall be deemed to be sufficient service of the notice or order on the owner or other persons.

12. REGISTRATION

Where an order has been made under section 10, a copy may be registered in the proper land registry office and, upon such registration; any person acquiring any interest in the land subsequent to the registration of the order shall be deemed to have been served with the order on the day on which the order was served under section 10 and, when the requirements of the order have been satisfied, the Clerk shall forthwith register in the proper land registry office a certificate

that such requirement has been satisfied, which shall operate as a discharge of the order.

13. EMERGENCY ORDER

- (1) Despite any other provisions of this bylaw, if upon inspection of a property, the officer is satisfied there is nonconformity with the standards prescribed in schedule "A" of this bylaw to such extent as to pose an immediate danger to the health or safety of any person, the officer may make an order containing particulars of the nonconformity and requiring remedial repairs or other necessary work to be carried out forthwith to terminate the danger.
- (2) After making an order under section 13 (1), the officer may, either before or after the order is served, take or cause to be taken any measures he or she considers necessary to terminate the danger, and for this purpose the Township has the right, through its employees and agents, to enter in and upon the property from time to time.
- (3) An officer, the Township or anyone acting on behalf of the Township shall not be liable to compensate the owner, occupant or any other person by reason of anything done by or on behalf of the Township in the reasonable exercise of its powers under section 13 (2).
- (4) Where the order was not served before measures were taken by the officer to terminate the danger, as mentioned in section 13 (2), the officer shall forthwith after the measures have been taken, serve or send copies of the order, in accordance with sections 10 and 11 to the owner of the property and all persons mentioned in section 9 and each copy of the order shall have attached thereto a statement by the officer describing the measures taken by the Township and providing details of the amount expended in taking the measures.
- (5) Where the order was served before the measures were taken, the officer shall forthwith after the measures have been taken, serve or send a copy of the statement mentioned in section 13 (4), in accordance with sections 10 and 11 on or to the owner of the property and all persons mentioned in section 9.
- (6) Forthwith after the requirements of section 13 (4) or 13 (5) have been complied with, the officer shall apply to a judge of the Ontario Court (General Division) of the Judicial District of the County of Oxford, for an order confirming the order made under section 13 (1), and:
 - (a) The judge shall, in writing, appoint a day, time and place for the hearing of the application and in his/her appointment may direct that it shall be served upon such person and in such manner as he/she prescribes
 - (b) The appointment shall be served in the manner prescribed by the judge; and
 - (c) The judge in disposing of the application may confirm the order or may modify or rescind it and shall make a determination as to whether the amount expended by the Township in taking the measures to terminate the danger may be recovered by the Township, in whole, in part or not at all.

14. APPEALS BEFORE THE COMMITTEE

- (1) Where the owner or occupant upon whom an order has been served in accordance with this by-law is not satisfied with the terms or conditions of the order, the owner or occupant may appeal to the committee by sending 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.

- (2) Where an appeal has been taken, the committee shall hear the appeal and shall have all the powers and functions of an officer under this Bylaw.
- (3) Before conducting a hearing under section 14 (2), the committee shall give notice to such persons or direct that notice be given to such persons as the committee considers should receive notice and in the manner directed by the committee
- (4) After hearing an appeal, the committee may confirm the order to demolish or repair or may modify or rescind it or may extend the time for complying with the order, provided in the opinion of the committee, the general intent and purpose of this Bylaw and of the Oxford County Official Plan have been maintained.
- (5) The proceedings at the hearing by the committee shall be in accordance with the provisions of the *Statutory Powers Procedures Act*, R.S.O. 1990, c.S.22

15. APPEALS BEFORE THE ONTARIO COURT (GENERAL DIVISION)

Pursuant to subsection (18) of section 31 of the *Planning Act*, R.S.O. 1990, c.P. 13, the Township or any owner or occupant or person affected by a decision of the committee given under section 14 may appeal the order to a judge of the Ontario Court (General Division) by so notifying the Clerk of the Corporation of the Township of Norwich in writing and by applying for an appointment within fourteen days after the sending of a copy of the decision.

16. EFFECT OF FINAL ORDER

The order issued under section 10 shall be final and binding:

- (1) Upon the time expiring for appeal to the property standards committee and there being no appeal;
- (2) In the event there is an appeal to the property standards committee, upon a property standards committee confirming or modifying the order and the time for the appeal to the Ontario Court (General Division) having expired and there being no appeal; or

- (3) In the event there is an appeal to the Ontario Court (General Division), upon a judge of the Ontario Court (General Division) confirming or modifying the order, and the owner and occupant upon the order being final and binding shall make the repair or effect the demolition within the time and in the manner specified in the order.

17. FAILURE TO DEMOLISH OR REPAIR

- (1) Where an owner or occupant of property fails to demolish or to repair in accordance with the final and binding order, the Township shall have the right to demolish or to repair the property.
- (2) For the purposes of demolishing or repairing under subsection (1) of this section, an agent, employee or servant of the Township may enter upon the property of the occupant or owner and shall not be liable to compensate the owner, occupant or any other person having an interest in the property by reason of anything reasonably done by or on behalf of the Township under the provisions of this section.

18. RECOVERY OF EXPENSE

- (1) The Township shall have a lien on the land for the amount spent on the repair or demolition as mentioned in section 17 and the amount shall be deemed to be municipal real property taxes and may be added by the clerk of the Township to the collector's roll and collected in the same manner and with the same priorities as municipal real property taxes."
- (2) Where the Township takes measures to terminate a danger as mentioned in section 13, the Township may recover that portion of the expenses incurred as determined by the judge to be recoverable as a lien on the land and the lien shall be deemed to be municipal real property taxes and may be added by the clerk of the Township to the collector's roll and collected in the same manner and with the same priorities as municipal real property taxes".

CERTIFICATE OF COMPLIANCE

At the request of the owner, the officer shall, issue to the owner a certificate of compliance as prescribed in schedule "B", if, in the officer's opinion, the property is in compliance with the standards established in this by-law. A fee in accordance with schedule "C" shall be payable for each certificate of compliance issued at the request of the owner. Where such certificate of compliance is issued at the request of the owner, the owner shall pay any fee required by the local authority with responsibilities for performing inspections of and certifying the compliance of electrical systems contained on the property so being inspected.

20. APPOINTMENTS

The persons appointed under schedule "E" hereto shall respectively administer and enforce this bylaw.

21. OFFENCES AND PENALTIES

- (1) Every person who hinders or obstructs or attempts to hinder or obstruct an officer or a person acting under the officer's instructions in the exercise of a power under this by-law and section 15.1 of the *Building Code Act* contravenes subsection 19 (1) of the *Building Code Act* and is guilty of an offence under subsection 29 (1) of the *Building Code Act*, and upon conviction under the provisions of subsection 36 (3) of the *Building Code Act* is liable to a fine of not more than \$25,000.00 for a first offence and not more than \$50,000.00 for a subsequent offence."
- (2) Every person who fails to comply with an Order made under section 10 or 13 of this by-law and under section 15. 1 of the *Building Code Act* is guilty of an offence under subsection 36 (1) (b) of the *Building Code Act* and upon conviction under the provisions of subsection 36 (3) of the *Building Code Act* is liable to a fine of not more than \$25,000.00 for a first offence and not more than \$50,000.00 for a subsequent offence."
- (3) Despite subsection 2 of this section, if a corporation is convicted of an offence under subsection 36 (1) (b) of the *Building Code Act*, the maximum penalty that may be imposed upon the corporation is \$50,000.00 for a first offence and \$100,000.00 for a subsequent offence."
- (4) Every person who fails to comply with the directions of an officer made under section 6 of this by-law and under section 15.1 of the *Building Code Act* is guilty of an offence under subsection 36 (1) (b) of the *Building Code Act* and upon conviction under the provisions of subsection 36 (3) of the *Building Code Act* is liable to a fine of not more than \$25,000.00 for a first offence and not more than \$50,000.00 for a subsequent offence."
- (5) Despite subsection 4 of this section, if a corporation is convicted of an offence under subsection 36 (1) (b) of the *Building Code Act*, the maximum penalty that may be imposed upon the corporation is \$50,000.00 for a first offence and \$100,00.00 for a subsequent offence."

22. PROHIBITION ORDER

Pursuant to the provisions of section 327 of the *Municipal Act*, R.S.O. 1990 c.M 45, when a person has been convicted of an offence under this bylaw, the Ontario Court (Provincial Division) with jurisdiction with the County of Oxford, or any court of competent jurisdiction thereafter may, in addition to any other penalty imposed may make an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence

23. PROCEEDS OF FINES

Pursuant to the provisions of section 67.1 of the Planning Act, R.S.O. 1990, c.P. 13 where a person has committed an offence under this by-law and under section 31 of the *Planning Act* and a proceeding in respect of the offence has been undertaken by the Township of Norwich and a conviction has been entered, the proceeds of any fine in relation to the offence shall be paid to the treasurer of the Township of Norwich.

24. SEVERABILITY

Where a court of competent jurisdiction declares any section or part of a section of this by-law invalid, the remainder of this by-law shall continue in force unless the court makes an order to the contrary.

25. SCHEDULES

Schedules A, B, C, D, and E attached hereto form part of this by-law.

26. REPEAL

By-law 21-86 is hereby repealed.

27. NOTICE OF PASSAGE

The Clerk of the Township of Norwich shall publish Notice of the passing and enactment of this bylaw in the Norwich Gazette, Tillsonburg News and Woodstock Sentinel.

28. FORCE AND EFFECT

This by-law shall come into force and take effect on the date of its passing and enactment.

BY-LAW READ A FIRST AND SECOND TIME AND PROVISIONALLY APPROVED THIS

_____ **DAY OF** _____, **2000.**

Mark Harrison, Mayor

John R. Innes, Administrator/Clerk-Treasurer

BY-LAW READ A THIRD TIME AND FINALLY APPROVED THIS

_____ **DAY OF** _____, **2000.**

Mark Harrison, Mayor

John R. Innes, Administrator/Clerk-Treasurer

SCHEDULE "A"**CONTENTS**

| STANDARDS FOR ALL PROPERTIES | SECTION | PAGE |
|---|--------------------|-----------------|
| General | 1 | 1 |
| Maintenance of Yards | 2 (1)-(6) | 1 |
| Sewage Discharge and Drainage | 3 (1) (2) | 2 |
| Fences and Retaining Walls' | 4(1)(2) | 2 |
| Abandoned Wells, Cisterns | 5 | 2 |
| Outdoor Swimming Pools | 6 (1) (2) | 2 |
| Signs | 7 (1)-(4) | 2 |
| Pest Prevention | 8 (1) (2) | 3 |
| Domestic Storage | 9 | 2 |
| Refuse Storage, Disposal | 10 (1)-(5) | 3 |
| Accessory Buildings | 11 (1)(2) | 4 |
| Structural Capability | 12 (1)-(4) | 4 |
| Fire and Damage Prevention | 13 (1) (4) | 4 |
| Foundations | 14 | 5 |
| Exterior Walls | 15 (1)-(3) | 5 |
| Overhanging Extensions, Stairs | 16 (1)-(5) | 5 |
| Doors and Windows | 17 (1)-(4) | 6 |
| Roofs | 18 (1)-(5) | 6 |
| Interior Structures and Surfaces | 19 (1)-(3) | 6 |
| Plumbing Systems | 20 (1) (2) | 6 |
| Toilets and Bathrooms | 21 (1) (2) | 7 |
| Ventilation Systems | 22 (1) (2) | 7 |
| Heating and Mechanical Systems | 23 (1)-(10) | 7 |
| Electrical Systems | 24 | 8 |
| Light | 25 (1) (2) | 8 |
| Recreational Facilities | 26 | 8 |
| Vacant Buildings | 27 (1)-(3) | 8 |
| ADDITIONAL STANDARDS FOR RESIDENTIAL BUILDINGS | SECTION | PAGE |
| Duties of Occupant | 28 (1)-(3) | 9 |
| Occupancy Standards | 29 (1)-(5) | 9 |
| Doors, Walls, and Ceilings | 30 (1)-(5) | 9 |
| Toilet, Bathroom, and Kitchen | 31 (1)-(4) | 10 |
| Ventilation and Lighting in Dwellings | 32 (1)-(5) | 10 |
| Heating | 33 (1) (2) | 11 |
| Means of Egress | 34 (1) (2) | 11 |
| Storage Garages | 35 (1)-(3) | 11 |
| Elevators and Elevating Devices | 36 | 11 |
| Electrical | 37 | 12 |
| Lighting | 38 | 12 |

SCHEDULE "A" TO BYLAW 5-0**Standards for All Properties****1. General**

All repairs and maintenance of property required by the standards prescribed by this by-law and schedules thereto shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purposes.

2. Maintenance of Yards and Vacant Properties

- (1) All yards and vacant properties shall be free from:
 - (a) Objects or conditions such as holes or (abandoned, inoperative) iceboxes, refrigerators, or freezers that might create a fire, health or accident hazard.
 - (b) Debris, except in a salvage yard or motor vehicle repair garage and then only in an arrangement to ensure compliance with all zoning requirements and so as to prevent an unsafe or unsightly condition out of character with the surrounding environment.
 - (c) Dilapidated, collapsed or unfinished structures.
 - (d) The storage or accumulation of disused commercial, industrial, or domestic articles including motor vehicles, lumber and other building materials from construction or demolition projects that create a nuisance or are deteriorative to the neighbouring environment.
 - (e) Trees, vegetation and the branches, limbs and parts thereof which create an unsafe condition due to decay, disease, or being damaged, or which create a nuisance condition provided a permit is issued under the Township Tree By-law.
 - (f) Any more than (1) one unlicensed vehicle except where permitted under zoning bylaw 19-84.
- (2) All yards and every vacant property in developed residential zones shall be free from overgrown or long vegetation. Overgrown or long vegetation shall be cut and maintained to a height consistent with groomed properties in the vicinity to avoid an unsightly or nuisance condition.
- (3) Yards shall be graded, cultivated or protected with a suitable ground cover so as:
 - (a) To prevent excessive or recurrent ponding of storm water;
 - (b) To prevent instability or erosion of soil;
 - (c) To prevent the entrance of water into a basement;
 - (d) Not to create an unsightly appearance or an unsafe condition;
- (4) All curbs, asphalt, catch basins, traffic aisles, parking stalls, and other facilities shall be maintained so as to ensure their continued, proper and safe functioning and free from potholes or uneven sections.
- (5) All traffic aisles, parking stalls and lighting fixtures and their supports shall be maintained in a safe and structurally sound condition and in working order. All painted markings shall be maintained to be clearly visible.
- (6) Exterior steps, walks, loading docks, ramps, curbs, parking spaces, driveways and similar areas of a yard shall be maintained in a good state of repair, free from conditions which prevent passage, and free from hazard to any person under normal use and weather conditions.

3. Sewage Discharge & Drainage

- (1) (a) Sewage shall be discharged into the municipal or approved private sewage system inspected and approved by the Regional Medical Officer of Health.
- (b) 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) (a) Roof drainage or surface water shall be drained from properties so as to prevent recurrent ponding, erosion, or entrance of water into a basement cellar.
- (b) Roof drainage or surface water shall not be channeled or allowed to discharge onto sidewalks, stairs or neighbouring property.

4. Fences and Retaining Walls

All fences, retaining walls, and other barriers shall be:

- (1) (a) maintained in good repair, in a safe and structurally sound condition capable of sustaining any load to which it may be reasonably subjected;
 - (b) protected from deterioration by the application of paint or other suitable protective materials of uniform colour and shall be maintained in good condition or constructed of a material that is inherently resistant to such deterioration;
 - (c) kept free from posters, signs, notices, advertising material, or other defacement.
- (2) Hedges shall not be permitted to grow un-groomed.

5. Abandoned Wells, Cisterns and Other Fixtures or Excavations

All owners and occupants of properties containing an abandoned well, cistern, cesspool, privy vault, pit or excavation shall permanently seal, or secure each of them by fence or cover, or netting unless the above or any of them are in active use, in which event they shall be secured by fencing with warning signs until they have ceased use, whereupon they shall be sealed or fenced, or covered, or netted as required above.

6. Outdoor Swimming Pools

- (1) All owners and occupants of properties shall, where swimming pools and appurtenances thereto are located thereon, maintain such swimming pools and appurtenances including fences and gates in good repair and free from health and safety hazards.
- (2) The water in any privately owned swimming pool shall be kept clean and in a sanitary condition free from obnoxious odours and conditions likely to create a breeding pond for insects.

7. Signs

Every sign on property and any structure supporting the same shall be installed and maintained:

- (1) In safe and structurally sound condition;
- (2) In good repair and without any visible deterioration;
- (3) A sign that is unused, not cared for or discarded shall with its supporting members be removed;
- (4) No sign posted or installed by a property standards officer shall be removed from the property to which it is affixed.

8. Pest Prevention

- (1) Every building shall be kept free of pests and noxious insects and whenever found therein shall be exterminated immediately pursuant to the provisions of the *Pesticides Act* R.S.O. c.P. 11 and any other relative legislation.
- (2) When an exterior opening of a building is used or required for ventilation or illumination and is not required to be protected by a door, window or similar enclosure, it shall be protected with wire mesh screening,) or other equivalent durable material or other protection so as to effectively prevent the entry of rodents and noxious insects.

9. Domestic Storage

All storage of firewood, garden equipment, and other used domestic materials or articles shall be in accordance with all zoning requirements and may be located in rear or side yards provided such storage is neatly piled or arranged.

10. Refuse Storage and Disposal

- (1) Garbage, rubbish, ashes, trade waste or other refuse shall be promptly stored in receptacles and made available for removal or removed in accordance with the Township of Norwich By-laws respecting garbage collection.
- (2) Without limiting and in addition to the generality of subsection 10 (1) of this schedule, the collection, handling, storage and disposal of refuse shall comply with the following:
 - (a) It shall facilitate collection and disposal as required by the Township or private collection agency;
 - (b) Refuse storage facilities shall be readily accessible to all occupants for whom the storage facility is required to be provided, or in the alternative, be readily accessible by an operable refuse chute provided for this purpose in compliance with all regulations applicable thereto;
 - (c) Facilities for refuse storage shall be maintained in a clean, sanitary and odour controlled condition;
 - (d) Shall not obstruct an emergency route, recreation facility, parking area, driveway or walkway.
- (3) Where refuse is to be stored or placed for disposal outside the enclosing walls of a building, the storage and place for disposal shall be maintained at all times in a litter free condition and in a manner that will not attract pests or create a health or safety hazard due to the nature of the storage or through deterioration, wind or misuse of the storage facility.

- (4) Where an exterior bulk or roll-off container disposal system is used, it shall:
 - (a) be equipped with covers or similar devices which shall be readily operable but not left open except when actively being loaded;
 - (b) be large enough to contain all refuse generated between collections by the occupants served;
 - (c) not be loaded beyond the top of the container.
- (5) Where a refuse chute system was originally provided in a multiple floor building, the system, shall be maintained operative, except that suitable alternatives may be provided if readily accessible to all occupants.

11. Accessory Buildings

- (1) The foundations, walls, roofs and all parts of accessory buildings and other structures appurtenant to the main building shall be:
 - (a) constructed with suitable building materials; structurally sound, plumb and level;
 - (b) maintained in good repair to prevent an unsafe condition and unsightly appearance.
- (2) The exterior of any accessory building or other structure appurtenant to the main building on a property shall be protected from deterioration by the application of paint or other suitable protective material.

12. Structural Capability

- (1) Every building and every part thereof shall be maintained in a structurally sound condition so as to be capable of sustaining its own weight or any additional weight which may be put on it through normal use, and materials which show damage or evidence of rot or other deterioration shall be repaired or replaced.
- (2) The foundations, walls, columns and beams of a building shall be maintained in good repair and in a safe and structurally sound condition.
- (3) Where in the opinion of the officer, the structural safety of any part of any building is in doubt, the officer may require the owner to be responsible for submitting an inspection report respecting the structural safety of the building, prepared, sealed and signed by a professional engineer who is qualified in the pertinent field and licensed by Professional Engineers Ontario.
- (4) Examination and testing of any building or structure or parts thereof required by subsection 11 (3) shall be conducted in a manner acceptable to the officer and at the owner's expense.

13. Fire and Damage and Prevention

- (1) A building or structure damaged by fire, storm or by other causes shall be demolished or repaired within a reasonable time.
- (2) In the event the building or structure is beyond repair, the land shall be cleared of debris and remains and left in a graded, level, and safe condition without unreasonable delay.
- (3) Where a building or structure is damaged by fire, storms or by other causes, immediate steps shall be taken to prevent or remove a condition which might endanger persons on or near the property and the building or structure shall be properly supported and barricaded until the necessary demolition or repair can be carried out.
- (4) Defacement by smoke or by other causes on the exterior wall and surface of the building or structure or of the remaining parts of building or structure shall be removed and the defaced

areas refinished in a workmanlike manner.

- (5) The owner or agent of a fire damaged building shall board up the building to the satisfaction of the Property Standards Officer by covering all opening with at least 12.7mm or (0.5 inch) weather proof sheet plywood securely fastened to the building and painted a colour compatible with the surrounding structure.

14. Foundations

The foundations, walls, columns, beams, floors, roof slabs and balconies of a building shall be maintained in good repair and structurally sound; free from decayed, damaged or weakened sills, piers, posts or other supports in a manner so as to prevent the entry of moisture, rodents and insects into the building.

15. Exterior Walls

- (1) The exterior walls of a building shall be maintained in good repair, free from cracked or broken masonry units, defective or deteriorated wood or metal siding or trim, cracked, broken or loose stucco, weathertight, free from loose or unsecured objects and in a manner to prevent deterioration due to weather or insects without limiting the generality of the foregoing, the maintenance of an exterior wall includes the finish with a weather resistant material of all exterior wood and metal work and restoring, repairing or replacing of the wall, brick and mortar; the stucco lathing and plaster, the cladding; the coping and the flashing, and the waterproofing of the walls and joints.
- (2) All exterior exposed surfaces which have been previously covered with paint and are not inherently resistant to deterioration or other protective or decorative materials shall be maintained in good repair and the covering renewed when it becomes damaged or deteriorated.
- (3) Metal eavestroughs, rainwater pipes, flashings and all exterior metal ducts shall be kept from rust by application of a suitable protective material such as paint, and shall be replaced when such application is impractical or ineffective.

16. Overhanging Extensions, Stairs, Balconies, and other Platforms

Balconies, porches, canopies, marquees, awnings, screens, grills, stairways, guards, fire escapes, pipes, ducts, air conditioners and all other similar equipment, attachments, extensions and their supporting members shall be maintained:

- (1) In good repair free from holes, cracks, worn risers and other defects;
- (2) Free from rubbish and debris;
- (3) Properly and safely anchored;
- (4) Protected against deterioration and decay;
- (5) Free from ponding water.

17. Doors and Windows

- (1) All exterior openings for doors and windows shall be fitted with doors or windows.
- (2) Windows, in subsection 32 (5) of this schedule, including storm and screen windows and window screens, exterior doors, and basement or cellar hatchways shall be maintained in good repair. Locking devices shall be installed on all windows.
- (3) Doors, door frames, window frames, sashes, shutters, casings, weather-stripping and caulking that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. Broken glass and translucent substitutes, damaged screens and missing or defective doors and window hardware shall be repaired or replaced.

18. Roofs

All roofs of all buildings and structures shall be maintained:

- (1) In a water tight condition so as to prevent leakage or admission of water;
- (2) Free from loose or unsecured parts, objects or materials;
- (3) Free from dangerous accumulations of snow or ice or both;
- (4) Free from all other accident, fire or health hazards;
- (5) So that roof decks and related guards are in a good state of repair.

19. Interior Structures and Surfaces

- (1) The interior floors, ceilings and walls of buildings shall be kept free from dampness arising from the entrance of moisture through an exterior wall, or a roof, or through a cellar, basement or crawl space.
- (2) Interior floors, ceilings and walls of buildings shall be maintained:
 - (a) in good repair, free from holes, loose boards and broken, torn, damaged, decayed or missing materials;
 - (b) in a safe condition.
- (3) All floors and floor coverings in buildings shall be reasonably smooth and level and be maintained so as to be free of all loose, warped, protruding, broken coverings shall be repaired or replaced.

20. Plumbing Systems

- (1) Every required sink, washbasin, toilet, bathtub, or shower in a building shall have an adequate supply of potable water with a flow and pressure sufficient for the intended use of the fixtures.
- (2) All plumbing, including every drain pipe, water pipe, water closet and plumbing fixture in a building and the building drain or building sewer shall be maintained in good working condition, free from leaks and defects and shall be protected from freezing.
- (3) All plumbing fixtures shall be supplied with portable running water from a source approved by the Medical Officer of Health. The owner shall provide a record of annual testing of water not supplied by the Municipality. The Medical Officer of Health shall approve such testing.
- (4) All septic systems shall be maintained and in good working order.

21. Toilets and Bathrooms

- (1) All toilets other than those in a dwelling unit shall be fully enclosed within a compartment or room having a door capable of being locked from the inside so as to provide privacy for the occupant. Where a toilet room contains more than one water closet or toilet, each water closet or toilet compartment shall be provided with a means of locking the door on the inside of such compartment to provide privacy.
- (3) No toilet or urinal shall be located in a room that is used for the preparation, cooking, storage, or consumption of food, or for sleeping purposes.

22. Ventilation Systems

- (1) Ventilation systems required by the building code shall be regularly cleaned to prevent accumulation of heat and contaminants likely to create a potential fire, explosion, toxic or health hazard.
- (2) Ventilation systems shall be maintained and operated in a safe condition and in good repair and working order.

23. Heating and Mechanical Systems

- (1) Where space is normally heated in occupied buildings, heat shall be provided and maintained during normal hours of occupancy so that the room temperature is at 1.5 meters above floor level and 1 meter from exterior walls is at least 21° Celsius or 70° Fahrenheit
- (2) Subsection (1) does not apply to an occupied building in which the occupant can regulate the temperature as long as a minimum of 21° Celsius or 70° Fahrenheit can be maintained.
- (3) Every occupied building shall have a heating system capable of maintaining the temperatures required by subsection (1).
- (4) Except in the event of an emergency, no occupied building shall be equipped with portable heating equipment as the primary source of heat.
- (5) Fuel or utilities supplied to rental occupied buildings shall be supplied continuously in adequate quantities.
- (6) The supply of fuel or utilities may be interrupted for such a reasonable period of time as may be required for the purpose of repair or replacement.
- (7) Subsections (1) and (2) do not apply if the tenancy agreement makes the tenant responsible for the supply of fuel for utilities and the supply has been discontinued because of arrears in payment.
- (8) Every fuel-burning appliance shall be properly used and vented to the outside air by means of a chimney or a vent flue if venting is required to ensure safe operation.

- (9) All heating equipment, every chimney, smoke pipe and flue of a building shall be maintained:
- (a) and kept clear of obstruction so as to prevent any gases from leaking into the building, and so that under conditions of use any combustible material adjacent thereto, insulated there from, or in contact therewith, shall not be heated to unsafe conditions;
 - (b) free from open joints;
 - (c) free of broken and loose masonry;
 - (d) in good repair and plumb.
 - (e) The property owner shall be responsible for maintenance of all fuel fired appliances and shall provide a record of annual inspections for solid, liquid and or gas fuel heating appliances by a person registered to provide such an inspection.
- (10) If heating equipment burns solid or liquid fuel, a storage place or receptacle for the fuel shall be provided in a safe place and maintained in a safe condition.

24. Electrical Systems

- (1) The connection of an electrical supply system to a building and the system of circuits and outlets distributing the electrical supply within a building shall provide adequate capacity for the use and intended use of a building and any fuse, circuit breakers and other appurtenances thereto shall be maintained in a safe condition and in good repair and working order.
- (2) The property owner shall be responsible for ensuring the electrical system has been inspected and approved for use by the Authority having Jurisdiction.

25. Light

- (1) Sufficient windows, skylights or electrical lighting are required for illumination in all public or common halls and stairways whenever the building is in use and in all stairways provided for use in case of fire or other emergency.
- (2) All properties, other than municipal properties, must provide and maintain an effective barrier to prevent the light from lamp standards, signs, and other permanent sources from shining directly into a dwelling unit and away from all streets and highways.
- (3) All external portions of building and parking lots shall be illuminated to allow people to safely use these areas. However lighting shall not be positioned so as to cause any impairment of use or enjoyment of neighbouring properties.

26. Recreational Facilities

Recreational area, equipment, structures, rooms and other facilities provided for the indoor or outdoor use of the occupants of a building shall be maintained in a safe condition free from debris and in good repair and working order.

27. Vacant Buildings

- (1) The owner of any vacant or unoccupied building shall provide protection for such building against the risk of fire, accident damage or other danger thereto or to adjoining premises by taking measures to prevent the entry thereto by all unauthorized persons.
- (2) All materials used for boarding up unoccupied buildings shall be installed and maintained in good repair and, unless inherently resistant to deterioration, with a protective coating of paint and maintained or equivalent weather-resistant material. Boarding material shall be consist of 12.7mm or (0.5 inch) weatherproof sheet plywood securely fastened to the structure.
- (3) Where a building remains vacant or unoccupied for a period of more than 90 days, the owner or agent of the owner shall ensure that all utilities serving the building, that are not required for the safety or security thereof, are properly disconnected or otherwise secured to prevent risk of fire, accident, damage or other danger to the property or adjoining premises.

ADDITIONAL STANDARDS FOR RESIDENTIAL PROPERTY**28. Duties of Occupant**

Every occupant of a residential unit, in that part of the residential property that he or she occupies or controls shall:

- (1) maintain all plumbing, cooking and refrigerating appliances and fixtures and all storage facilities and other equipment therein in a clean and sanitary condition;
- (2) keep all exits there from clean and unobstructed;
- (3) maintain the occupied part of the dwelling in a clean and sanitary condition.

29. Occupancy Standards

- (1) A non-habitable room shall not be used or occupied for purposes of habitation.
- (2) A bedroom shall be a habitable room and no kitchen, bathroom or hallway shall be used as a bedroom.
- (3) Every residential unit shall have a kitchen and each kitchen in a residential unit shall be provided with an approved gas or electrical supply for cooking purposes.
- (4) Each kitchen in a residential unit when equipped with refrigeration, cooking stove, kitchen fixture and fittings shall have such appliances, fixtures and fittings maintained in good repair and good working order.
- (5) Every supplied facility, piece of equipment or appliance shall be so constructed and installed that it will function safely and effectively and shall be maintained in a safe and satisfactory working condition.

30. Doors, Walls and Ceilings

- (1) Interior doors and door frames including automatic door closers and all necessary hardware shall be maintained in good repair to ensure the proper operation and integrity of the door and the door shall be a good fit in its frame.

- (2) Doors connecting dwelling units to the exterior or to an entrance or exit system shared in common with other dwelling units, shall have locking devices and other necessary hardware installed and maintained in good repair.
- (3) Every wall and ceiling in a residence or in a residential unit shall be maintained so as to be free of holes, cracks, damaged and deteriorated plaster or other material and be finished to match the existing wall or ceiling.
- (4) In multiple residences, glazed doors, and windows and other transparent surfaces in those parts of the building used by the tenants in common, shall be kept in a reasonably clean condition.
- (5) Garbage chutes and garbage disposal rooms shall have fire doors fitted with self-closing devices and all necessary hardware and every such door shall fit in its frame, and be maintained in good repair.

31. Toilet, Bathroom and Kitchen Facilities

- (1) Every residential unit shall be provided with at least one kitchen sink, water closet, washbasin and bathtub or shower, connected to an adequate supply of running water and an acceptable means of sewage disposal. The fixtures required by this section shall be maintained and shall be supplied with a supply of potable water sufficient for normal household use at a flow and pressure sufficient for the intended use of the fixture. In all residential units, all bathrooms and toilet rooms shall be located within and accessible from within the building and if fully enclosed shall have a door that can be secured from the inside and opened from the outside in an emergency.
- (2) Every sink, washbasin, bathtub, shower or laundry facility shall have an adequate supply of hot and cold running water. The ordinary temperature of the hot water provided must be at least 43° Celsius.
- (3) Walls and ceilings around bathtubs and showers shall consist of water resistant material and shall be maintained in good repair.
- (4) Every kitchen in a residential unit shall be equipped with:
 - (a) sink served with potable running water and a water resistant splashback;
 - (b) space sufficient to accommodate a stove or a heating unit, and refrigerator;
 - (c) a counter or table for food preparation;
 - (d) cupboards or pantry, excluding the area under the sink, for the storage of food, dishes and cooking utensils.
- (5) All plumbing fixtures shall be supplied with potable running water from a source approved by the Medical Officer of Health. The owner shall provide a record of annual testing of water not supplied by the Municipality. The Medical Officer of Health shall approve such testing. All septic systems shall be maintained and in good working order.

32. Ventilation and Lighting in Dwelling Units

- (1) Every habitable room shall have an adequate opening or openings for natural ventilation. An opening for natural ventilation may be omitted if mechanical ventilation is provided.
- (3) Every habitable room, except a kitchen shall have one or more windows or skylights that face directly to the outside and have an adequate unobstructed light transmitting area.

- (3) All windows and skylights in a dwelling unit shall be:
 - (a) glazed or fitted with glass or clear plastic materials;
 - (b) maintained in good working order;
 - (c) maintained in good repair; and
 - (d) if required for ventilating purposes, capable of being easily opened and closed at all times.
- (4) All windows in a residential unit designed to be open shall be fitted with screens so as to prevent the entrance of insects and rodents and maintained in good repair.
- (5) Every window of a residential unit, which is located above the first story, shall be equipped with a safety device to prevent the opening of any part of such window to a width in excess of 100 mm. (4"), such devices to be installed to the requirements of the building code.

33. Heating

- (1) The heating system or equipment for a dwelling or living accommodation shall be capable of maintaining the temperatures specified in Section 23 of this By-law and maintained as per section 23 of this By-law.
- (2) Only heating equipment approved for use by a recognized standards testing authority shall be provided in a room used or intended for use for sleeping purposes
- (3) The property owner shall be responsible for maintenance of all fuel fired appliances and shall provide a record of annual inspections by a person registered to provide such an inspection.

34. Means of Egress

- (1) In multiple unit residential developments where a voice communication or sound activated system between each residential unit and the front lobby and security locking and release facilities for the entrance have been provided, and are controlled from each residential unit, such facilities shall be maintained in good repair and in operative condition.
- (2) Every door used as an entrance to or means of egress from a multiple unit residence where a voice communication or sound activated system between each residential unit and the front lobby and security locking and release facilities have been provided or from a storage garage which is not open and available for use by the general public, shall be kept closed and locked and shall be provided with approved self-closing and self-locking mechanisms and shall not be secured in an open position except in an emergency situation.

35. Storage Garages

- (1) All storage garages shall have the ability to be adequately lit at all times.
- (2) Every floor, wall and ceiling of a storage garage shall be kept clean and free from rubbish and debris and from objects or conditions that might create a fire, health or accident hazard.
- (3) All means of egress within a storage garage shall be provided with clean, clear, unobstructed and maintained in good repair.

36. Elevators and Elevating Devices

Elevating devices in multiple unit residential buildings, including all parts thereof, shall be fully operational except for such reasonable period of time as may be required for the purpose of repairing and maintaining such devices.

37. Electrical

A supply of electrical power shall be all habitable space in a residential complex. The property owner shall be responsible for ensuring the electrical system has been inspected and approved for use by the Authority having Jurisdiction.

38. Lighting

All exterior and interior common areas shall have artificial lighting sufficient so that those areas can be used or passed through safely and this artificial lighting shall be maintained in a good state of repair. Sufficient windows, skylights or electrical lighting are required for illumination in all public or common halls and stairways whenever the building is in use and in all stairways provided for use in case of fire or other emergency.

Schedule B To Bylaw No. 5 - 00

The Corporation of the Township of Norwich

CERTIFICATE OF COMPLIANCE

Section 19 of the Township of Norwich Property Standards By-law 5-00 provides:

Where an inspection of the premise has taken place and when a request of an owner has been-made, the Chief Property Standards Officer shall issue to the owner, a Certificate of Compliance if the premises comply with this By-law.

**As such, the property known municipally as _____
(Norwich Township) was inspected *day/month/year* and has found to be in conformity with the standards established by the Township of Norwich Property Standards By-law No. 5-00.**

Date issued

Chief Property Standards Officer

Schedule C To Bylaw No. 5 - 00

The Corporation of the Township of Norwich

**FEE SCHEDULE FOR ISSUANCE OF
CERTIFICATE OF COMPLIANCE**

| Category of Permit | Fee |
|--|--|
| (a) For a single residential unit | \$200.00 |
| (b) Multiple unit residential buildings | \$200.00 plus an amount calculated at the rate of \$30.00 for each additional residential unit in excess of the first residential unit |
| (c) For a lodging house, second level lodging house, or nursing home | \$200.00 plus an amount calculated at the rate of \$20.00 for each permitted resident |
| (d) For a lodging house, second level lodging house, or nursing home | \$200.00 plus an amount calculated at the rate of \$10.00 per 1,000 square feet of gross floor area in excess of the first 1,000 square feet |

Schedule D To Bylaw No. 5 - 00

**The Corporation of the Township of Norwich NOTICE RE:
SUBSTANDARD PROPERTY**

This property has been found not to be in conformity with the standards established by the Township of Norwich Property Standards By-law No. 5-00.

Section 21 (5) of the Township of Norwich Property Standards By-law No. 5-00 states:

Any person who defaces or who pulls down this placard without consent contravenes section 6 (3) of the Township of Norwich Property Standards By-law No. 5-00 and thereby commits an offence and upon conviction pursuant to the provisions of section 61 of the *Provincial Offences Act* R.S.O. c.P. 33 is liable to a fine of not more than \$5,000.00 for each offence.

Dated at the Township of Norwich this _____ day of _____ 2000

Property Standards Officer

(ATTACH TO NOTICE OR ORDER MADE UNDER SECTION 9 AND 10 OF THIS BY-LAW)

Schedule E To Bylaw No. 5 - 00

The Corporation of the Township of Norwich

APPOINTMENTS

1. The Chief Municipal Law Enforcement Officer for the Township of Norwich is hereby appointed as the Chief Property Standards Officer.
2. All Building, Plumbing, and Fire Code Inspectors for the Township are hereby appointed as Property Standards Officers
3. The Assistant to the Administrator is hereby appointed as Secretary to the Property Standards Committee.