

THE CORPORATION OF THE  
TOWNSHIP OF BLANDFORD-BLENHEIM

BY-LAW NUMBER 1431-2004

Being a By-law to regulate minimum standards for maintenance and occupancy for all properties in the Township of Blandford-Blenheim.

**WHEREAS** under Section 15.1(3) of the *Building Code Act*, S.O. 1992, c.23, and amendments thereto, 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 pertaining to The Township of Blandford-Blenheim includes provisions relating to property conditions;

**AND WHEREAS** the Council of The Corporation of the Township of Blandford-Blenheim 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 Corporation of The Township of Blandford-Blenheim hereby enacts the following:

**ARTICLE I  
SHORT TITLE**

**1.1 Citation**

This Bylaw may be cited and known as the "Property Standards By-law".

**ARTICLE 2  
DEFINITIONS**

In this by-law:

**2.1 "Accessory Building"** means a detached building or structure, not used for human habitation, that is subordinate to the primary use of the same property.

**2.3 "Approved"** means acceptance by the Property Standards Officer.

**2.4 "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.

**2.5 "Cellar"** means that 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.

**2.6 "Committee"** means the Township of Blandford-Blenheim Property Standards Committee.

**2.7 "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.

**2.8 "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.

**2.9 "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 feet) above grade.

**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;

Better wording of this section of the By-law would be:

**AND WHEREAS** Section 15 of the Building Code Act, S.O. 1992, c. 23, and amendments thereto, specifically Section 15.6 – (1), and amendments thereto, requires that a by-law passed under Section 15 of the Act shall provide for the establishment of a Property Standards Committee;

**2.10 "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.

**2.11 "Habitable Room"** means any room in a dwelling unit used for or capable of being used for living, cooking, sleeping or eating purposes.

**2.12 "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.

**2.13 "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.

**2.14 "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.

**2.15 "Occupant"** means any person or persons over the age of 18 years in possession of the property.

**2.16 "Owner"** includes,

- a) the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person's own account or as agent or trustee of any other person, or who would so receive the rent if such land and premises were let, and
- b) a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of the property.

**2.17 "Person"** means an individual, firm, corporation, association or partnership.

**2.18 "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.

**2.19 "Property Standards Officer"** means the Chief Building Official and all Inspectors who may from time to time be appointed by the Council of The Corporation of the Township of Blandford-Blenheim to administer and enforce this bylaw.

**2.20 "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.

**2.21 "Repair"** includes the provision of facilities, the making of additions or alterations or the taking of any other action that may be required to ensure that a property conforms with the standards set out in this bylaw.

**2.22 "Standards"** means the standards of the physical condition and of occupancy prescribed for property by this By-Law.

**2.23 "Toilet Room"** means a room containing a water closet and a wash basin.

**2.24 "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.

### **ARTICLE 3 GENERAL STANDARDS FOR ALL PROPERTY**

- 3.1 Application – all property – within boundaries**  
The provisions of this By-law shall apply to all properties within the boundaries of The Corporation of the Township of Blandford-Blenheim.
- 3.2 Property – buildings – use – conformity – required**  
No property within the Township of Blandford-Blenheim shall be used and no building or structure shall be erected, altered, enlarged, maintained or used for any purpose except in conformity with the provisions of this By-law.
- 3.3 Use – building – non-conforming property – prohibited**  
No person shall use or permit anyone to use or occupy or, being the owner thereof or his/her agent, shall allow to be used or occupied, any building on any property unless the property conforms to the standards prescribed by this By-law.
- 3.4 Hazards – accidents – prevented**  
All properties shall be maintained so as not to create a health, fire or accident hazard.
- 3.5 Conditions hazardous – prohibited**  
All properties shall be maintained free from conditions that may create a health, fire or accident hazard.
- 3.6 Workmanship – compliance to codes**  
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.
- 3.7 Yards – clean – free from rubbish – hazards**  
Every yard, including vacant lots, shall be kept clean and free from:
- (1) rubbish or debris and objects or conditions that may create a health, fire, or accident hazard;
  - (2) wrecked, dismantled, discarded, abandoned, non-operative or unlicensed machinery, vehicles, trailers or boats; unlicensed and operable vehicles are permitted to be stored only for the purposes of display for sale associated with any lawful car dealership.
  - (3) long grass, brush, undergrowth and noxious weeds as defined by the Weed Control Act,
  - (4) untrimmed hedges - hedges shall be kept trimmed and made to comply with any by- law of the Corporation in effect from time to time.
  - (5) grass or weeds to a height in excess of twenty centimeters (20 cm) except for property undergoing a naturalization program that has a naturalization plan approved by the Community Services Department.
  - (6) dilapidated, collapsed or partially constructed structures which are not currently under construction;

- (7) injurious insects, termites, rodents, vermin or other pests; and
- (8) dead, decayed or damaged trees or other natural growth.

**3.8 Surface conditions – free from hazards**

Surface conditions of yards shall be maintained so as to:

- (1) prevent ponding of storm water when such water constitutes a health or accident hazard, except for the ponding of water for stormwater management when approved by the Drainage Superintendent;
- (2) prevent instability or erosion of soil;
- (3) prevent surface water run-off from entering basements;
- (4) be kept free of abandoned excavations;
- (5) not exhibit an unsightly appearance;
- (6) be kept free of garbage and refuse;
- (7) be kept free of deep ruts and holes;
- (8) provide for safe passage under normal use and weather conditions, day or night; and
- (9) not to create a nuisance to other property.

**SEWAGE AND DRAINAGE**

**3.9** Sewage shall be discharged into the sewage system.

**3.10** Sewage or septic tank effluent of any kind shall not be discharged onto the surface of the ground, whether into a natural or artificial surface drainage system or otherwise.

**3.11** Roof drainage shall not be discharged directly onto sidewalks, stairs, or adjacent property.

**PARKING AREAS, WALKS AND DRIVEWAYS**

**3.12** 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.

**3.13** 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.

**ACCESSORY BUILDINGS, FENCES, AND OTHER STRUCTURES**

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

**3.15** 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.

**3.16** The drainage from a privately owned outdoor swimming pool from a backwash cycle or a winterization shall not be directed to adjacent properties.

**3.17** The occupant of a residential property may provide for a compost heap in accordance with any health regulations, provided that the compost pile is no larger than two square metres and 1.5 metres in height and is enclosed on all sides by concrete block, lumber, or a commercial plastic enclosed container designed for composting or other method approved by the Township Engineer.

## **ARTICLE 4 RESIDENTIAL STANDARDS GENERAL CONDITIONS**

**4.1** 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.

**4.2** 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.

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

### **PEST PREVENTION**

**4.4** Dwellings shall be kept free of rodents, vermin and insects at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the *Pesticides Act*.

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

### **STRUCTURAL SOUNDNESS**

**4.6** 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.

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

**4.8** Materials which show evidence of damage, rot or other deterioration shall be repaired or replaced.

### **FOUNDATIONS**

**4.9** Foundation walls of a dwelling shall be maintained so as to prevent the entrance of insects, rodents and moisture. Maintenance includes installing sub soil drains, where necessary, at the footings, grouting masonry cracks, damp-proofing and waterproofing walls, joints, and floors.

**4.10** Every dwelling shall be supported by foundation walls or piers which extend below the frost line.

### **EXTERIOR WALLS**

**4.11** Exterior walls of a dwelling and their components, including soffits, fascia, cladding and trim shall be maintained so as to prevent the entrance of moisture and their deterioration due to weather, insects or rodents and shall be so maintained by the painting, restoring or repairing of the walls, coping or flashing, by the waterproofing of joints of the walls themselves.

**4.12** Exterior walls shall be free from broken or loose masonry units, stucco, and other defective cladding.

**4.13** All exterior walls shall be maintained with the existing insulation levels or as approved by the Property Standards Officer.

**4.14** Exterior walls of a dwelling and their components shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.

## **WINDOWS AND DOORS**

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

**4.16** 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.

**4.17** Solid core or steel doors shall be provided for all entrances to dwellings and dwelling units.

**4.18** In residential buildings where there is a voice communication unit working in conjunction with a security locking and release system controlling a particular entrance door and installed between individual dwelling units and a secured entrance area, the said system shall be maintained in good working order at all times.

**4.19** Every window in a dwelling unit that is located above another suite shall be equipped with an approved safety device capable of controlling the free swinging or sliding of the openable part of the window so as to limit any clear unobstructed opening to not more than 100 mm (4 inches) measured either vertically or horizontally where the other dimension is greater than 380 mm (15 inches) unless the window is adjacent to a balcony, protected by a guard or is less than 1.8 m (5 ft 11 inches) above ground level. Such safety device shall not prevent the window from being fully opened during an emergency situation by an adult without the use of tools.

**4.20** Doors located within required fire separations shall be minimum 1-3/4 inch solid core wood door or be labeled with a minimum 20 minute fire resistance rating by an authorized testing agency.

## **ROOFS**

**4.21** Roofs of dwellings and their components shall be maintained in a weather tight condition, free from loose or unsecured objects or materials.

**4.22** The roofs of dwellings and accessory buildings shall be kept clear of unsafe accumulations of ice or snow or both.

**4.23** Where eaves-troughing or roof gutters are provided, they shall be kept in good repair, free from obstructions and properly secured to the building.

**4.24** All roof areas shall be maintained with the existing insulation levels or as approved by the Property Standards Officer.

## **WALLS, CEILINGS AND FLOORS**

**4.25** Every wall, ceiling and floor in a dwelling shall be maintained so as to provide a continuous surface free of holes, cracks, loose coverings or other defects. Walls surrounding showers and bathtubs shall be impervious to water.

**4.26** 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. Dirt floors in basement or crawl spaces shall be protected by minimum 6 mil polyethylene or 2 inch concrete mudcoat.

**4.27** 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.

**4.28** Walls and ceilings forming part of an assembly required to be a fire separation under the Ontario Building Code or Ontario Fire Code shall be maintained and repaired if required to provide the existing level of fire resistive protection.

**4.29** Wall and ceiling finishes forming the exposed surface in required exits and public corridors shall have a flame spread rating of 150 or less.

#### **STAIRS, PORCHES AND BALCONIES**

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

**4.31** A guard shall be installed and maintained in good repair on the open side of any ramp or interior stairway containing more than two (2) risers except for stairs leading to unfinished basements and on any exterior stair containing more than six (6) risers and on any porch, deck, landing or balcony where there is a difference in elevation between adjacent surfaces of 600 mm (24"). A handrail shall be installed and maintained in good repair on all interior stairs having more than two risers and on all exterior stairs having more than three risers.

**4.32** All guardrails and handrails shall be rigid and shall not deflect or move when subjected to a lateral force by a person.

#### **KITCHENS**

**4.33** 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 cleanable; and
- (d) a space provided for cooking and refrigeration appliances including the suitable electrical or gas connections.

**4.34** Combustible material directly above the location of a stove shall be not less than 750 mm (2 ft 6 in) above the level of the stove elements.

#### **TOILET AND BATHROOM FACILITIES**

**4.35** 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.

**4.36** 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.

**4.37** 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.



## **PLUMBING**

**4.38** Each washbasin, 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).

**4.39** Every dwelling unit shall be provided with an adequate supply of potable running water from a source approved by the Medical Officer of Health.

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

**4.41** All plumbing fixtures shall be connected to the sewerage system through water seal traps.

**4.42** 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.

**4.43** All sanitary facilities shall be connected to the municipal sanitary sewerage system or a system approved by the Medical Officer of Health and maintained in good working order.

## **ELECTRICAL SERVICE**

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

**4.45** 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.

**4.46** 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.

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

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

## **HEATING, HEATING SYSTEMS, CHIMNEYS AND VENTS**

**4.49** 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 20 degrees Celsius (68.5° 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.

**4.50** All fuel burning appliances, equipment, and accessories in a dwelling shall be installed and maintained to the standards provided by the *Energy Efficiency Act*, as amended or other applicable legislation.

**4.51** Where a heating system or part thereof in a building 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.

**4.52** 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.

**4.53** 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.

**4.54** 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.

**4.55** 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.

#### **FIRE ESCAPES, ALARMS AND DETECTORS**

**4.56** 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 as required by the Ontario Fire Code.

**4.57** In addition to the provisions of Article 4.53 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 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 within 5 metres of any bedroom.

**4.58** 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 openable window or door.

#### **EGRESS**

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

**4.60** Each building containing more than one dwelling unit shall have the minimum number of exits as prescribed by the Ontario Fire Code. No exit shall lead through a room not under the immediate control of the occupants of the dwelling unit.

### **NATURAL LIGHT**

**4.61** 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 but 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**

**4.62** 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.

**4.63** All system of mechanical ventilation shall be maintained in good working order.

**4.64** All enclosed areas including basements, cellars, crawl spaces and attics or roof spaces shall be have openings for ventilation or an alternative and functioning mechanical system approved by the Property Standards Officer.

### **ELEVATING DEVICES**

**4.65** 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**

**4.66** 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.

### **OCCUPANCY STANDARDS**

**4.67** No room shall be used for sleeping purposes unless it has a minimum width of two metres (6.6 ft.), and a floor area of at least seven square metres (75 sq. ft.). A room used for sleeping purposes by two or more persons shall have a floor area of at least four square metres (43 sq. ft.) per person.

**4.68** 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.

## **ARTICLE 5**

### **VACANT LANDS AND BUILDINGS**

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

### **VACANT LANDS**

**5.2** Vacant land shall be maintained to the standards as described in Article 3, Sections 3.7 and 3.8, of this By-Law.

**5.3** Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent ponding of water.

### **VACANT BUILDINGS**

**5.4** Vacant buildings shall be kept cleared of all garbage, rubbish and debris and shall have all water, electrical and gas services turned off except for those services that are required for the security and maintenance of the property.

**5.5** 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.

## **ARTICLE 6 NON-RESIDENTIAL PROPERTY STANDARDS**

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

### **YARDS**

**6.2** The yards of non-residential property shall be maintained to the standards as described in Article 3, Sections 3.7 and 3.8 of this By-Law.

**6.3** 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.

### **PARKING AREAS, AND DRIVEWAYS**

**6.4** All areas used for vehicular traffic and parking shall have a surface covering as required by the Township of Blandford-Blenheim Zoning Bylaw including, but not limited to, asphalt, concrete, or compacted stone or gravel.

**6.5** All surface coverings shall be kept in good repair, free of dirt and litter. All surface coverings shall be treated to prevent the raising of dust. Driveways shall have a surface covering that prevents the deposition of gravel or loose materials on the traveled portion of the municipal road allowance.

**6.6** 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**

**6.7** 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.

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

## **EXTERIOR WALLS**

**6.9** 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.

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

## **GUARDRAILS**

**6.11** A guard shall be installed and maintained in good repair on the open side of any ramp or interior stairway containing more than two (2) risers or any exterior stair containing more than six (6) risers or any porch, deck, landing or balcony where there is a difference in elevation between adjacent surfaces of 600 mm (24"). A handrail shall be installed and maintained in good repair on all interior stairs having more than two risers and on all exterior stairs having more than three risers.

**6.12** All guardrails and handrails shall be rigid and shall not deflect or move when subjected to a lateral force by a person.

## **LIGHTING**

**6.13** 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.

## **ARTICLE 7 ADMINISTRATION AND ENFORCEMENT**

**7.1** This By-law shall apply to all property within the limits of the municipality.

**7.2** The imperial measurements contained in this By-Law are given for reference only.

### **OFFICERS**

**7.3** The Council of The Corporation of the Township of Blandford-Blenheim shall appoint a Property Standards Officer(s) to be responsible for the administration and enforcement of this By-Law.

### **PROPERTY STANDARDS COMMITTEE**

**7.4** The Property Standards Committee of the Township of Blandford-Blenheim is hereby continued and shall consist of Three (3) persons who are resident of the municipality and who qualify to be elected as members of Council for the Township of Blandford-Blenheim. The members of the Committee shall serve for the same term as the members of Council, and shall be appointed, by the Council, by resolution, at their Inaugural meeting, or as soon thereafter as is expedient, with the members so appointed to hold office until their successors have been appointed. The members of the Committee shall be paid compensation in accordance with the provision in the current Township Salary and Wage By-law. The members of the Committee shall elect a Chair from among themselves and an employee of the municipality shall serve as the Secretary for the Committee.

**7.5** The Council shall also fill any vacancy that occurs in the membership of the Committee as soon as possible during the Committee term.

**7.6** Every person who initiates an appeal of an Order made under Section 15.2 (2) of the *Ontario Building Code Act*, S.O. 1992, c23, shall submit a Notice of Appeal in the time frame and the manner prescribed in section 15.3 (1) of the Act. All Notices of Appeal shall be accompanied by a non-refundable payment of \$110 as the fee for the Application.

### COMPLIANCE

7.7 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 such standards or the property shall be cleared of all buildings, structures, debris or refuse and left in a leveled and graded condition.

### PENALTY

7.8 Any owner who fails to comply with an order that is final and binding under this bylaw is guilty of an offence under Section 36(1) of the Ontario Building Code Act, S.O. 1992, c. 23, and is liable to a penalty or penalties as set out in Section 36 of that Act.

### VALIDITY

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

7.10 Where a provision of this By-Law conflicts with the provision of another by-law in force within the municipality, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.

### BY-LAWS REPEALED

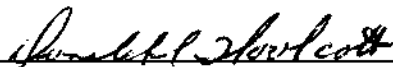
7.11 By-law Number 940-92 enacted the 19<sup>th</sup> day of August, 1992, is repealed and By-law Number 1403-2003 enacted the 2<sup>nd</sup> day of July, 2003, is also repealed, after all matters described in Section 7.12 are complete.

### TRANSITIONAL RULES


7.12 After the date of the passing this by-law, By-Law No. 1403-2003, 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.

By-law **READ** a **FIRST** and **SECOND** time this 4<sup>th</sup> day of February, 2004.

By-law **READ** a **THIRD** time and **ENACTED** in Open Council this 4<sup>th</sup> day of February, 2004.

  
Donald S. Woolcott, Mayor

(SEAL)

  
Keith Reibling, Clerk-Administrator