

# **THE CORPORATION OF THE TOWNSHIP OF RED ROCK**

## **BY-LAW 2018-1181**

### **Being a by-law to regulate Property Standards in the Township of Red Rock**

WHEREAS By-law 2000-86 of the Corporation of the Township of Red Rock was passed on July 5, 2000 being a By-law to regulate Property Standards in the Township of Red Rock;

AND WHEREAS the Council of the Municipality may amend such By-law in accordance with the provisions of Section 15.1(3) of the Building Code Act, S.O. 1992, c.23;

AND WHEREAS the Council of the Township of Red Rock passed By-law 2002-69 on April 23, 2002 being a By-law to amend by-law 2000-86;

AND WHEREAS the Council of the Township of Red Rock has deemed it necessary to further amend By-law 2000-86;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF RED ROCK ENACTS AS FOLLOWS:

This By-law shall take effect on the date of passage and come into force in accordance with Section 15.1(3) of the Building Code Act, S.O. 1992, c.23.

### **BY-LAW DEFINITIONS**

- 1.1 "Accessory Building" means a detached building or structure, not used for human habitation that is commonly incidental, subordinate, and exclusively devoted to the primary use of the same property.
- 1.2 "Approved," means acceptance by the Property Standards Officer.
- 1.3 "Basement means that space of a building that is partly below grade, which has half or more of its height, measured from floor to ceiling, above the average exterior finished grade.
- 1.4 "Building" means a structure consisting of a wall, roof, or floor, or any one or more of these which is used or intended to be used for the shelter, accommodation, or enclosure of persons, animals, goods, or materials, but shall not include a lawful boundary wall or fence. For the purposes of this By-law:
  - i. deck or a dock shall be included within the meaning of the term "building"; and
  - ii. the word "structure" shall mean the same as building.
- 1.5 "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.
- 1.6 "Commercial Vehicle" means any motor vehicle that requires a commercial license according to the Highway Traffic Act
- 1.7 "Committee" means a Property Standards Committee established in accordance with Section 15.6 of the Ontario Building Code Act, S.O. 1992.

- 1.8 "Dwelling," means a building, or part of a building, occupied, or capable of being occupied, in whole or in part, for the purpose of human habitation.
- 1.9 "Dwelling Unit" means a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons, and supporting general living conditions usually including cooking, eating, sleeping and sanitary facilities.
- 1.10 "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 it.
- 1.11 "Habitable Room" means any room in a dwelling unit used for, or capable of being used for, living, cooking, sleeping or eating purposes.
- 1.12 "Industrial Vehicle" means a motorized vehicle that does not require a license to operate and includes without limiting the generality of the foregoing, fork lifts and tractors.
- 1.13 "Inoperative Vehicle" means any vehicle having missing parts, including tires, missing or damaged glass and deteriorated or removed metal components which prevent its mechanical function, and includes motor vehicles, commercial and industrial vehicles and equipment, and major recreation equipment.
- 1.14 "Major Recreation Equipment shall mean a portable structure designed and built to be carried by a motor vehicle, or a unit designed and built to be transported on its own wheels, for purposes of providing temporary living accommodation or recreational enjoyment for travel and shall include, for example, motor homes, travel trailers, tent trailers, watercraft, watercraft trailers, snowmobiles and all-terrain vehicles, golf carts, or other like or similar equipment, excluding bicycles.
- 1.15 "Motor Vehicle" shall mean any wheeled motor vehicle self-propelled by an engine such as a car or truck that does not run on rails, which requires a license under the Highway Traffic Act to travel on a road maintained by a public authority.
- 1.16 "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 stores, and basement or part thereof which does not comply with the standards of fitness for occupancy set out in this by-law.
- 1.17 "Occupant" means any person or persons over the age of eighteen years in possession of the property.
- 1.18 "Officer" means a Property Standards Officer appointed by by-law and assigned the responsibility for enforcing and administering this by-law.
- 1.19 "Owner" means the person, for the time being, managing or receiving the rent from the property, or paying the municipal taxes on the land or premises, in connection with which the word is used, whether on his/her own account, or as agent, trustee, or any other person 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 the lease is required to repair and maintain the property in accordance with the standards of maintenance and occupancy of the property.
- 1.20 "Person" shall mean an individual, firm, corporation, association, partnership occupant or owner.
- 1.11 "Property" means a building or structure, or part of a building or structure, and includes the premises appurtenant thereto and all mobile structures, outbuildings, fences and erections thereon, whether heretofore or hereafter erected, and includes vacant land.

- 1.12 "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 established in this by-law.
- 1.13 "Residential Property" means any property that is used or designed for use as a domestic establishment, in which one or more persons usually sleep and prepare and serve meals, and includes any lands or buildings that are appurtenant to such establishment, and all stairways, walkways, driveways, parking spaces, and fences associated with the dwelling or its yard.
- 1.14 "Sewage System" means a municipal sanitary sewage system or a private sewage system including, holding tank and leaching bed.
- 1.15 "Standards" means the physical condition of the occupancy prescribed for property by this by-law.
- 1.16 "Township" means the Corporation of the Township of Red Rock.
- 1.17 "Waste or Waste Material" means any article or thing which appears to have been cast aside, discarded, or abandoned, or appears to be worthless, useless, or of no practical value, or appears to be used up in whole or in part or expended or worn out, and shall include but is not limited to:
- i. accumulations, or deposits of litter, rubbish, garbage, trash;
  - ii. refrigerators, freezers or other appliances, or parts thereof;
  - iii. furnaces, furnace parts, pipes, fittings to pipes, water or fuel tanks;
  - iv. inoperative motor vehicles;
  - v. paper, cartons, fabrics or carpets;
  - vi. furniture;
  - vii. piping, tubing, conduits, cable and fittings or other accessories, or adjuncts to the piping, tubing, conduits or cable;
  - viii. containers or pallets of any size, type or composition;
  - ix. material resulting from, or as part of, construction or demolition projects;
  - x. rubble, inert fill except loose soil, sand or gravel.
- 1.18 "Yards" shall mean that part of a lot extending from a lot line into the lot to the nearest building and measured at right angles to the lot line.

## **PART 2**

### **GENERAL STANDARDS FOR ALL PROPERTY**

- 2.1 This by-law applies to all properties lying within the boundaries of the Township of Red Rock.
- 2.2 No person shall use, permit the use of, occupy, rent, or offer for rent any property within the Township that does not conform to the standards set out in this by-law.
- 2.3 The owner of any property found to be in contravention of the standards set out in this by-law shall;
- (i) repair and maintain the property in accordance with the standards, or remove or demolish the whole or the offending part of any property that is not in compliance with the standards and replace with the same, or
  - (ii) clear the site of all buildings and structures, debris and refuse and leave the property in a graded and leveled condition.
- Where applicable, obtain a building or demolition permit forthwith before carrying out work.
- 2.4 All repairs and maintenance of the property shall be carried out with

suitable and sufficient material and in a manner accepted as good workmanship within the trades concerned and with materials that are suitable and sufficient for the purpose. All new construction or repairs shall conform to the Ontario Building Code where applicable and under necessary building permit.

2.5 No person shall remove from any premises any sign, notice or placard placed thereon pursuant to Section 15.2(3) of the Building Code Act, S.O. 1992, or pursuant to this By-law.

## 2.6 **SEWAGE AND DRAINAGE**

2.6.1 Sewage shall be discharged into a properly maintained and functioning sewage system.

2.6.2 Where a pump chamber receives sanitary sewage it shall be water and airtight, shall be vented to the outside atmosphere, the inlet and outlet piping shall be properly maintained.

2.6.3 Lots shall be graded so that water will not accumulate at or near the building and will not adversely affect adjacent properties and prevent excessive ponding or the entrance of water into a basement or cellar.

2.6.4 Storm water, which includes basement sump pump water and rainwater, shall not be drained into a sanitary sewer.

## 2.8 **GARBAGE DISPOSAL**

2.8.1 Every building, dwelling, and dwelling unit shall be provided with a sufficient number of suitable receptacles to contain all garbage, refuse and ashes that may accumulate on the property. Such receptacles shall be constructed of watertight material, provided with a tight fitting cover, and shall be maintained in a clean and odour free condition at all times.

2.8.2 All garbage, refuse, and ashes shall be promptly placed in the suitable container and made available for removal in accordance with the District Municipality of Muskoka Garbage By-law.

2.8.3 Garbage storage areas shall be screened from public view.

2.8.4 Ashes from a solid fuel burning appliance shall be stored in a non-combustible container a minimum of 1 metre from any combustible matter, and shall not be stored within a building

2.8.5 No motor vehicle or major recreation equipment shall be used for the storage of garbage, rubbish, debris, waste material or similar materials.

## 2.9 **SIGNS**

2.9.1 All signs, including their supporting members, shall be maintained in good repair and any signs which are excessively weathered or faded, or those upon which the paint has excessively peeled or cracked shall, be removed or put into a good and lawful state of repair.

## 2.10 **VERMIN CONTROL**

2.10.1 Every building shall be maintained so as to be as free as possible from rodents, insects and vermin.

## 2.11 **FOUNDATIONS**

- 2.11.1 Every basement, cellar and crawl space in a building shall be adequately drained.
- 2.11.2 Foundation walls of a building shall be maintained so as to prevent the entrance of insects, rodents and excessive moisture. Maintenance includes the shoring of the walls to prevent settling or lateral movement, installing sub soil drains when necessary at the footings, grouting masonry cracks, waterproofing walls, joints and floors.
- 2.11.3 Every building shall be supported by foundation walls or piers which extend below the frost line, or to solid rock, or shall be otherwise designed and constructed so as to provide protection from damage caused by frost.
- 2.11.4 Every building supported by foundation walls or piers, and have structural members or materials that have been damaged or indicate evidence of deterioration shall be repaired or replaced as required by the Ontario Building Code.

## **2.12 BUILDINGS AND STRUCTURES**

- 2.12.1 Every part of a building or structure shall be maintained in a sound condition so as to be capable of safely sustaining its own weight and any additional loads to which it may be subjected through normal use, having a factor 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.
- 2.12.2 Walls, roofs and other exterior parts of a building or structure shall be free from loose or improperly secured objects or materials.
- 2.12.3 Where a building or structure is demolished, the site shall be cleared of all rubbish, debris, refuse, masonry, lumber and other materials and left in a graded and level condition.

## **2.13 EXTERIOR WALLS**

- 2.13.1 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.
- 2.13.2 Paint or some other suitable preservative or coating must be applied and maintained on exterior walls and their components so as to prevent deterioration due to weather conditions, insects or other damage.
- 2.13.3 Exterior walls or a building or a structure and their components shall be free of inappropriate signs, painted slogans, graffiti and similar defacements.
- 2.13.4 Exterior walls of a building must be plumb and stable.
- 2.13.5 The visible surface of all exterior walls and roofs shall consist of materials commonly used or designed as building components.
- 2.13.6 Patching and repairs to exterior walls shall be made with the same or visually similar material and shall blend with the existing adjacent material or the whole shall be painted or clad to form a solid appearance with the surrounding surface.

## **2.14 ROOFS**

- 2.14.1 A roof including the fascia, soffits, cornice, shingles or other roofing membranes and flashing shall be maintained in a watertight condition so as to prevent the leakage of water into the building.
- 2.14.2 Overhanging and/or accumulations of ice or snow shall be promptly removed from on, or around the roofs of buildings.
- 2.14.3 Where eaves trough or roof gutters are provided, they shall be kept in good repair, free from obstructions, and properly secured to the building.

## **2.15 DOORS AND WINDOWS**

- 2.15.1 Windows, doors, skylights, and basement or cellar hatchways, shall be maintained in good repair, be weather tight and reasonably draught-free, to prevent heat loss and infiltration by the elements. Maintenance includes painting, and applying caulking where necessary, replacing damaged doors, doorframes and other components, replacing window frames, sashes, casings and non-serviceable hardware and re-glazing where necessary. Where screening is provided on windows and doors, it shall also be maintained in good repair. Windows shall be free of cracks and breaks.
- 2.15.2 In a dwelling unit, all windows that are intended to be opened, and all exterior doors, shall have suitable hardware so as to allow locking or otherwise securing from inside the dwelling unit. At least one entrance door to a dwelling unit shall have suitable hardware so as to permit locking or securing from either inside or outside the dwelling unit.
- 2.15.3 Solid core doors shall be provided for all entrances to dwellings and dwelling units.
- 2.15.4 Every habitable room except a kitchen, bathroom or toilet room, shall have a window, skylight, or translucent panel facing directly or indirectly to an outside space, and admits as much natural light equal to but not less than ten percent (10%) of the floor area for living and dining rooms and five percent (5%) of the floor area for bedrooms and other finished rooms.

## **2.16 STAIRS, STEPS AND PORCHES**

- 2.16.1 Inside and outside stairs, steps, porches, balconies, decks and landings shall be maintained so as to be free of holes, cracks, and other defects that may constitute accident hazards. Existing stair treads, steps 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.
- 2.16.2 Exterior steps, decks, walks and driveways shall be maintained so as to afford safe passage under normal use and weather conditions.
- 2.16.3 Handrails shall be installed and maintained in good repair on any exterior ramp or stairway containing more than three (3) risers, or any interior stairs containing more than two (2) risers.
- 2.16.4 Guardrails shall be installed and maintained in good repair around all landings, porches, balconies and stairs where the difference in elevation to the ground or floor below is greater than 24 inches. Guard protection and handrails shall be constructed in accordance with the Ontario Building Code, and maintained rigid in nature

## **2.17**                    **FIRE ALARMS & DETECTORS**

- 2.17.1      The owner of any building which has a fire alarm or fire detection system, including smoke detectors, or is required by the Ontario Fire Code, or Fire Protection and Prevention Act to have a fire alarm or fire detection system, shall maintain existing conforming systems in good working order or install and maintain such systems in compliance with the applicable legislation.
- 2.17.2      Smoke alarms shall be installed so that there is at least one smoke alarm on each floor level, including basement and shall be audible within the bedrooms when the intervening doors are closed, and shall be installed in accordance to the manufacturer's installation and the Ontario Building Code.
- 2.17.3      Where a fuel-burning appliance is installed in a suite of residential occupancy, or where a storage garage is located in or attached to a dwelling containing a residential occupancy, a carbon monoxide detector shall be installed adjacent to each sleeping area and on every floor level in accordance to the manufacturer's installation and the Ontario Building Code.

## **2.18**                    **WALLS AND CEILINGS**

- 2.18.1      Every wall, ceiling and floor 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.
- 2.18.2      Every floor 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.
- 2.18.3      Every floor in a bathroom, toilet room, shower room, laundry room and kitchen shall be maintained so as to be impervious to water and readily cleaned.

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

- 2.19.1      Accessory buildings, fences, retaining walls and other structures appurtenant to the property shall be maintained in a structurally sound condition and in good repair.
- 2.19.2      Accessory buildings, fences, retaining walls and other structures shall be protected from deterioration by the application of appropriate weather resistant materials, including paint or other suitable preservative, and shall be of uniform colour unless the aesthetic characteristics of said structure are enhanced by the lack of such material.

## **2.20**                    **YARDS OR VACANT PROPERTY**

- 2.20.1      Yards and vacant property shall be kept clean, cleared up and free of:
- i.      all garbage, waste material, refuse or other debris and shall include, without limiting the generality of the foregoing, household articles, appliances and materials;
  - ii.     machinery or parts thereof or other objects, material or conditions, not associated with the normal occupancy or operation of the permitted use;
  - iii.    building or other construction materials, other than that intended for immediate use on the property

- 2.20.2 Residential yards shall be kept clear of dead, decayed or damaged standing trees and all objects or conditions that might create a health, fire or accident hazard.
- 2.20.3 No motor vehicle, other than a currently licensed motor vehicle capable of being driven, shall be parked other than in a building on any property in the Township of Red Rock unless the parking of the unlicensed or inoperative motor vehicle is incidental to a permitted use under the Township of Red Rock Zoning By-Law for that zone.
- 2.20.4 No motor vehicle or major recreational equipment shall be used for the storage of garbage, rubbish, debris or any other waste material.
- 2.20.5 Used tires shall not be stored outside except for four per licensed vehicle registered to the property owner or occupant.
- 2.20.6 The parking or storage of major recreational equipment shall not be permitted in any yard on property zoned Residential or Rural under the Zoning By-law other than an interior side yard or a rear yard or in a garage, carport or other building and such storage shall not be permitted closer than 1.5 meters of an interior side lot line or rear lot line. No more than three major recreational equipment shall be permitted.
- 2.20.7 No storage or parking of major recreational equipment shall be permitted on any vacant lot except not more than three such equipment shall be located on the rear half of a vacant lot where the lot is owned by the owner of the adjacent lot. The equipment shall be stored for personal use only and shall not be stored for a fee.
- 2.20.8 No machinery, commercial or industrial vehicle, trailer, major recreational equipment or part thereof which is in an unusable, wrecked, discarded, dismantled, partially dismantled or abandoned condition, shall be stored or allowed to remain on any property. This subsection does not apply to prohibit storage that is incidental to a permitted salvage yard or motor vehicle wrecking yard in accordance with the Township of Red Rock Zoning By-Law, as applicable
- 2.20.9 All grassed and landscaped areas abutting buildings or structures, or on vacant lots in developed residential areas, shall be maintained in a reasonable condition in keeping with the character of the neighboring environment.

### **PART3**

#### **OCCUPANCY STANDARDS**

- 3.1 Every owner, tenant, or occupant, or lessee of a residential property, shall maintain the property or part thereof, and the land which they occupy or control, in a clean, sanitary and safe condition, and shall dispose of garbage and debris on a regular basis, in accordance with Municipal By-laws.
- 3.2 Every owner, tenant, or occupant, or lessee of a residential property shall maintain every floor, wall, ceiling and fixture under their control, including hallways, entrances, laundry rooms, utility rooms and other common areas, in a clean, sanitary and safe condition.
- 3.3 Accumulation or storage of garbage, refuse, appliances, or furniture in a public corridor or stairways shall not be permitted.



### **3.4 PLUMBING**

- 3.4.1 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. Water back flow prevention is required at each exterior hose bib.
- 3.4.2 All plumbing fixtures shall be connected to the building drain through water seal traps.
- 3.4.3 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 interstices that may harbour germs or impede thorough cleansing.
- 3.4.4 Every dwelling unit shall contain at least one bathroom and one kitchen sink. All appropriate plumbing fixtures shall be provided with an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 42 degrees Celsius (110F).
- 3.4.5 Every dwelling unit shall be provided with an adequate supply of potable running water approved by the Medical Officer of Health

### **3.5 TOILET, KITCHEN AND BATHROOM FACILITIES**

- 3.5.1 Every self-contained dwelling unit shall be provided with only one kitchen, at least one water closet room, an approved means of sewage disposal and a supply of potable water.
- 3.5.2 Every dwelling unit shall contain a bathroom consisting of at least one fully operational water closet, wash basin, and a bathtub or suitable shower unit. Every wash basin and bathtub or shower shall have a supply of hot and cold running water. Every water closet shall have a suitable supply of running water.
- 3.5.3 Except in the case of a single detached dwelling, every required bathroom or water closet room shall be accessible from within the dwelling unit and shall be fully enclosed and provided with a door capable of being locked so as to allow privacy for the persons using said room.
- 3.5.4 Where toilet or bathroom facilities are shared by occupants of residential accommodation, other than self-contained dwelling units, an appropriate entrance shall be provided from a common passageway, hallway, corridor or other common space to the room or rooms containing the said facilities.
- 3.5.5 Every dwelling shall contain a kitchen area equipped with:
- i. a sink that is served with hot and cold running water and is surrounded by surfaces impervious to grease and water;
  - ii. a suitable storage area of not less than 0.23 cubic metres (8 cubic feet);
  - iii. a counter or work area at least 0.61 metres (2 feet) in width by 1.22 metres (4 feet) in length, exclusive of the sink, and covered with a material that is impervious to moisture and grease and is easily cleanable; and
  - iv. a space provided for cooking and refrigeration appliances including the suitable electrical or gas connections.

- v. at least 30 "clearance above stove elements or 24" when a range hood is installed in accordance with the Ontario Building Code.

### **3.6 ELECTRICAL SERVICE**

- 3.6.1 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 in the Canadian Electrical Code
- 3.6.2 Every habitable room in a dwelling shall have at least one electrical duplex outlet for each 11.1 square metres (120 square feet) of floor space, and for each additional 9.3 square metres (100 square feet) of floor area, an additional duplex outlet shall be provided. Extension cords shall not be used on a permanent basis.
- 3.6.3 Every bathroom, toilet room, kitchen, laundry room, furnace room, basement, cellar and work or storage room, shall be provided with a permanent light fixture in good working condition.
- 3.6.4 Lighting fixtures and appliances installed throughout a dwelling unit, including stairways, corridors, passageways, garages and basements, shall provide sufficient illumination so as to avoid health or accident hazards in normal use.

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

- 3.7.1 Every dwelling and building containing a residential dwelling unit shall be provided with suitable heating facilities, capable of maintaining an indoor ambient temperature of 21 degrees Celsius (70 degrees F). The heating system shall be maintained in good working condition so as to be capable of safely heating the individual dwelling units to the required standard.
- 3.7.2 All fuel burning appliances, equipment and accessories in a dwelling shall be installed and maintained to the standards provided by the Energy Act, as amended, or other applicable legislation.
- 3.7.3 Where a heating system or part thereof requires solid or liquid fuel to operate, a place, or receptacle for such fuel, shall be provided and maintained in a safe condition and in a convenient location so as to be free from fire or accident hazard.
- 3.7.4 All fuel burning appliances, equipment and accessories in a dwelling shall be properly vented to the outside air by means of a smoke-pipe, vent pipe, chimney flue or other approved method.
- 3.7.5 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 and prevent any fire hazard.

### **3.8 EGRESS**

- 3.8.1 Every dwelling and each dwelling unit contained therein shall have a safe, continuous and unobstructed passage from the interior of the dwelling and the dwelling unit, to the outside at street or grade level.
- 3.8.2 Door swing area must be kept clear of obstruction such as snow, ice and/or debris.

### **3.9 VOICE COMMUNICATION**

- 3.9.1 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 entranced area, the said system shall be maintained in good working order at all times.

### **3.10 VENTILATION**

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

### **3.11 ELEVATING DEVICES**

- 3.11.1 Elevators and other elevating devices, including all mechanical and electrical equipment, lighting fixtures, lamps, control buttons, floor indicators, ventilation fans, and emergency communication system, shall be operational and maintained in good condition.

### **3.12 DISCONNECTED UTILITIES**

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

### **3.13 HABITABLE ROOM**

- 3.13.1 The number of occupants residing on a permanent basis in an individual dwelling unit shall not exceed one person for every nine (9) square meters (96 square feet) of habitable floor area. For the purpose of computing habitable floor area, any area with the minimum ceiling height less than 2.1 meters (6 feet 11 inches) shall not be considered as habitable.
- 3.13.2 No room shall be used for sleeping purposes unless it has a minimum width of two (2) meters (6 feet 7 inches) and a floor area of at least seven (7) square meters (75 square feet). A room used for sleeping purposes by two or more persons shall have a floor area of at least four (4) square meters (43 square feet) per person.
- 3.13.3 Any basement, or portion thereof, used as a dwelling unit shall conform to the following requirements:
- i. each habitable room shall comply with all the requirements set out in this by- law;
  - ii. floors and walls shall be constructed so as to be damp proof and impervious to water leakage;
  - iii. each habitable room shall be separated from the fuel fired

heating unit or other similarly hazardous equipment, by a suitable fire separation and approved under the Ontario Building Code;

- iv. access to each habitable room shall be gained without passage through a furnace room, boiler room or storage room.

## **PART 4**

### **NON-RESIDENTIAL PROPERTY STANDARDS**

#### **4.1 SIGNS**

- 4.1.1 All canopies, marquees, signs, awnings, stairways, stand pipes, exhaust ducts, and similar overhang extensions shall be;
  - i. maintained in good repair,
  - ii. properly anchored, and
  - iii. protected from the elements and against decay and rust by the periodic application of a weather coating material such as paint or other protective treatment.

#### **4.2 AIR CONDITIONERS**

- 4.2.1 All air conditioners, which are installed and operated directly over a public sidewalk, shall be equipped with proper devices for the prevention of condensation drainage upon the sidewalk.
- 4.2.1 All air conditioners shall be maintained in a safe mechanical and electrical condition.

#### **4.3 STORAGE**

- 4.3.1 Establishments that are licensed through the Ontario Motor Vehicle Industry Council to sell new or used motor vehicles may have unlicensed vehicles stored in the yard, provided they are for sale according with the Motor Vehicle Dealers Act and are not in a wrecked, discarded, dismantled, inoperative or abandoned condition.
- 4.3.2 The storage of unlicensed motor vehicles shall be allowed on properties where such storage form an integral part of a use permitted by the Zoning By-law. In such cases, the unlicensed motor vehicles must be stored according to the same by-law and must not be in wrecked, discarded, dismantled, inoperative or abandoned condition.
- 4.3.3 The storage of wrecked, dismantled or inoperative motor vehicles is only permitted on properties that the Zoning By-law has zoned as a motor vehicle wrecking yard or salvage yard.
- 4.3.4 Used tires shall not be stored outside except for four per licensed motor vehicle registered to the property owner or tenant.
- 4.3.5 The warehousing or storage of material or operative equipment that is required for the continuing operation of the permitted use of the property shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard or an unsightly condition and shall provide unobstructed access for emergency vehicles. Where conditions are such that a neat and orderly fashion is achieved but is still offensive to view, the offensive area shall be suitably enclosed by a solid wall or a

painted board or metal fence not less than 1.8 meters in height and maintained in good repair.

- 4.3.6 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, dust and litter and shall include provisions for drainage facilities.

#### **4.4 FENCES**

- 4.4.1 Fences, barriers or retaining walls around or on non-residential property shall be kept in good repair, free from accident hazards, protected by paint preservative or other weather resistant material and so as not to present an unsightly appearance.

- 4.4.2 Unsightly chalk marks and similar markings or defacements on the exterior surfaces of fences shall be removed and the fences refinished when necessary.

### **PART 5**

#### **ADMINISTRATION**

##### **5.1 PROPERTY STANDARDS OFFICER**

- 5.1.1 Persons designated from time to time by the Red Rock Township Council to be a Property Standards Officer shall administer this by-law.

##### **5.2 PROPERTY STANDARDS COMMITTEE**

- 5.2.1 A property standards committee is hereby established consisting of not fewer than three (3) ratepayers of the Township appointed by Council. This Committee will hear appeals to this by-law.

- 5.2.2 Members of the Committee are eligible for re-appointment and shall hold office for a four (4) year term or until such time as their successor is appointed. When a member ceases to be a member during his or her term, the Council shall appoint another person for the unexpired portion of his or her term.

- 5.2.3 A member of Council of the Township or an employee of the Township or local board thereof is not eligible to be a member of the Committee. A teacher employed by a board of education or school board is not deemed to be an "employee" for the purposes of this section.

- 5.2.4 The Secretary of the Committee shall be an employee of the Township other than an officer.

- 5.2.5 The Secretary shall keep on file minutes and records of all applications and the decisions thereon and all other official business of the committee.

- 5.2.6 A majority of the committee constitutes a quorum.

##### **5.3 CONFLICTS WITH OTHER BY-LAWS**

- 5.3.1 Wherever a standard established by this by-law is different from a standard in relation to the same matter established by any other by-law in force in the Township of Red Rock, the standard which provides the higher degree of protection for the health, safety and welfare of the occupants and of the general public shall prevail.

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

**5.4 MUNICIPAL LIEN**

5.5.1 If an order of an Officer under subsection 15.2(2) is not complied with resulting in assessment and repair costs paid out by the Township, the municipality shall have a priority lien on the land and the amount shall be added to the tax roll against the property and collected in the same manner as property taxes in accordance with 15.4(4) of the Building Code Act, S.O. 1992, c.23 and the Municipal Act, 2001, 2002, c. 17.

By-law 2007-952 be and the same are hereby repealed.

Read a first and second time

this 17<sup>th</sup> day of September, 2018

Read a third time and finally passed

this 17<sup>th</sup> day of September, 2018

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Mayor

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Chief Administrative Officer