

**CORPORATION OF THE
TOWNSHIP OF ZORRA**



BY-LAW NO. 26-04

**A BY-LAW TO PRESCRIBE THE STANDARDS FOR THE MAINTENANCE OF
PROPERTY WITHIN THE TOWNSHIP OF ZORRA**

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

AND WHEREAS the official plan for the County of Oxford includes provisions relating to property conditions;

AND WHEREAS the Council of the Corporation of the Township of Zorra 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 ZORRA ENACTS AS FOLLOWS:

PART 1: DEFINITIONS

In this by-law:

- 1.1 **“Accessory Building”** means a detached building or structure not used for human habitation, that is subordinate to the primary use of the same property.
- 1.2 **“Apartment Building”** means a building containing more than four (4) dwelling units with individual access from an internal corridor system.
- 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 occupying an area greater than ten (10) 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.
- 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 **“Committee”** means a property standards committee established under this by-law.
- 1.7 **“Council”** means the Council of the Corporation of the Township of Zorra.
- 1.8 **“Corporation”** means the Corporation of the Township of Zorra.
- 1.9 **“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.

- 1.10 “**Demolition**” means the dismantling, taking apart, levelling of any building or structure on any property pursuant to the order of an officer.
- 1.11 “**Dwelling**” means a building or structure or part of a building or structure, occupied or capable of being occupied, in whole or in part for the purpose of human habitation.
- 1.12 “**Dwelling Unit**” means a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one (1) or more persons and supporting general living conditions usually including cooking, eating, sleeping, and sanitary facilities.
- 1.13 “**Exit**” means that part of a means of egress, including a doorway 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.
- 1.14 “**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.
- 1.15 “**First Storey**” means the story with its floor closest to grade and having its ceiling more than 1.8 meters (5 feet, 11 inches) above grade.
- 1.16 “**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.
- 1.17 “**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.
- 1.18 “**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 (1) level to another. Such a barrier may or may not have openings through it.
- 1.19 “**Habitable Room**” means any room in a dwelling unit used or capable of being used for living, sleeping, cooking, and eating purposes.
- 1.20 “**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.
- 1.21 “**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.7 and includes any staff official acting on their behalf.
- 1.22 “**Multiple Dwelling**” means a building or group of buildings containing two (2) or more dwelling units.
- 1.23 “**Multiple Use Building**” means a building containing both a dwelling unit and a non-residential use.
- 1.24 “**Non-Habitable Room**” means any room in a dwelling or dwelling unit other

than a habitable room and includes a bathroom, a toilet room, laundry, pantry, lobby, corridor, stairway, closet, boiler room, or other space for service and maintenance of the dwelling for public use, and for access to and vertical travel between storeys, and basement or part thereof which does not comply with the standards of fitness for occupancy set out in this by-law.

- 1.25** “**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 thereto and all of the outbuildings, fences or erections thereon or therein.
- 1.26** “**Occupant**” means any person or persons over the age of eighteen (18) years in possession of property or residing therein or thereon.
- 1.27** “**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.
- 1.28** “**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 an 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.
- 1.29** “**Person**” means an individual, firm, corporation, association or partnership.
- 1.30** “**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.
- 1.31** “**Property Standards Officer**” means an officer appointed under this by-law.
- 1.32** “**Refuse**” means waste matter of any kind including animal, commercial, industrial or domestic rubbish or garbage.
- 1.33** “**Residential Property**” means any property that is used or designed for use as a domestic establishment in which one (1) or more persons usually sleep and prepare and serve meals, and includes any lands or buildings that are appurtenant to such an establishment and all stairways, walkways, driveways, parking spaces, and fences associated with the dwelling or its yard.
- 1.34** “**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 premises, 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.
- 1.35** “**Sanitary Sewage**” means liquid or water borne waste of:
(a) industrial or commercial origin;
(b) domestic origin, including human body waste, toilet or other bathroom waste, and shower, tub, culinary, sink and laundry waste.
- 1.36** “**Sewage**” means sanitary sewage or storm sewage.
- 1.37** “**Sewage System**” means the municipal sanitary sewer system or a private sewage disposal system approved in accordance with the Ontario Building

Code.

- 1.38** “**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.
- 1.39** “**Standard**” means the standards of physical condition and occupancy prescribed for property by this by-law.
- 1.40** “**Storey**” 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 storey.
- 1.41** “**Storm Sewage**” means water that is discharged from a surface as a result of rainfall, snow melt or snowfall.
- 1.42** “**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.
- 1.43** “**Toilet Room**” means any room containing a water closet and a washbasin.
- 1.44** “**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.
- 1.45** “**Yard**” means the land, other than publicly owned land, within the boundary lines of the lot and not occupied by the principal building.

PART 2: ADMINISTRATION AND ENFORCEMENT

2.1 APPLICATION OF BY-LAW

- 2.1.1 This by-law shall apply to those urban areas identified on the following key maps in the Township’s Zoning By-law No. 35-99:

<u>Location</u>	<u>Key Map #</u>
Beachville	74 & 75
Embro	42, 43, 44, 45, 46, 47 & 48
Harrington	14 & 15
Ingersoll Fringe	84, 85, 86 & 87
Kintore	38
Lakeside	23 & 24
Medina	20
Thamesford	60, 61, 62, 63, 64, 65 & 67
Uniondale	3

2.2 SHORT TITLE

- 2.2.1 This by-law may be referred to as the “Property Standards By-law”.

2.3 SCOPE OF BY-LAW

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

2.4 STANDARDS

2.4.1 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.

2.5 GENERAL DUTIES AND OBLIGATIONS

2.5.1 No person shall use or occupy, or permit the use or occupancy of, any property that does not conform to the standards prescribed by this by-law.

2.5.2 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.

2.5.3 Notwithstanding subsection 2.5.2, 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 levelled condition.

2.5.4 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.

2.6 PROPERTY STANDARDS COMMITTEE

2.6.1 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.

2.6.2 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, the members shall appoint another member as acting chairperson for that meeting.

2.6.3 Any/all members of the committee are empowered to administer oaths related to the conduct of the committee's business and mandate.

2.6.4 The committee shall be provided with a secretary for the committee by the Corporation, 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.

2.6.5 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 a hearing to such persons as the committee considers should receive such notice.

2.7 PROPERTY STANDARDS OFFICER

2.7.1 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.

2.7.2 For purposes of this by-law, any person duly appointed and employed by the Corporation as an official, a building inspector, a plumbing inspector, a fire prevention officer, or a by-law 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.

2.8 COMPLIANCE

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

2.9 APPEAL

2.9.1 Every person who initiates an appeal of an order made under section 15.2(2) of the *Ontario Building Code Act*, S.O. 1992, c.23, shall submit a notice of appeal in the time frame and the manner as prescribed in section 15.3(1) of the Act.

2.10 PENALTY

2.10.1 An owner who fails to comply with an order that is final and binding under this by-law is guilty of an offence under section 36(1) of the *Building Code Act*, S.O. 1992, c.23, and is liable to a penalty or penalties as set out in section 36 of that Act.

2.11 CERTIFICATE OF COMPLIANCE

2.11.1 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.

2.11.2 Where the owner requests a certificate of compliance for any systems approved for use by the authority having jurisdiction, fees for such a certificate shall be the sole responsibility of the owner i.e. electrical systems.

2.12 VALIDITY

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

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

2.13 SCHEDULES

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

2.14 REPEAL

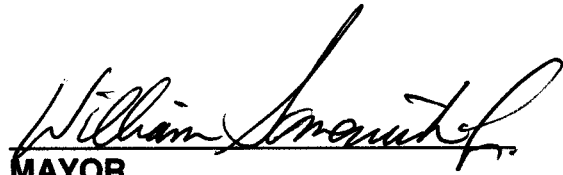
2.14.1 By-law 25-01 is hereby repealed.

2.15 FORCE AND EFFECT

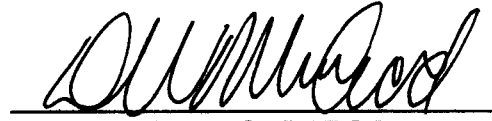
2.15.1 This by-law shall come into force and take effect on the date of its passing and enactment.

READ A FIRST AND SECOND TIME THIS 7TH DAY OF SEPTEMBER, 2004.

READ A THIRD TIME AND FINALLY PASSED TIME THIS 7TH DAY OF SEPTEMBER, 2004.



**MAYOR
WILLIAM SEMENIUK, JR.**



**CLERK ADMINISTRATOR
DONALD W. MACLEOD**

SCHEDULE "A"
To By-law #26-04

STANDARDS FOR ALL PROPERTIES

1.1 GENERAL

1.1.1 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. All new construction or repairs shall conform to the Ontario Building Code, Ontario Fire Code and the *Fire Prevention and Protection Act* where applicable.

1.2 MAINTENANCE OF YARDS AND VACANT PROPERTIES

- 1.2.1 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;
 - (f) injurious insects, termites, rodents, vermin or other pests.
- 1.2.2 All yards and every vacant property in developed residential zones shall be free from long grass, brush, undergrowth and noxious weeds as defined by the *Weed Control Act*. Grass shall be cut and maintained to a height consistent with groomed properties in the vicinity to avoid an unsightly or nuisance condition.
- 1.2.3 Yards shall be graded, cultivated or protected with a suitable ground cover so as:
- (a) to prevent excessive or recurring ponding of storm water;
 - (b) to prevent instability or erosion of soil;
 - (c) to prevent surface water run-off from entering a basement;
 - (d) not to create an unsightly appearance or an unsafe condition;
 - (e) not to create a nuisance to other property.
- 1.2.4 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, free from potholes or uneven sections.
- 1.2.5 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.
- 1.2.6 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.

1.3 SEWAGE DISCHARGE AND DRAINAGE

- 1.3.1 (a) Sewage shall be discharged into the municipal or approved private sewage system inspected and approved by the Ontario Building Code or the Ministry of the Environment.
- (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.
- 1.3.2 (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 or cellar.
- (b) Roof drainage or surface water shall not be channelled or allowed to discharge onto sidewalks, stairs or neighbouring property so as to cause an adverse effect.

1.4 FENCES AND RETAINING WALLS

- 1.4.1 All fences, retaining walls and other barriers shall be:
- (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.
- 1.4.2 Hedges shall not be permitted to grow untrimmed.

15 ABANDONED WELLS, CISTERNS AND OTHER FIXTURES OR EXCAVATIONS

- 1.5.1 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 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 as required above.

1.6 OUTDOOR SWIMMING POOLS

- 1.6.1 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, in accordance with Township By-law 45-79, as amended.
- 1.6.2 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.

1.7 SIGNS

- 1.7.1 Every sign on property and any structure supporting the same shall be installed and maintained:
- (a) in a safe and structurally sound condition;
- (b) in good repair and without any visible deterioration.
- 1.7.2 A sign that is unused, not cared for or discarded shall, with its supporting members, be removed.

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- 1.7.3 No sign posted or installed by a property standards officer shall be removed from the property to which it is affixed.

1.8 PEST PREVENTION

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

1.9 DOMESTIC STORAGE

- 1.9.1 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.

1.10 REFUSE STORAGE AND DISPOSAL

- 1.10.1 Garbage, rubbish, compost material, ashes, trade waste or other refuse shall be promptly stored in receptacles and made available for removal.
- 1.10.2 Without limiting and in addition to the generality of subsection 3.10.1 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.
- 1.10.3 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.
- 1.10.4 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.
- 1.10.5 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.
- 1.10.6 The occupant of a residential property may provide for a compost heap in accordance with health regulations, provided that the compost pile is no larger than 1 metre x 1 metre and is enclosed on

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all sides by concrete block, or lumber, or in a forty-five (45) gallon container, a metal frame building with a concrete floor, or a commercial plastic enclosed container designed for composting.

1.11 ACCESSORY BUILDINGS

- 1.11.1 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.
- 1.11.2 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.

1.12 STRUCTURAL SOUNDNESS

- 1.12.1 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.
- 1.12.2 The foundations, walls, columns and beams of a building shall be maintained in good repair and in a safe and structurally sound condition.
- 1.12.3 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.
- 1.12.4 Examination and testing of any building or structure or parts thereof required by subsection 3.12.3 shall be conducted in a manner acceptable to the officer and at the owner's expense.

1.13 DAMAGE AND PREVENTION

- 1.13.1 A building or structure damaged by fire, storm or by other causes shall be demolished or repaired within a reasonable time.
- 1.13.2 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.
- 1.13.3 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.
- 1.13.4 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.
- 1.13.5 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 openings with at least 12.7 millimetres (0.5 inch)

weather proof sheet plywood securely fastened to the building and painted a colour compatible with the surrounding structure.

1.14 FOUNDATIONS

1.14.1 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.

1.15 EXTERIOR WALLS

1.15.1 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, weather tight, 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.

1.15.2 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.

1.15.3 Metal eaves troughs, 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.

1.16 OVERHANGING EXTENSIONS, STAIRS, BALCONIES AND OTHER PLATFORMS

1.16.1 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:

- (a) in good repair free from holes, cracks, worn risers and other defects;
- (b) free from rubbish and debris;
- (c) properly and safely anchored;
- (d) protected against deterioration and decay;
- (e) free from ponding water.

1.16.2 A handrail shall be installed and maintained in good repair in all stairwells.

1.16.3 Guardrails shall be installed and maintained in good repair around all landings, porches and balconies.

1.16.4 Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

1.16.5 Guardrails, balustrades and handrails shall be constructed and maintained in accordance with the Ontario Building Code.

1.17 DOORS AND WINDOWS

1.17.1 All exterior openings for doors and windows shall be fitted with doors or windows.

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- 1.17.2 Windows 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.
- 1.17.3 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 broken glass and translucent substitutes, damaged screens and missing or defective doors and window hardware shall be repaired or replaced.
- 1.17.4 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.
- 1.17.5 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.

1.18 ROOFS

- 1.18.1 All roofs of all buildings and structures shall be maintained:
- (a) in a water tight condition so as to prevent leakage or admission of water;
 - (b) free from loose or unsecured parts, objects or materials;
 - (c) free from dangerous accumulations of snow or ice or both;
 - (d) free from all other accident, fire or health hazards;
 - (e) so that roof decks and related guards are in a good state of repair.

1.19 RECREATIONAL FACILITIES

- 1.19.1 Recreational areas, 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.

1.20 VACANT BUILDINGS

- 1.20.1 The owner of any vacant or unoccupied building shall provide protection for such a 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.
- 1.20.2 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 or equivalent weather-resistant material. Boarding material shall consist of 12.7 millimetres (0.5 inch) weatherproof sheet plywood securely fastened to the structure and painted a colour compatible with surrounding structures.
- 1.20.3 Where a building remains vacant or unoccupied for a period of more than ninety (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.

1.21 DUTIES OF OCCUPANT

- 1.21.1 Every occupant 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.
- 1.21.2 Every occupant 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.
- 1.21.3 Accumulations or storage of garbage, refuse, appliances, or furniture in a means of egress shall not be permitted.

1.22 EGRESS

- 1.22.1 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.
- 1.22.2 Each dwelling containing more than one (1) dwelling unit shall have at least two (2) exits, both of which may be common or the one (1) of which may be common and the other may be an exterior stair or fire escape. Access to the stairs or fire escape shall be from corridors through doors at floor level, except access from a dwelling unit may be through a vertically mounted casement window having an unobstructed opening of not less than 1,067 millimetres x 559 millimetres (42 inches x 22 inches) with a sill height of not more than 914 millimetres (36 inches), above the inside floor. A single exit is permitted from a dwelling unit where the path of egress is through an exterior door located at or near ground level and access to such an exit is not through a room not under the immediate control of the occupants of the dwelling unit.

1.23 STORAGE GARAGES

- 1.23.1 All storage garages shall have the ability to be adequately lit at all times.
- 1.23.2 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.
- 1.23.3 All means of egress within a storage garage shall be clean, clear, unobstructed and maintained in good repair.

1.24 ELEVATORS AND ELEVATING DEVICES

- 1.24.1 Elevators and other elevating devices including all mechanical and electrical equipment, lighting fixtures, lamps, control buttons, floor indicators, ventilation fans, and emergency communication systems shall be operational and maintained in good condition except for such a reasonable period of time as may be required for the purpose of repairing and maintaining such devices.

1.25 LIGHTING

- 1.25.1 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

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repair.

- 1.25.2 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.

1.26 DISCONNECTED UTILITIES

- 1.26.1 Owners of residential buildings or any person or persons acting on behalf of such an 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.