

The Corporation of the Municipality of Meaford

By-law Number 2019-70

Being a by-law to prescribe standards for the maintenance and occupancy of property within the Municipality of Meaford

Whereas, Section 5 (3) of the Municipal Act, S.O. 2001, c.25 provides that municipal power shall be exercised by by-law; and

Whereas, Section 9 of said Act provides municipalities with broad authority to legislate on matters related to the spheres of jurisdiction outlined in section 11; and

Whereas, Section 15.1 (3) of the Building Code Act, S.O. 1992, c.23 permits the Council of a municipality to pass a by-law to prescribe standards for the maintenance and occupancy of property within the municipality, and requiring property that does not conform with the standards to be repaired and maintained, or the site cleared of all buildings and structures; and

Whereas, Council of the Municipality of Meaford deems it expedient and necessary to enact a by-law to prescribe standards for the maintenance and occupancy of property within the Municipality of Meaford.

The Council of the Corporation of the Municipality of Meaford enacts as follows:

Part I – General

1.0 Definitions - General

- 1.1 The definitions contained within the Building Code shall apply in the interpretation of this by-law except where they are inconsistent with the definitions contained in this by-law, in which case the definition in this by-law shall apply.
- 1.2 Definitions of words and phrases used in this by-law that are not included in the list of definitions in Section 2.0 of this by-law shall have the meaning that are commonly assigned to them in the context in which they are used, taking into account the specialized terms by the various trades and professions to which the terminology applies.

2.0 Definitions - Specific

- 2.1 "Accessory Building" shall mean any subordinate building or structure which is separate from or attached to the main building on the same lot and subordinate to a principle use of a building or structure, is not used for human habitation, is located on the same lot and may, without limiting the generality of the foregoing, include a private garage, private greenhouses, patios, carports, boat houses, solar collectors, garbage bin enclosures, raised play structures and gazebos.
- 2.2 "Accessory Use" means a use which is naturally and normally incidental to, subordinate to or exclusively devoted to the principal use on the same property.
- 2.3 "Appliances" includes but not limited to a fridge, stove, dishwasher, clothing washer or dryer.
- 2.4 "Bathroom" shall mean a room containing a bath tub or shower with or without a water closet and lavatory.
- 2.5 "Boat" means any personal watercraft or similar vessel that is designed and intended to permit the operator the ability to travel upon the surface of water.
- 2.6 "Building" means any structure, whether temporary or permanent, used or built for shelter, accommodation or enclosure of animals, materials or equipment.
- 2.7 "Building Code" means the regulations made under Section 34 of the Building Code Act, 1992, S.O. 1992, c. 23, as amended.
- 2.8 "Building Code Act" means the Building Code Act, 1992, S.O. 1992, c. 23, as amended.
- 2.9 "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.
- 2.10 "Chief Building Official" means the Chief Building Official of the Municipality of Meaford or authorized representative.
- 2.11 "Chief Fire Official" means the assistant to the Fire Marshal who is the Municipal Fire Chief or a member or members of the fire department appointed by the Municipal Fire Chief under Article

1.1.1.2. of Division C or a person appointed by the Fire Marshal under Article 1.1.1.1. of Division C.

- 2.12 "Compost" means a collection of humus material such as kitchen and table waste, grass clippings, plant trimmings, weeds or other leaves;
- 2.13 "Council" means the elected Council of the Municipality of Meaford.
- 2.14 "Derelict Vehicle" means a vehicle, trailer, motorized snow vehicle, off-road vehicle, boat or any other recreational vehicle that:
- a) Is inoperative by reason of removed wheels, motor, transmission or other parts or equipment necessary for its operation;
 - b) is not in roadworthy condition;
 - c) is in a wrecked, dismantled, discarded, inoperative or abandoned condition;
 - d) is in a state of disrepair or unsightly by reason of missing doors, glass or body parts, or
 - e) has broken or missing parts of such sufficiency so as to render it incapable of being licensed to operate, where such licensing is necessary.
- 2.15 "Dwelling" means a building or structure, or any part of it, occupied or capable of being occupied, in part, for the purpose of human habitation and includes a dwelling unit and a building that would be used for this purpose except for its state of disrepair.
- 2.16 "Dwelling Unit" means two or more rooms used, designed or intended for the domestic use of one or more individuals living as a single housekeeping unit, with living, sleeping, cooking and sanitary facilities, having a private entrance from outside the building or from a common hallway or stairway inside or outside the building.
- 2.17 "Fence" means a barrier erected or grown dividing two or more lot lines, which marks or substantially marks the boundary of a

property, and includes any hedge or grouping of shrubs used for the same purpose.

- 2.18 "Firewood" means any lumber, timber, logs, poles, cut up trees or felled trees, any salvaged wood products included but not limited to wood skids, wood boxes and used wood products that are not required for a building, accessory building or structure currently under construction on the property or for which there is a current or regular use.
- 2.19 "Garbage" means any animal or vegetable waste resulting from the handling, storage, sale, preparation, cooking and consumption or serving of foods.
- 2.20 "Grade" means the average level of proposed or finished ground adjoining a building at all exterior walls or, if no building exists, the average level of finished ground of adjacent property.
- 2.21 "Graffiti" means one or more letters, symbols, etchings, figures, inscriptions, stains howsoever made or otherwise affixed to a property or other markings that disfigure or deface a property but does not include a sign permitted in accordance with By-law No. 2018-62 or its successors.
- 2.22 "Ground Cover" means organic or non-organic material applied in a manner to prevent the erosion of soil, including but not limited to, concrete, flagstone, asphalt, interlocking stone, grass or other forms of landscaping.
- 2.23 "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 and if spaces exist, they are to abide by the Ontario Building Code as to their standards.
- 2.24 "Habitable Room" means any room used or intended to be used for living, sleeping, cooking or eating purposes and without limiting the foregoing shall include den, library, sewing room, sunroom or recreational room or any combination thereof.
- 2.25 "Handrail" means the railing along the edge of stairs or along the edge of a slope, on either the interior or exterior of a building.

- 2.26 "Hazard" means any condition that poses or constitutes an undue or unreasonable hazard or risk to life, limb or health of any person.
- 2.27 "Heritage Attribute" means, in relation to real property, and to the buildings on the real property, an attribute of the property, building or structure that contributes to its cultural heritage value or interest, which may include elements, features or building components including roofs, walls, floors, retaining walls, foundations and independent interior structures and structural systems that hold up, support or protect the heritage values and attributes and without which the heritage values and attributes may be at risk. The attributes may be as defined or described:
- a) In a by-law designating a property passed under section 29, Part IV, of the Ontario Heritage Act and identified as a heritage attribute, reason for designation or otherwise;
 - b) In a Minister's order made under section 34.5, Part IV, of the Ontario Heritage Act and identified as a heritage attribute or otherwise;
 - c) In a by-law designating a heritage conservation district passed under section 41, Part V, of the Ontario Heritage Act and identified as a heritage attribute or otherwise; or
 - d) In the supporting documentation required for a by-law designating a heritage conservation district, including but not limited to a heritage conservation district plan, assessment or inventory, and identified as heritage attributes or otherwise.
- 2.28 "Injurious Insect" means any insect that has or that is likely to have an adverse effect on the health of any person or any insect that is capable of causing structural damage to a building or structure, including termites and carpenter ants.
- 2.29 "Maintain" shall mean the preservation and keeping in good repair. Maintenance and maintained shall have the same meaning.
- 2.30 "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.

- 2.31 "Medical Officer of Health" shall mean the Medical Officer of Health for the Grey Bruce Health Unit or any successor organization.
- 2.32 "Multiple Dwelling" means a building containing three (3) or more dwelling units.
- 2.33 "Municipality" means the Corporation of the Municipality of Meaford.
- 2.34 "Natural Garden" shall mean a defined area of vegetation that has been deliberately planted or cultivated with species of wildflowers, shrubs, perennials, ornamental grasses or combinations of them, consistent with a managed and natural landscape.
- 2.35 "Naturalized Property" means property that is owned by the Municipality of Meaford, County of Grey, the Provincial or Federal Government or Grey Sauble Conservation Authority that is left in a naturalized condition for the purposes of recreation or to protect the surrounding environment or any woodland as defined in the Municipality's Tree Protection By-law.
- 2.36 "Non-habitable Room" means any room or floor area in a dwelling, dwelling unit or building other than a habitable room, and includes a bathroom, washroom, laundry, pantry, lobby, communicating corridor, stairway, closet, crawl space, furnace room or other space for service and maintenance of the dwelling for public use, and for access to, and vertical travel between storeys.
- 2.37 "Non-residential Property" means a building or structure not occupied or capable of being occupied in whole or in part for residential purposes or occupancy and includes the lands and premises appurtenant thereto.
- 2.38 "Nuisance" means the use of land or building that creates, or is likely to create, destructive, offensive or unhealthy gas or fumes,

dust, odour, noise, vibrations; or the unsightly storage of goods, wares, salvage or machinery parts, junk, waste or other material in such a manner that such may become hazardous or injurious with respect to the health and safety; or otherwise prejudices the character of the surrounding area or interferes with the normal enjoyment or any use of activity in respect of land or building.

- 2.39 "Occupant" means any person or persons over the age of eighteen (18) years in possession of the property.
- 2.40 "Officer" means a Municipal Law Enforcement Officer as appointed by the Council of the Corporation of the Municipality of Meaford, or an OPP Officer, or a Provincial Offences Officer or other duly appointed individual.
- 2.41 "Owner" includes, the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person's own account or as agent or trustee of any other person, or who would receive the rent if the land and premises were let; and the lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for maintenance and occupancy of property.
- 2.42 "Part IV Heritage Property" shall mean real property, including all buildings and structures thereon, that has been designated by the Municipality under section 29 or by the Minister under section 34.5 of the Ontario Heritage Act.
- 2.43 "Part V Heritage Property" means real property, including all buildings and structures thereon, located within a heritage conservation district that has been designated by the Municipality under section 41 of the Ontario Heritage Act.
- 2.44 "Person" means any individual, unincorporated association or organization, firm, partnership, private club, corporation, agent or trustees and the heirs, executors, administrators, or other legal representatives or a person to whom, the context can apply according to the by-law. When "Person" refers to an "Owner" or "Occupant" the term includes the heirs, executors and administrators of such person.
- 2.45 "Powder Room" means a room, which includes a minimum of one

(1) water closet and one (1) wash basin, which are connected to the plumbing system.

- 2.46 "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 theretofore or hereafter erected, and includes vacant lands, Part IV Heritage Properties, Part V Heritage Properties, non-residential and residential properties.
- 2.47 "Property Standards Committee" or "Committee" shall mean the Property Standards Committee established pursuant to Section 15.6 of the Building Code Act.
- 2.48 "Property Standards Officer" shall mean a Property Standards Officer appointed by by-law.
- 2.49 "Receptacle" means but not limited to a solid metal or plastic container for receiving garbage or refuse.
- 2.50 "Refuse", "Rubbish" or "Debris" includes garbage of any kind including, but not limited to, rubbish, inoperative vehicles and mechanical equipment, automotive and mechanical parts, appliances, furnaces, heater or fuel tanks, furniture, table waste, paper, cartons, crockery, glassware, cans, garden refuse, earth or rock fill, material from construction or demolition projects and old clothing.
- 2.51 "Repair" includes the provision of facilities, the making of additions or alterations or the taking of other action that may be required to ensure that a property conforms with the standards established in this by-law.
- 2.52 "Residential Property" means any property that is designated for use, is used or is capable of being used as a dwelling or group of dwellings and includes any land or buildings that are appurtenant to such establishments including but not limited to all steps, walks, driveways, parking spaces and yards.
- 2.53 "Retaining Wall" means a structure which supports and confines a mass of earth or water where there is a change in grade at ground elevation and greater than 1 metre (3'3") in height.

- 2.54 "Salvage" means saving and utilization of waste paper, scrap metal, vehicles, appliances or other materials.
- 2.55 "Safe Condition" means a condition that does not pose or constitute an undue or unreasonable hazard or risk to life, limb or health of any person on or about the property, and includes a structurally sound condition.
- 2.56 "Sewage" means any liquid waste containing human, vegetable or mineral matter in suspension or solution but does not include roof water or other storm runoff.
- 2.57 "Sewage System" means the Municipality of Meaford system of storm sewers, sanitary sewers and combine sewers, or private sewage disposal systems.
- 2.58 "Shipping Container" means a metal box-like structure used, or designed to be used, for the transport of good materials by road, sea or air.
- 2.59 "Sign" means any visual medium, including its structure and other component parts, which is used or capable of being used to attract attention to a specific subject matter, other than itself, for identification, information, or advertising purposes offered on the property which it is location. A window display shall not be deemed to be a sign for the purposes of this By-law.
- 2.60 "Snow Disposal Site" means only those lands on which snow is placed after being brought to the lot from another lot, and shall not include areas to which snow is moved to one portion of a lot after being cleared from the rest of the lot.
- 2.61 "Snow Storage Site" means that portion of lands being used for the storage of snow that has been moved to one portion of a lot after being cleared from another portion or portions of a lot.
- 2.62 "Standards" shall mean standards of physical condition of property and lands which includes dwellings and dwelling units and their use and of occupancy prescribed for property and lands which includes dwellings and dwelling units in this by-law and their use.
- 2.63 "Structure" includes but is not limited to play structures, sheds, and gazebos.

- 2.64 "Suite" means a single room or series of rooms of complementary use operated under a single tenancy.
- 2.65 "Swimming Pool" means a privately owned outdoor pool of water for swimming, paddling, bathing, wading, or reflecting which is capable of retaining a water depth equal to or greater than 760 mm (30") at any point, but shall not include:
- a) facilities for the purposes of farming or as part of a golf course;
 - b) natural bodies of water or privately owned landscape ponds;
 - c) a pool owned by any public or governmental body, agency or authority, or is under the jurisdiction of the Ontario Building Code; or
 - d) a privately owned stormwater management facility.
- 2.66 "Unsafe Condition" means any condition that poses or constitutes an undue or unreasonable hazard or risk to life, limb or health of any person on or about the property.
- 2.67 "Vacant Building" means a building or accessory building that is or appears to be vacant, partially vacant, or unoccupied, or that, by reason of its tarnished or dilapidated condition, is open the elements and in a state that there is little to no control over unauthorized entry. This does not include:
- a) A dwelling unit occupied by the owner on a seasonal basis but otherwise vacant through the year.
 - b) A building or accessory building on property used for farming purposes, except a dwelling unit.
- 2.68 "Vacant Property" means a property that does not have a building or accessory building.
- 2.69 "Vehicle" includes a motor vehicle, trailer, boat, motorized snow vehicle, mechanical equipment and any vehicle drawn, propelled or driven by any kind of power, including muscular power.
- 2.70 "Vermin" means a mammal, bird or insect injurious to humans, game or crops including but not limited to foxes, rats, mice,

moles, owls, weasels, ants, cockroaches, silverfish, fleas, bugs, bedbugs or lice.

- 2.71 "Washroom" means a room containing one or more water closets or one or more lavatories and may include other sanitary fixtures.
- 2.72 "Waste" includes any debris, rubbish, refuse, sewage, effluent, garbage, brush, ashes, litter, wrappings, salvage, vehicle parts, discarded material or things, broken or dismantled things, or materials or things exposed to the elements, deteriorating or decaying on a property due to exposure to the weather.
- 2.73 "Yard" means the land, other than publicly owned land, around and appurtenant to the whole or any part of a property and building and used, intended or capable of being used in connection with the building and may include vacant land.

3.0 Interpretation

- 3.1 Statutory references are to statutes of Ontario and the regulations made thereunder and shall be deemed to refer to such statutes and regulations as amended, consolidated, re-enacted and in force from time to time.
- 3.2 A word interpreted in the singular number has a corresponding meaning when used in the plural.
- 3.3 The words "include", "includes" or "including" are not to be read or interpreted as limiting the words, phrases or descriptions that follow them.
- 3.4 Dimensions specified in metric units shall be the official dimensions.
- 3.5 The word "metre" shall be represented by the abbreviation "m", the word "centimetre" shall be represented by the abbreviation "cm", and the word "millimetre" shall be represented by the abbreviation "mm", the word "feet" shall be represented by the abbreviation "ft".

4.0 Applicability

- 4.1 Every owner of property situated within the Municipality of Meaford, including those areas within the Niagara Escarpment

Development Control area, shall maintain such property to the applicable, prescribed and adopted minimum standards for all property within the Municipality.

- 4.2 The Property Standards set forth in Part 2 of this by-law are hereby prescribed as the general minimum standards for the maintenance and occupancy of property. Part 3 applies to all properties in the Municipality of Meaford, regardless of property type or use.
- 4.3 In addition to the maintenance standards prescribed in Part 2 and 3 of this by-law, the standards set forth in Part 4 of this by-law are hereby prescribed as the maintenance and occupancy standards to be applied specifically in addition to all residential properties in the Municipality of Meaford
- 4.4 In addition to the maintenance standards prescribed in Parts 2, 3, and 4 of this by-law, the standards set forth in Part 5 of this by-law are hereby prescribed as the maintenance and occupancy standards to be applied specifically to all Part IV and Part V heritage properties in the Municipality of Meaford.
- 4.5 No person shall occupy a property if there is a condition which poses or constitutes an unsafe condition.
- 4.6 Where references are made in this by-law to the Building Code and requirements or provisions therein, the regulation established in this by-law shall require conformance to the standard as set out in the Building Code for new construction as of the date of any action taken by the Municipality to enforce or administer this by-law, despite the age or installation date of the item being regulated.
- 4.7 A property within the Municipality that does not conform with the standards contained in this By-law shall be:
 - a) Repaired and maintained to conform with such standards;
or
 - b) Cleared of all buildings, accessory buildings, structures or waste and left in a graded and levelled condition.
- 4.8 Any provincial or federal regulation that imposes a higher maintenance standard shall supersede this by-law.

- 4.9 The by-law does not apply so as to prevent a farm, meeting the definition of “agricultural operation” under the Farming and Food Production Protection Act, 1998, S.O. 1998, c.1, from carrying out a normal farm practice.

Part II – General Standards For All Properties

5.0 Maintenance of Yards and Vacant Lots

- 5.1 All yards and vacant land shall be maintained in a neat and tidy condition so as not to present a hazard to any person or property.
- 5.2 Without limiting the generality of subsection 5.1, every yard and vacant land shall be kept clean and free from:
- a) Noxious weeds as defined in the regulations to the Weed Control Act or any other weed as may be defined in a by-law of the Municipality;
 - b) Long grass, brush, undergrowth or weeds in excess of 20cm (8”) in height on all lands, in relation to their environment, except as defined in section 5.2 (c);
 - c) Long grass, brush, undergrowth or weeds in excess of 25 cm (10”) in height on all vacant lands, in relation to their environment;
 - d) Waste or salvage;
 - e) Stagnant water;
 - f) Animal excrement, except in connection with a lawful agricultural use on a property;
 - g) Firewood, except if stored in neat orderly piles;
 - h) Wrecked, dismantled, derelict, discarded, inoperative or abandoned machinery, vehicles trailers or boats;
 - i) Injurious insects, termites, rodents, vermin and other pests;
 - j) Dilapidated, collapsed, unsafe or unsecured buildings or accessory structures and any unprotected well or other

unsafe condition or unsightly condition out of character with the surrounding environment;

- k) Shipping containers, unless such containers are permitted by the Municipality's Zoning By-law Law;
- l) Disused trailers, rail cars, streetcars, truck and car bodies;
- m) Refrigerators, ice boxes, freezers or other containers that are located on the outside of any building or structure; and
- n) Objects or conditions that may create a health or accident hazard.

5.3 Subsection 5.2 (b) and (c) of this by-law does not apply to:

- a) Natural gardens;
- b) Naturalized property;
- c) Municipality owned property;
- d) Property currently being used for agricultural purposes or lawns that are in character within the surrounding environment and does not detract from the landscaping and the general maintenance of the neighborhood of which they are a part of; and
- e) Land more than 100 metres in any direction from any land that is developed.

5.4 Subsection 5.2 (h) of this by-law does not apply to the owner of a property when any wrecked, discarded, dismantled, partially dismantled or abandoned machinery, motor, vehicles, recreational vehicles, trailers, mobile home or other chattels or parts thereof are on a property where they are required and used for a lawful business purpose in accordance with the Municipality's Zoning By-laws and any other applicable legislation.

5.5 A tree or other plant, or limb or branch of it, that is dead, diseased, decayed or damaged shall be removed from the property or otherwise pruned to remove the dead, diseased, dying or dangerous portions of the tree or plant so as to prevent a hazard or damage to any property.

- 5.6 All hedges, shrubs, trees or other plants located in a yard or vacant land shall be planted and maintained in a manner that, at the discretion of the Municipality, does not:
- a) Adversely affect the safety of the public;
 - b) Adversely affect the safety of vehicular or pedestrian traffic;
 - c) Constitute an obstruction of view for vehicular or pedestrian traffic; or
 - d) Wholly or partially conceal or interfere with the use of any hydrant or water valves.
- 5.7 A yard shall be protected by ground cover, which prevents the erosion of the soil.
- 5.8 No machinery or parts thereof, or other object, or material, not associated with the normal occupancy and use of a property, including among other things, appliances, fixtures, paper, cartons, boxes, or building materials such as lumber, masonry material or glass, other than that intended for immediate use on the property, shall be stored or allowed to remain in any yard or vacant land.
- 5.9 Despite the requirements of subsection 5.8, temporary storage of materials or refuse resulting solely from the construction, demolition or alteration of a building or part thereof may be placed on the property, provided that:
- a) It is removed frequently and in its entirety from the property;
 - b) It will not cause risk to the health or safety of any persons;
 - c) Has been approved by the Municipality; and
 - d) It is not stored in an unsightly manner and stored in a neat orderly pile.
- 5.10 Nothing in subsection 5.9 shall be deemed to prevent the lawful storage and keeping of material in or on any non-residential property if a lawful use requiring that material is conducted on

the property, and the materials are stored in a neat and orderly fashion.

5.11 Any furniture that is used outdoors on any property shall be:

- a) Kept in a clean, neat and tidy and in a secure condition; and
- b) Maintained in good repair.

5.12 Where landscaping, parking areas, walkways, steps, hedges, trees, fences, curbs, or similar changes to a property have been required by the Municipality as a condition of development or redevelopment, such works shall be repaired and maintained so as to ensure continuous compliance with the Municipality's requirements.

5.13 Every owner of property on which a clothing drop box or other similar container is used or located shall ensure that the clothing drop box is clean, secure from entry, in good repair and is free of graffiti, and shall ensure that all areas immediately adjacent to the clothing drop box are clean and free of litter, refuse and other debris.

6.0 Wells, pits, excavations, etc.

6.1 Any well, cistern, cesspool, privy vault, pit or excavation shall be filled in and the property left in a graded and levelled condition, unless it is in active use in which event it shall be secured by fencing and warning signs until the use has ceased, where upon they shall be filled and graded as required.

6.2 Every yard and vacant land that has been altered shall be graded in a manner satisfactory to the Property Standards Officer to prevent the mounding of earth, dirt, rubble or ponding of water.

7.0 Buffering

7.1 Commercial or industrial zoned properties that because of its use, occupancy or other reasons, creates a nuisance to other properties in the neighbourhood shall be buffered from these properties so as to minimize the effect of the nuisance by the provision and maintenance of:

- a) A barrier or deflectors to prevent lighting and vehicle headlights from shining directly into a dwelling;
- b) A barrier to prevent wind-blown waste, wrappings, debris and similar things from littering or settling on adjacent properties;
- c) A visual screen or fence, of uniform construction and appropriate to the nature of the adjacent use, to minimize the visual impact of nuisances to persons at grade on adjacent properties or a public highway; and
- d) The provision and maintenance of a barrier of sufficient size and strength to prevent the dumping of debris or refuse in yards or vacant property.

8.0 Swimming Pools, Hot Tubs, Ponds

- 8.1 All outdoor swimming pools, hot tubs, wading pools and artificial ponds, including all accessories and appurtenances thereto shall be:
 - a) Maintained in good repair, free from leaks and safe from health and safety hazards; and
 - b) Drained and removed or filled in and the property left in a graded and levelled condition if they are abandoned, derelict or otherwise unused for the purpose for which it was originally designed.
- 8.2 Every owner of a property that contains an outdoor swimming pool shall install and maintain all fences, gates and hardware as may be required by the provisions of the Municipality of Meaford Swimming Pool By-law and any successor thereof or any other applicable government regulation or by-law.
- 8.3 Subsection 8.1 does not apply to swimming pools regulated under the Public Pools Regulation 565, R.R.O. 1990, made under the Health Protection and Promotion Act, R.S.O. 1990, Chap. H.7.

9.0 Sewage and Drainage

- 9.1 Sanitary sewage or organic waste shall be discharged into the municipal sanitary sewer where such a system is available, and

where a municipal sanitary sewer is not available, the sewage shall be disposed of in a manner that meets the standards as set out in the Building Code for private on-site sewage systems.

- 9.2 Untreated or inadequately treated sanitary sewage shall not be discharged on to the surface of the ground whether into a natural or artificial drainage system or otherwise.
- 9.3 Every owner of a property shall ensure that the grading and drainage on the property:
- a) Prevents excessive or recurrent ponding of water;
 - b) Prevents water or moisture from penetrating or damaging a building or structure;
 - c) Prevents instability or erosion of soil;
 - d) Provides for a safe passage under normal use and weather conditions, day or night;
 - e) Shall not be altered so as to either impede the natural flow of water thorough such adjoining property, nor as to cause the drainage of storm water onto any adjacent property, unless such alteration is in accordance with a grading plan approved by the Municipality or the Grey Sauble Conservation Authority or applicable authority; and
 - f) Does not interfere with the proper functioning of a swale, ditch, culvert, catch basin or other drainage system.
- 9.4 Every owner of a property shall ensure that the drainage from roofs, rainwater pipes, sump pumps, water softeners, air conditioners, water-cooled equipment, swimming pools, pool pumps, hot tubs, wading pools and ornamental ponds shall not drain onto an entranceway, a walkway, a stair or staircase, a public sidewalk or neighbouring property. All drainage from the lands shall not drain as to prevent recurrent ponding, poses as an unsafe condition or entrance of water into a basement.
- 9.5 Where eavestrough, roof gutters and downspouts are installed, they shall be kept in good repair, free from leaks, and securely fastened to the building.
- 9.6 Catch basins shall be kept in good repair and free of debris and

obstructions, which would prevent them from functioning properly.

- 9.7 Where downspouts are provided, extensions shall be provided to carry rainwater away from the building in a manner that will prevent soil erosion.

10.0 Plumbing

- 10.1 All plumbing systems, drain pipes, water pipes and plumbing fixtures and every connecting line to the sewage system shall be maintained in good working order and free from leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

- 10.2 All plumbing fixtures shall be connected to the sewage system through water sealed traps and adequate vents.

11.0 Water Supply

- 11.1 Every building and every individual dwelling unit intended to be occupied by persons shall be provided with a safe and adequate supply of potable running water from the municipal water supply system or from a private source.

- 11.2 Water is not required to be potable if it supplies a toilet, washing machine or other appliances not used for human consumption.

12.0 Bathroom & Washroom Facilities

- 12.1 All bathrooms and powder rooms shall be fully enclosed and with a door capable of being locked so as to provide privacy for the user.

- 12.2 A wash basin shall be located in the same room as the water closet and, where this is not possible, a wash basin shall be located in a room conveniently adjacent to the room containing the water closet.

- 12.3 A kitchen sink shall not be considered a hand wash basin for the purpose of section 12.2.

- 12.4 Materials, items or components in a bathroom or powder room including but not limited to the vanity, vanity top, vanity drawers, vanity doors and all hardware shall be maintained in

good repair or replaced.

12.5 Where a barrier-free or universal washroom have been required or provided, all features shall be maintained including signage, grab-bars, special fixtures and door hardware as outlined in the Ontario Building Code.

13.0 Parking Areas, Walkways & Driveways

13.1 Every owner of a property that is used for vehicular traffic or parking, including driveways, loading areas and bays, shall:

- a) Maintain the grade and drains in the parking area to prevent excessive ponding of water;
- b) Provide and maintain light fixtures to the parking area that provides a level of lighting necessary to maintain safety and security commensurate with the use of the property;
- c) Provide curb stops or other restraining devices where necessary, to prevent vehicles from damaging fences, lamp standards, or other structures on the parking area or neighbouring property;
- d) Surface the area for vehicular traffic or parking with an appropriate material for the use, such as gravel, asphalt, concrete or crushed stone;
- e) All areas used for vehicular traffic and parking in all residential, commercial and employment zones as set out in a By-law passed pursuant to Section 34 of the Planning Act shall have a surface covering of asphalt, concrete, or compacted stone gravel or other dust free surface and shall be kept in good repair free of dirt, litter and obstructions; and
- f) Maintain the surface in a state of good repair, free of pot holes, large cracks, ruts or other hazards.

13.2 Every owner of a property shall maintain all surfaced paths, exterior steps, walkways, loading docks, ramps, parking spaces, driveways and similar areas of a property in good repair, and:

- a) Free from any hazards, obstructions or conditions that prevent the passage of pedestrians;

- b) Maintained in a condition so as to afford safe passage by pedestrians and motor vehicles under normal use and inclement weather conditions day or night; and
- c) Adequately illuminated at night so as to afford safe use.

13.3 Where buildings and property have been designated, designed, constructed or altered for barrier-free access, every barrier-free path of travel and all barrier-free features and equipment shall be installed in accordance with the Building Code, and shall be maintained in good repair and shall function as designed.

14.0 Accessory Buildings and Other Structures

14.1 An accessory building or other structure appurtenant to a property shall be:

- a) Constructed and maintained with suitable and uniform materials with proper workmanship; and
- b) Kept in good repair and free from hazards.

14.2 Fences, screens, retaining walls and other enclosure appurtenant to a property shall be:

- a) In good repair;
- b) Free from hazards;
- c) Protected by paint, preservative or other weather-resistant material, except for wooden fences made of cedar, redwood or treated wood;
- d) If the wood is of natural state and not protected by paint, preservatives or other weather-resistant materials it is excluded by 14.2 (c);
- e) So as not to present an unsightly appearance;
- f) Stable and in good repair;
- g) Vertical, unless specifically designed to be other than vertical, as in the case of retaining walls; and
- h) Free of barbed wire, unless it is used and designed for

agricultural, industrial and commercial purposes and used for the protection of property.

- i) Notwithstanding section 14.2 (h), barbed wire shall only be permitted in residential zones on property owned by a public authority, at an elevation greater than 2.43 m (8ft).

14.3 Every retaining wall or part thereof appurtenant to a property shall be structurally sound and maintained in that condition so that it has sufficient capacity to resist safely and effectively all loads and the effects of loads and influences that may reasonably be expected, having regard to its expected use and service life.

14.4 Unsightly markings, stains or other defacements, including graffiti, on the exterior surfaces of fences, retaining walls or other enclosures, buildings or accessory structures shall be removed and the surface shall be refinished when necessary and similar to the same surrounding.

15.0 Signs

15.1 Signs and any fastening or supporting components appurtenant to a property shall be maintained in good repair and any sign, which is excessively weathered or faded, or those upon which the paint has excessively peeled or cracked shall, with their supporting components, be removed or put into a good state of repair.

15.2 Signs and any fastening or supporting components appurtenant to a property that are not used for the purpose intended, not cared for or discarded shall be removed from the property.

16.0 Garbage Disposal

16.1 Every dwelling and every dwelling unit within the dwelling shall be provided with sufficient and suitable receptacles to contain all garbage and refuse that may accumulate on the property and be made available for removal on regularly designated collection days in accordance with any applicable by-laws.

16.2 Every residence building floor, having a common access corridor to individual apartments shall be maintained and the central storage and disposal facility shall be maintained and to be in a

clean and sanitary condition.

- 16.3 Every outdoor receptacle shall be located in the rear yard, when space can accommodate it, or otherwise in a side yard but shall not be located in a front yard or placed within 3 metres (10ft) vertically or horizontally of any opening in a habitable room of the building or of any neighbouring building.
- 16.4 Despite subsection 16.3, an outdoor receptacle may be located in the front yard of a dwelling on a farm property and residential properties over 5.0 acres in size where only primary/main dwelling unit is situated on the property or where authority has been granted under a site plan or other agreement.
- 16.5 Where commercial containers or on-site containers are visible from a public street or land, or the subject site abuts residential properties, the area where the containers are stored shall be enclosed on all sides by a wall or solid fence not less than 1.8 m (6 ft), such wall or fence containing an adequate door or gate to allow for the removal of garbage or refuse. This section does not apply to commercial properties that have received site plan approval through an agreement.
- 16.6 Bags containing garbage or refuse shall not be stored outdoors unless protected from damage from weather, injurious insects, termites, rodents, vermin or other birds or animals.
- 16.7 Every receptacle shall be an acceptable bag or other container that is:
- a) Constructed of a watertight material;
 - b) Constructed to prevent the entry of rodents, vermin or other birds or animals;
 - c) Provided with a tight fitting cover, which shall be kept closed at all times except when garbage or refuse is being placed therein;
 - d) Maintained in a clean, odor free and sanitary condition at all times; and
 - e) Emptied regularly or removed in accordance with the waste collection schedule established by the Municipality in

accordance with any applicable by-laws and not allowed to accumulate.

17.0 Compost

- 17.1 Compost on a property shall be maintained in a composter or an open compost pile that is not larger than 2.0 square metres (2.5 square feet) in area of 1.0 metre (39 inches) in height and placed 1 metre (39 inches) from property line.
- 17.2 Every composter or compost pile shall be maintained to deter animals and kept free of pests whether it be with sufficient receptacles or the construction of a composter or compost pile or providing the regular maintenance of the composter or compost pile.

18.0 Pest Prevention

- 18.1 Every building shall be kept free of rodents, vermin and insects. Methods used for exterminating shall be in accordance with the provisions of the Pesticides Act, R.S.O. 1990, Chap. P.11, as amended, and all regulations enacted pursuant thereto.
- 18.2 Every opening including natural or mechanical ventilation that may permit the entry of rodents, vermin or insects, shall be screened with wire mesh, metal grill or other durable material, which will effectively exclude rodents, vermin and or insects.

Part III – Building Standards for All Properties

19.0 Structural Soundness

- 19.1 All repairs and maintenance of property required by the standards prescribed in this By-law shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for that purpose.
- 19.2 Every part of a building shall be maintained in a structurally sound condition. Materials which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- 19.3 Every part of a building, accessory building or structure and any component that contributes to the structural stability of a building shall be maintained in a good repair and in a structurally

sound condition so as to:

- a) Be capable of sustaining safely its own weight and any additional load to which it normally may be subject;
- b) Be capable of safely accommodating all normal structural movements without damage, decay or deterioration;
- c) Prevent the entry of moisture that would contribute to damage, fungus, mold growth, decay or deterioration; and
- d) Be capable of safely and adequately performing its function subject to all reasonable serviceability requirements.

19.4 The abating of an unsafe condition may include:

- a) The provision or repair of stairs, balustrades, railings, guards and screens so as to minimize the risk of accident;
- b) The elimination of other conditions which in themselves are a hazard to life or which risk serious injury to persons normally in or about the subject building, accessory building, room suite of rooms or space; and
- c) The installation of a handrail in conjunction with every set of stairs containing three (3) or more risers and such handrail shall be adequately secured and maintained in a good state of repair.

19.5 If, in the opinion of the Property Standards Officer or Chief Building Official, there is doubt as to the structural condition of a building or structure or parts thereof, the Property Standards Officer or Chief Building Official may order that such building or structure or parts thereof be examined by a professional engineer, licensed to practice in Ontario and employed by the owner of the building or authorized agent, and that a written report, which may include drawings for any recommended remedial work designed by the engineer, and giving details of the findings of such examination to be submitted to the officer.

19.6 Where remedial work is recommended by the professional engineer, all such remedial work shall be undertaken by the owner, at the owner's sole expense, in consultation with the professional engineer.

20.0 Foundations

- 20.1 The foundation walls and basement, cellar or crawlspace floors shall be maintained in good repair and be structurally sound.
- 20.2 Every basement, cellar, and crawlspace on a property shall be maintained in watertight conditions so as to prevent the leakage of water into the building.
- 20.3 Foundation walls of a building shall be maintained so as to prevent the entrance of insects, rodents and excessive moisture. Maintenance includes but not limited to, the shoring of walls to prevent settling, installing of foundation drains, tuckpointing, parging and dampproofing or waterproofing the walls and floors.
- 20.4 Every building, unless of concrete slab-on-grade design, shall rest upon full foundation walls or piers, and all footings, foundation walls, and piers shall be of concrete, masonry, wood, steel or other material acceptable for construction under the standards set out in the Building Code and shall be sound, reasonably plumb, level and adequate to carry the loads imposed on them.

21.0 Exterior Walls

- 21.1 The exterior walls of buildings and their components including soffits and fascia such as but not limited to cracked, broken or loose masonry units, stucco and other defective cladding, or trim shall be maintained so as to prevent their deterioration due to weather or vermin, and shall be so maintained by:
 - a) Painting, restoring or repairing of the components and walls, coping or flashing; and
 - b) The waterproofing of joints and of the walls themselves.
- 21.2 The visible surface of all exterior building walls shall consist of materials commonly used or designed as building components for exterior building walls.
- 21.3 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.

- 21.4 Appropriate measures shall be taken to remove any unsightly markings, stains or other defacement, including graffiti, occurring on an exposed exterior surface of a building and, where necessary, to restore the surface as nearly as possible to its original condition.
- 21.5 All exterior surfaces shall be of materials which by themselves or when treated provide adequate protection from the weather.
- 21.6 All canopies, marquees, awnings, stand pipes, exhaust ducts and other similar overhead extensions which may be affixed or adjacent to an exterior wall shall be:
- a) Maintained in good repair;
 - b) Properly anchored to the building and constructed to meet the standards for such extensions as set out in Building Code; and
 - c) Protected from the elements and against decay and rust by the periodic application of a weather resistance coating such as paint or other protective treatment.

22.0 Windows & Doors

- 22.1 Exterior doors, windows, skylights, doors, or hatchways including storm and screen doors and storm windows shall be maintained in good repair and weather tight and shall be free from:
- a) Rotten or defective components;
 - b) Defective hardware;
 - c) Torn or damaged screens, where screening is provided on windows and doors;
 - d) Defective weatherstripping or caulking;
 - e) Defective storm or screen doors;
 - f) Defective frames, casings and sashes; and
 - g) Missing or broken glass.
- 22.2 All exterior openings for doors or windows shall be fitted with

doors or windows that are capable of being opened and closed easily, unless, in the case of windows, the windows were manufactured to be fixed.

22.3 Every building shall have a safe, continuous and unobstructed passage from the interior of the building to the outside at street or grade level.

22.4 All windows intended to be opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise secured from inside the building.

23.0 Roofs

23.1 A roof and its components and attachments including the fascia board, soffit, cornice and flashing shall be maintained in a watertight condition so as to prevent leakage of water into the building.

23.2 All roofs shall be maintained and free from:

- a) Loose or unsecured objects or materials;
- b) Excessive or dangerous accumulations of snow, ice or both;
- c) Conditions causing or contributing to leaks and/or being detrimental to the appearance of the buildings; and
- d) All other safety, fire and health hazards.

23.3 All structural components of a roof shall provide adequate support for all design loads and form a suitable base for the roof covering, and where the roof is subjected to a load for which it may be inadequate, the roof shall be cleared of the load to prevent collapse or structural damage.

23.4 All chimneys, smoke or vent stacks, aerials, satellite dishes, lightning arrestors and other similar structures and their supporting members shall be maintained in a safe condition and in good repair.

24.0 Walls, Ceilings & Floors

24.1 Every wall and ceiling finish on the interior of a building shall be:

- a) Free from large holes or cracks to provide a continuous surface;
- b) Free from loose plaster or other material which is in such condition that it may fall or cause the building or structure to collapse; and
- c) Maintained so as to be easily cleaned.

24.2 When walls or ceilings are repaired, they shall be surfaced with a finish compatible with the surrounding finishes.

24.3 Every floor inside of a building shall be:

- a) Level; and
- b) Maintained in good repair so as to be free of all loose, warped, protruding, broken or decayed flooring, or other hazardous conditions that may cause an accident or allow dirt or mould to accumulate.

24.4 Where floors have been covered with a floor covering that has become worn or torn so that it retains dirt or may cause an accident, the floor covering shall be repaired or replaced.

24.5 Any repair or replacement required by subsection 24.4 shall be such that the material used shall have a finish similar to that of the original covering.

24.6 Bathtubs and showers shall be so maintained as to be water resistant and readily cleaned and shall be caulked so as to form a continual seal impervious to water penetration.

24.7 Finished flooring in bathrooms, kitchens, public entrance halls, and laundry areas shall consist of resilient flooring, felted-synthetic-fibre floor coverings, concrete, terrazzo, ceramic tile, mastic or other types of flooring providing similar degrees of water resistance.

25.0 Dampness

25.1 The interior floors, ceilings and walls shall be kept free from dampness arising from the entrance of moisture through an exterior wall or roof, or through a cellar, basement or crawl space floor.

26.0 Stairs, Balconies, Porches & Other Platforms

26.1 Every owner of a property shall maintain any balcony, porch, unenclosed balcony/porch, deck, stairs, platform and every exterior and common area or fire escape in good repair, and:

- a) In a clean and sanitary condition and clear of refuse and debris in accordance with section 5.2 (d) which includes appliances;
- b) Properly and safely anchored and secured;
- c) In the case of any wooden or metal components, protected by a coat of paint or equivalent preservative;
- d) Free from any loose or chipping paint or stain;
- e) Free from loose or unsecured objects;
- f) Free from any missing or damaged boards;
- g) Free from any hazard.

27.0 Guards & Handrails

27.1 The open side(s) of a stair, balcony, deck, porch or landing shall be protected by a guard in accordance with the Building Code and the replacement and installation shall comply with the Building Code.

27.2 The installation of a new and replacement of a handrail, guardrail, and balustrade shall be installed and maintained in good repair on all stairs in accordance with the Building Code and the replacement and installation shall comply with the Building Code.

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

27.4 A handrail, guardrail, and balustrade shall be installed and maintained in good repair on all stairs in accordance with the Building Code and the replacement and installation shall comply with the Building Code.

28.0 Heating, Ventilation & Air Conditioning Systems

- 28.1 Any building except for dwelling units or habitable rooms, shall be provided with a heating system capable of continuously maintaining an indoor air temperature of not less than 20°C (68°F) during normal working hours unless designated for a specific use to be a different temperature.
- 28.2 For the purpose of subsection 28.1, heat shall be provided and maintained so that the room temperature at 1.5 m (59") above the floor and 1 m (39") from the exterior walls in all rooms and spaces as described and in any area intended for use by occupants including bathrooms but excluding unheated spaces such as enclosed vestibules, storage rooms and garages, is the minimum specified temperature.
- 28.3 Any heating, ventilation and or air conditioning system and all associated mechanical equipment, chimney, flue, piping, ducting and other accessory equipment to such systems shall be installed, operated and maintained:
- a) In good working order;
 - b) To prevent the ingress of smoke or gases into the building;
 - c) Free from any conditions that would cause any associated devices from generating noise levels beyond that of the acceptable standard in place when the unit was installed;
 - d) Every air conditioner which is installed and operated over a walkway shall be equipped with proper devices for the prevention of condensation drainage onto the walkway;
 - e) In a safe mechanical and / or electrical condition free from hazards; and
 - f) To meet the standards as set out in the Building Code and any other applicable standard or regulation.
- 28.4 A heating appliance shall not be located in corridors, hallways or other means of egress.
- 28.5 The heating system and temperature required need not be provided for space not normally heated.

- 28.6 Except in the event of an emergency, no owner or occupant of an occupied building shall use a space heater as the primary source of heat.
- 28.7 No space heater shall be placed so as to cause a fire hazard to walls, curtains and furniture, or to impede the free movement of persons within the room where the heater is located.
- 28.8 All heating and cooking apparatus or equipment involving combustion shall be properly connected, by rigid and permanently sealed connections:
- a) To a chimney or flue which provides sufficient outlet for the escape of noxious gases; and
 - b) To the fuel supply line.
- 28.9 Any fuel burning heating equipment used in any building shall be properly vented to outside air by means of a Canadian Standards Association (CSA) approved or Building Code compliant smoke pipe, vent pipe or chimney and maintained to the standards required by all applicable legislation.
- 28.10 Where a heating system or part thereof, or any auxiliary heating system, burns solid or liquid fuel, a place or receptacle for the storage of the fuel shall be provided and maintained in a convenient location and properly constructed so as to be free from fire, health and safety hazards.
- 28.11 Air conditioners shall be equipped with adequate devices for the prevention of condensation drainage on to entrance areas, sidewalks, pathways or public spaces.
- 28.12 The discharge of cooling water from all water-cooled equipment shall be made to a proper drainage system and shall be connected in accordance with all applicable regulations or standards.

29.0 Ventilation

- 29.1 Where a system of mechanical ventilation is provided, all components including but not limited to ducting, intake and exhaust shall be installed to meet the standards as set out in the Building Code with good engineering practices.

30.0 Lighting

30.1 The interior and exterior lighting that is visible on the exterior of any building shall be placed and maintained, or have a barrier or shade placed and maintained so as to prevent or block direct illumination of the interior of a dwelling on adjacent property regardless of whether such dwelling has or may have interior window coverings except for:

- a) Lighting used by a municipal, provincial, or federal government; and
- b) Lighting located on any property owned by a municipal, provincial or federal government.

30.2 Every owner of a property shall maintain all exterior lighting and supports in good repair and shall ensure all exterior lighting and supports are:

- a) Properly and safely anchored and secured;
- b) In proper working order;
- c) Free from loose or unsecured objects;
- d) Free from any hazard; and
- e) Providing adequate light in accordance with the Building Code, to ensure safe pedestrian and vehicle passage.

31.0 Garbage Disposal

31.1 Every owner or occupant of a property shall have a sufficient number of suitable garbage receptacles or garbage bags to contain all garbage, rubbish and waste that may accumulate on the property between the regularly designated collection days.

31.2 Receptacles stored outside of a building, including within a carport, on a covered porch or on an exterior balcony shall be:

- a) Watertight;
- b) Manufactured and maintained to prevent the entry of insects, rodents and the escape of odours;

- c) Closed at all times except when garbage, refuse, ashes or trade waste is being placed therein or removed therefrom; and
- d) Maintained in a clean and sanitary condition.

31.3 Where commercial, industrial or multi-residential on site commercial containers are visible from a public street or lane, or the subject site abuts residential properties, the area where the containers are stored shall be enclosed on all sides by a wall or solid fence not less than 1.8 m (6'), such wall or fence containing an adequate door or gate to allow for the removal of garbage or refuse. Containers that are designed and installed partially below grade are exempt from the requirement to be enclosed.

31.4 Every composter or compost pile shall be maintained to deter animals and requires regular maintenance of the composter.

31.5 Garbage chutes, disposal rooms, containers and receptacles shall be washed down, disinfected and maintained as is necessary to be clean, odour free and in good working order and repair.

32.0 Cleanliness

32.1 Every floor, wall, ceiling, fixture and equipment in a building shall be maintained in a clean and sanitary condition as is appropriate and deemed by the Officer to the use which is being made of the building.

32.2 Every building shall be kept free from rubbish, debris or any condition, which constitutes an accident or health hazard.

33.0 Plumbing

33.1 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.

33.2 All plumbing fixtures shall be of such material, 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 cleaning and free from blemishes, cracks, stains,

or other defects that may harbor germs or impede thorough cleansing.

34.0 Electrical

- 34.1 In every building or structure, the electrical wiring, conduit, and all other systems or devices associated with the electrical services shall be in compliance with and maintained according to the regulations made by the Electrical Safety Authority pursuant to the Electricity Act S.O. 1998, c.15, as amended.
- 34.2 In every building or structure, all fuses, breakers, or circuits relating to the electrical system shall not be used in a manner that would exceed the limits established for the related device or system by the Electrical Safety Authority.
- 34.3 If, upon an inspection, it is determined that the electrical installations in a building or structure create or pose a risk of fire because of the inadequacy or want of repair of the installations and their wiring, the Property Standards Officer may order that the electrical installations in the building or structure be inspected by a representative of the Electrical Safety Authority referred to in Part VIII of the Electricity Act, 1998 and that the costs of the inspection be paid by the owner or occupant of the building or structure.
- 34.4 The capacity of the system of circuits and electrical outlets within a building or structure shall be adequate for the intended use of all rooms, and adequate electrical outlets shall be installed to prevent the need for extension cords or other extensions being used as a permanent wiring system.

35.0 Elevating Devices

- 35.1 Every elevator and other elevating devices, including all mechanical and electrical equipment, lighting fixtures, lamps, buttons, floor indicators, ventilation fans, and emergency communication systems shall be operational, accessible and maintained in good repair at all times.

36.0 Means of Egress

- 36.1 Every building shall have a safe, continuous and unobstructed passage from the interior of the building to the exterior at the

street or grade level.

- 36.2 Every means of egress shall be maintained in good repair and free of objects, obstructions or conditions which may constitute a health, safety or fire hazard.

Part IV – Additional Residential Property Standards

37.0 General Standards

- 37.1 Every residential property shall be maintained in a clean, sanitary manner.
- 37.2 Accumulation or storage of garbage, refuse, appliances, or furniture in a means of egress shall not be permitted.

38.0 Doors, Windows & Mail Boxes

- 38.1 In every dwelling with at least one entrance door shall be capable of being locked from both the interior and exterior of the dwelling but readily openable from the interior of the dwelling without the use of keys or tools.
- 38.2 Every entrance door to a dwelling unit shall be a solid core door excluding the glazed areas.
- 38.3 Notwithstanding the requirements of subsection 38.1, any exterior doors or windows intended to be opened shall be equipped with hardware capable of being locked or otherwise secured from the interior of the building, however they shall be capable of being readily opened from the interior without the use of keys.
- 38.4 Every window in a dwelling that is located above the first storey of multiple dwelling shall be protected with a guard or equipped with a safety device that would prevent any part of the window from opening greater than would permit the passage of a 100 mm (4") diameter sphere. Such safety device shall not prevent the window from being fully opened during an emergency situation by an adult without the use of tools. This requirement does not apply to any window where the top surface of the window sill is located more than 480 mm (19 inches) above the finished floor on one side of the window, or the window is located in a room or space with the finished floor located less

than 1800 mm (5 feet and 11 inches) above the floor or ground on the other side of the window.

- 38.5 Each window requiring a safety device referred to in subsection 38.4 need only be installed at the request of a tenant of a dwelling in which children under the age of ten years are occupants.
- 38.6 In multiple dwellings where a voice communications system between each dwelling and the front lobby and a security locking and release facilities for the entrance have been provided and are controlled from each dwelling, such facilities shall be maintained in good repair.
- 38.7 Where mailboxes or mail slots are provided in multiple dwellings, they shall be:
- a) Maintained in good repair;
 - b) Secured with a locking device; and
 - c) One shall be provided for each dwelling.

39.0 Kitchens

- 39.1 Every dwelling shall contain a kitchen area equipped with a sink served with hot and cold water, storage facilities, a counter-top work area which is impervious to water and grease and is easily cleaned, and space for a stove and refrigerator.
- 39.2 Every kitchen shall have connected and operating gas or electrical supply for cooking and refrigeration purposes as approved by the appropriate authority.
- 39.3 Except as permitted by the Building Code, combustible framing, finishes and cabinets located directly above a range shall be not less than 750 mm (30") above the range burners or elements.
- 39.4 Materials, items or components in a kitchen including but not limited to the cupboards, cupboard doors, drawers, counter tops and all hardware shall be maintained in good repair or replaced.
- 39.5 Where appliances are provided, they shall be maintained in good repair and in a safe condition.

40.0 Basement Floors

40.1 Basements or cellars which are served by a stairway leading from the dwelling or from outside the dwelling shall have a concrete floor, and, when required for drainage, a floor drain shall be located at the lowest point of the said floor and connected to a sewage system.

40.2 A concrete floor in a basement or cellar shall be maintained free from cracks, breaks or other defects so as not to create an accident hazard or to permit the entry of water.

41.0 Bathroom & Washroom Facilities

41.1 Every dwelling shall contain plumbing fixtures consisting of at least:

- a) A water closet;
- b) A kitchen sink;
- c) A wash basin; and
- d) A bathtub or shower.

41.2 Every sink, wash basin, lavatory, bathtub or shower required by this by-law to be installed and maintained in a dwelling shall have an adequate supply of both hot and cold water with a flow and pressure sufficient for the intended use of the fixture.

41.3 The maximum temperature of hot water supplied to any plumbing fixture, except for installed dishwashers and clothes washers, in any dwelling shall be supplied at a temperature of not less than be 49°C (120°F).

41.4 Where a dwelling is used as a boarding house, the occupants may share a single bathroom provided that:

- a) A total of not more than five (5) persons occupy the dwelling;
- b) For each additional five (5) persons or less, there shall be an additional water closet, and bathtub or shower; and
- c) Access to the bathroom can be gained without going

through habitable rooms or outside of the dwelling.

41.5 A toilet or urinal shall not be located within a dwelling in a room used for:

- a) The preparation, cooking, storing or consumption of food;
or
- b) Sleeping purposes.

42.0 Heating & Heating Systems

42.1 Every dwelling unit shall be provided with a heating system capable of continuously maintaining an indoor air temperature of not less than:

- a) 21°C (70°F) in all habitable rooms and interior living spaces (excluding attached garages); and
- b) 15°C (59°F) in heated crawlspaces.

42.2 The indoor air temperatures specified in subsection 42.1 are to be maintained between the 15th day of September of one year and the 31st day of May the following year unless otherwise specified by the Chief Building Official.

42.3 For the purpose of subsection 42.1, heat shall be provided and maintained so that the room temperature at 1.5 m (59") above the floor and 1 m (39") from the exterior walls in all habitable rooms and in any area intended for use by occupants including bathrooms, powder rooms, laundry rooms but excluding unheated spaces such as enclosed porches, sunrooms and garages, is the minimum specified temperature.

42.4 No portable heating equipment shall be used as a primary source of heat in any room.

42.5 The heating system shall be maintained in good working condition so as to be capable of safely heating the individual dwelling units(s) to the required standard.

43.0 Fire Escapes & Alarms

43.1 In every dwelling unit in a building, a listed smoke alarm, approved by the Canadian Standards Association or Underwriters

Laboratories of Canada, or detectors of the single station alarm type, audible within bedrooms when intervening doors are closed, shall be installed by the owner and occupant between bedrooms or the sleeping area and the remainder of the dwelling unit, such as in a hallway or corridor serving such bedrooms or sleeping area.

- 43.2 Buildings using a fire escape as a secondary means of egress shall have the escape in good condition, free from obstructions and easily reached through an open able window or door.
- 43.3 Every dwelling unit shall be provided with an operable smoke alarm. Smoke alarms shall be located between each sleeping area and on every level within the dwelling unit.
- 43.4 Every floor level containing a bedroom in residential buildings within the scope of Part 9 of the Ontario Building Code, shall be provided with a window or exterior door having a minimum openable area of 0.35 square metres (3.8 square feet) and a minimum dimension of 0.8 metres (15 inches).
- 43.5 An approved carbon monoxide alarm shall be installed and maintained in proper working order in any room and in a dwelling unit which is equipped with a combustion appliance and adjacent to all sleeping areas of the dwelling unit.

44.0 Electrical Service

- 44.1 Every dwelling shall be wired for electricity and shall be connected to an approved electrical supply system and wired to receive electricity.
- 44.2 The electrical wiring and all electrical fixtures located or used in a dwelling shall be installed and maintained in good working order and in conformity with the Ontario Electrical Safety Authority.
- 44.3 Every habitable room in a dwelling shall have at least one electrical duplex receptacle for each 11 m² (118 ft²) of floor space and one additional duplex receptacle for each additional 9 m² (97 ft²) of floor area.

45.0 Garages

45.1 Every garage attached to a dwelling shall be so maintained as to prevent gas, fumes and carbon monoxide from entering the area of the dwelling.

46.0 Natural Light

46.1 Every habitable room, except a kitchen, bathroom or powder room shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space and admit as much natural light equal to not less than ten (10) percent of the floor area for living and dining rooms and five (5) percent of the floor area for bedrooms and other finished rooms.

47.0 Light

47.1 Every dwelling shall be wired for electricity and lighting equipment shall be installed throughout to provide illumination.

47.2 An electrical light fixture shall be installed in every bathroom, hallways, laundry room, furnace room, kitchen, stairwell, and basement.

48.0 Ventilation, Chimneys & Vents

48.1 In every dwelling, all habitable rooms, bathrooms and toilet rooms shall have adequate ventilation, either by natural or mechanical means to the standards set out in the Building Code.

48.2 Every basement, cellar and unheated crawlspace shall have venting provided to a size greater than or equal to 0.2% of the floor area served.

48.3 Every attic shall have venting provided to a size greater than or equal to 0.3% of the insulation ceiling area served.

48.4 Every dwelling shall be so constructed or otherwise separated to prevent the passage of smoke, fumes, and gases from the 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, as required by the Building Code.

48.5 Venting provided to comply with the requirements of subsections 48.1 and 48.2 shall be designed and maintained to prevent the

ingress of snow, rain, rodents, vermin and insects.

49.0 Disconnected Utilities

49.1 No owner or anyone acting on the owner's behalf shall disconnect or cause to be disconnected any service or utility providing light, heat, air conditioning, refrigeration, water or cooking facilities for any property occupied by a tenant or lessee, except for such reasonable period of time as may be required for the purpose of repairing, replacing or altering the service or utility, and then only during the reasonable minimum time that the action is necessary for the purpose of repairing, replacing or otherwise altering said service or utility.

50.0 Occupancy Standards

50.1 No person shall use or permit the use of a non-habitable room for use as a habitable room.

50.2 The minimum area of a room for sleeping purposes in a dwelling unit used by only one person shall have a floor area of at least 6 square metres (64.5sq.ft).

50.3 The minimum area of a room for sleeping purposes in a dwelling unit as a bedroom by two or more persons shall be 4 square metres (43 square feet) for each person.

50.4 No basement shall be used as a habitable room unless it meets the following requirements:

- a) Floor and walls are constructed so as to be impervious to leakage of underground and surface runoff water and treated against dampness;
- b) Each habitable room shall meet all requirements for light, ventilation, area and ceiling height prescribed in this By-law or the Building Code; and
- c) Access to each habitable room shall be gained without passage through a furnace or boiler room.

Part V – Heritage Properties

51.0 Minimum Maintenance Standards

51.1 In addition to the minimum standards for the maintenance and occupancy of property in the Municipality as set out in this by-law, the owner or occupant of any heritage property shall:

- a) Maintain, preserve and protect the heritage attributes so as to maintain the heritage character, visual and structural heritage integrity of the building or structure; and
- b) Maintain the property in a manner that will ensure the protection and preservation of the heritage attributes and values.

51.2 The minimum maintenance standards as set out above for heritage property shall also apply to the elements, features or building components including roofs, walls, floors, retaining walls, foundations and independent interior structures and structural systems that hold up, support or protect the heritage values and attributes and without which the heritage values and attributes may be at risk.

52.0 Repair of Heritage Attributes

52.1 Despite any other provision of this by-law, where a heritage attribute of a heritage property can be repaired, the heritage attribute shall not be replaced and shall be repaired:

- a) In a manner that minimizes damage to the heritage values and attributes;
- b) In a manner and technique that maintains the design, colour, texture, grain or other distinctive features of the heritage attribute;
- c) Using the same types of material as the original and in keeping with the design, colour, texture, grain and any other distinctive features of the original; and
- d) Where the same types of material as the original are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material.

53.0 Replacement of Heritage Attributes

53.1 Despite any other provision of this by-law, where a heritage attribute of a heritage property cannot be repaired, the heritage attribute shall be replaced:

- a) Using the same types of material as the original;
- b) Where the same types of material as the original are no longer available, using alternative materials that replicate the design, colour, texture, grain or other distinctive features and appearance of the original material; and
- c) In such a manner as to replicate the design, colour, texture, grain and other distinctive features and appearance of the heritage attribute.

54.0 Clearing and Levelling of Heritage Properties

54.1 Despite any other provision of this By-law, or the Building Code Act, 1992, no building or structure on a Part IV Heritage Property or a Part V Heritage Property may be altered or cleared, including but not limited to removed, demolished or relocated except in accordance with the Ontario Heritage Act.

55.0 Vacant and Damaged Heritage Properties

55.1 Where a building on a Part IV or a Part V Heritage Property remains vacant or unoccupied for a period of ninety (90) days or more, the owner shall ensure that appropriate utilities serving the building are connected as required to provide, maintain and monitor proper heating and ventilation to prevent damage caused to the building by fluctuating temperatures and humidity.

55.2 Where a building on a Part IV or a Part V Heritage Property is vacant or damaged by accident, storm, neglect, intentional damage, or other causes, the owner shall protect the building against the risks of accident, intentional damage, fire, storm, neglect or other causes and shall effectively prevent the entrance of the elements, unauthorized persons, or the infestation of pests by closing and securing openings to the building with at least 19 mm (3/4") weatherproofed sheet plywood boarding:

- a) That completely covers the opening and is properly fitted in a watertight manner within the side jambs, the head jamb and the exterior bottom sill of the door or window opening so the exterior trim and cladding remains uncovered and undamaged by the boarding;
- b) That is fastened securely in a manner that minimizes damage to the heritage attributes and the historic fabric and is reversible; and
- c) That minimizes visual impact and maintains the architectural feature of the building.

55.3 Subject to any applicable provisions of the Ontario Heritage Act, where the minimum standard imposed by subsection 55.2 has, more than once, failed to exclude unauthorized entry, and further where the owner's control, attendance or lack of security measures to protect the heritage property suggests that a more secure option be used, the owner shall supply such measures, including improved security of closures, as may be required by the Chief Building Official or Property Standards Officer.

55.4 Despite subsection 55.3, no window, door or other opening on a Part IV Heritage Property or a Part V Heritage Property shall be secured by brick or masonry units held in place by mortar unless required by the Municipality.

56.0 Conflict

56.1 In the event of a conflict between the provisions of this part regarding heritage property and any other part of this by-law or the Building Code, the provision that establishes the highest standard for the protection of the heritage attribute shall prevail.

Part VI – Vacant, Fire Damaged Lands & Buildings

57.0 Vacant Buildings & Lands

57.1 For the purpose of this section "Derelict" shall mean any building that is vacant and has experienced structural failure in whole or in part.

57.2 For the purpose of maintenance of vacant buildings, all provisions within this by-law which regulate interior conditions of

a building shall not apply. All provisions within this by-law which regulate exterior conditions and structural integrity shall apply with the exception of sections 22.0 and 38.0 when the building's exterior openings are boarded in accordance with this By-law.

- 57.3 Where any building is vacant or unoccupied, the owner shall protect every such building against the risk of fire, accident or other such hazard and shall effectively prevent the entrance thereto of all unauthorized persons.
- 57.4 Doors, windows, hatches and any other such opening through which entry may be gained are required to be kept in good repair and secured from unauthorized entry, or entry shall be prevented by closing and securing each opening with at least 12.7mm (1/2") weatherproof sheet plywood securely fastened to the building and painted a colour compatible to the surrounding walls.
- 57.5 Where a building remains vacant for a period of time greater than ninety (90) days, the Owner shall ensure that all utilities serving the building, which are not required for the safety and security or maintenance thereof, are properly disconnected or otherwise secured, to prevent accidental or malicious damage to the building or adjacent property.
- 57.6 If a vacant building becomes derelict as defined in this by-law, the owner or their agent shall bring the building into compliance with all structural and exterior maintenance provisions of this by-law or such building shall be demolished in accordance with the Building Code Act.

58.0 Damaged Buildings & Lands

- 58.1 Where a building is damaged by accident, storm, fire, neglect or other causes or intentional damage, the owner shall demolish or repair the building within thirty (30) days or a reasonable time arranged for and approved by the Chief Building Official.
- 58.2 Where a building is damaged by accident, storm, fire, neglect or other causes or intentional damage, 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.

- 58.3 Where a building is damaged by accident, storm, fire, neglect or other causes or intentional damage, the owner shall protect the building against further risk or further damage, accident or other danger, and shall effectively prevent entrance thereto by all unauthorized persons by closing and securing each opening to the building with at least 12.7 mm (1/2") weatherproof sheet plywood securely fastened to the building and painted a colour compatible to the surrounding walls.
- 58.4 The exterior walls and other surfaces of the building shall have smoke damage or other defacement removed and the surfaces refinished.
- 58.5 Exterior walls, roofs and other parts of a building shall be free of objects and materials, which may create a hazard. Such objects or materials shall be removed, repaired or replaced so as to create a safe condition.
- 58.6 In the event the building or structure is beyond repair, the land shall be cleared of debris and remains and shall be left in a graded, level and safe condition without unreasonable delay.

59.0 Demolition

- 59.1 Where a building, accessory building, fence or other structure is demolished, the property shall be cleared of all rubbish, waste, debris, refuse, masonry, lumber and left in a graded and leveled condition.
- 59.2 Where a building, accessory building, fence or other structure is being demolished, every precaution shall be taken to protect adjoining properties and members of the public. The precautions to be taken include the erection of fences, barricades, covered walkways for pedestrians and any other means of protection necessary for the protection of the adjoining properties and members of the public.
- 59.3 Prior to demolishing any building, a Demolition Permit must first be obtained from the Chief Building Official.

Part VII – Additional Non-Residential Properties Including Farmland

60.0 Non-Residential Properties Including Farmland

- 60.1 The warehousing or storage of material or operative equipment that is required for the continuing operation of industrial or commercial uses lawfully permitted on the property by a by-law passed pursuant to Section 34 of the Planning Act shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard and shall be stored or located in such a way to provide unobstructed access for emergency vehicles.
- 60.2 All non-residential buildings shall have sufficient windows 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. Lighting shall not be positioned so as to cause any impairment of use or enjoyment of neighboring properties. Light fixtures designed to provide exterior illumination on any lot shall be installed so that the light is directed or deflected away from adjacent lots and streets in such a manner as to not confuse persons driving vehicles on such streets, and as not to cause a nuisance to adjacent properties.
- 60.3 Notwithstanding any provision in this By-Law to the contrary a farm property meeting the definition of “Agricultural Operation” under the Farming and Food Production Protection Act, 1998, S.O 1998, c.1, may store agricultural equipment outdoors provided it is placed or arranged so as not to create a safety or health hazard to persons on the property, and does not block emergency access to or from the property.
- 60.4 For the purposes of Section 60.3 above, “store” in relation to farm equipment means equipment that is not in use, and includes equipment that is not operational and equipment in need of repair.

Part VIII – Offences and Penalties

61.0 Obligations and Prohibitions

- 61.1 No owner or occupant of property shall use, occupy, allow, permit or acquiesce in the use or occupation of the property unless such property conforms to the standards prescribed in

this by-law.

- 61.2 No person, being the owner, tenant or occupant of a property, shall fail to maintain the property in conformity with the standards required by this by-law.
- 61.3 Every tenant of a dwelling, in that part of the dwelling that the tenant occupies or controls and if not indicated on a written agreement between owner and tenant shall:
- a) Maintain all plumbing, cooking, refrigerating appliances and fixtures and all storage facilities and other equipment therein in a clean and sanitary condition;
 - b) Exterminate insects, rodents or other pests within his/her dwelling;
 - c) Dispose of garbage and refuse into provided facilities in a clean and sanitary manner in accordance and as established by the Municipality in accordance with any applicable by-laws;
 - d) Keep all exits from the dwelling clean and unobstructed; and
 - e) Maintain the dwelling in a clean and sanitary condition.
- 61.4 No person shall hinder, obstruct, assault or interfere with or attempt to hinder, obstruct, assault or interfere with a Property Standards Officer or a person acting under their instructions in the exercise of a power or the performance of a duty under this by-law.
- 61.5 Every person shall assist any entry, inspection, examination, testing or inquiry by an officer in the exercise of a power of performance of a duty under this by-law.
- 61.6 In accordance with the Building Code Act, no person shall neglect or refuse:
- a) To produce any documents, drawings, specifications or things required by a Property Standards Officer; or
 - b) To provide any information required by a Property Standards Officer.

61.7 Where any property within the Municipality of Meaford does not conform to the applicable standards set forth in this by-law, the owner of the property shall:

- a) Repair and thereafter maintain such property to conform to such standards; or
- b) Where conformity to such standards cannot be effected by repair, clear the site of all buildings, structures, debris and refuse not in conformity, and leave such area of the site in a graded and leveled condition.

61.8 All repair 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 construction, repair, renovation or demolition shall conform to the requirements of the Building Code and is subject to the requirements for all applicable permits.

61.9 Without restricting the generality of subsection 61.8:

- a) The requirement that repairs be made in a “manner that is accepted as good workmanship” includes ensuring that the component repaired can perform its intended function and finishing the repair in a manner reasonably compatible in design and colour with adjoining decorative finishing materials; and
- b) The requirement that repairs be made with materials that are “suitable and sufficient for the purpose” includes a requirement for materials reasonably compatible in design and colour with adjoining decorative finishing materials.

62.0 Penalties

62.1 Every person who contravenes or fails to comply with any provision of this by-law is guilty of an offence, and upon conviction is liable to a maximum penalty of \$5,000 per day for each day on which the offence occurs, pursuant to the Provincial Offences Act.

62.2 Every person who fails to comply with an order issued under this by-law is guilty of an offence, and upon conviction is liable to a maximum penalty of \$50,000 for a first offence and of \$100,000

for any subsequent offences pursuant to the Building Code Act.

62.3 Every corporation that fails to comply with an order issued under this by-law is guilty of an offence, and upon conviction is liable to a maximum penalty of \$500,000 for a first offence and of \$1,500,000 for any subsequent offences pursuant to the Building Code Act.

Part IX – Administration and Enforcement

63.0 Property Standards Committee

63.1 A committee to be known as the Property Standards Committee of the Municipality of Meaford is hereby established.

63.2 The Property Standards Committee for the Municipality of Meaford shall consist of not less than three (3) citizens at large to be appointed by Council, with a term to coincide with Council. The members of the Committee shall hold office until their successors have been appointed. Any vacancy on the Committee shall be filled forthwith.

63.3 The members of the Committee shall elect a Chair from among themselves, when the Chair is absent through illness or otherwise, the Committee may appoint another member as Acting Chair.

63.4 A majority of the members constitutes a quorum for transacting the business of the Committee.

63.5 The Municipality shall provide a Secretary for the Committee who shall keep on file the records of all official business of the Committee, including records of all applications and minutes of all decisions respecting those applications.

63.6 The Secretary as identified above in subsection 64.5 shall keep on file minutes and records of all applications and the decisions thereon and of all other official business of the Committee.

63.7 The Committee may adopt its own rules of procedure, but before hearing an appeal, the Committee shall give notice or direct that notice be given of such hearing to such person as the Committee considers advisable.

63.8 Members of the Committee shall be paid such compensation as

the Council of the Municipality of Meaford may provide by resolution from time to time.

64.0 Property Standards Officers

- 64.1 The Municipality shall appoint a Property Standards Officer(s) and such other staff as may be necessary to carry out the administrative functions of this by-law including the enforcement thereof.
- 64.2 The Property Standards Officer is responsible for the administration and enforcement of this By-law.
- 64.3 A Property Standards Officer may, upon producing proper identification, enter upon any property at any reasonable time without a warrant for the purpose of inspecting the property to determine:
- a) Whether the property conforms with the standards prescribed in this by-law;
 - b) Whether an order made under this by-law and the Building Code Act has been complied with.
- 64.4 A Property Standards Officer shall not enter or remain in any room or place actually being used as a dwelling unless:
- a) The consent of the owner or occupant is obtained, and the occupant first having been informed that the right of entry may be refused and entry made only;
 - b) A warrant issued under the Building Code Act is obtained,
 - c) The delay to obtain a warrant or the consent of the occupant would result in an immediate danger to the health or safety of any person;
 - d) The entry is necessary to terminate a danger under section 15.7 (3) or 15.10 (3) of the Building Code Act; or
 - e) The requirements of section 64.5 are met and the entry is necessary to remove an unsafe condition under clause 15.9 (6) (b) of the Building Code Act or to repair demolish under subsection 15.4(1) of the Building Code Act.

64.5 Within a reasonable time before entering the room or place for a purpose described in section 64.4 (e), the Officer shall serve the occupant with the notice of his or her intention to enter it.

64.6 A Property Standards Officer for the purposes of an inspection has all the powers as provided for in section 15.8(1) of the Building Code Act.

65.0 Emergency Orders

65.1 If, upon inspection of a property, a Property Standards Officer is satisfied that there is non-conformity with the standards prescribed in this by-law to such extent as to pose an immediate danger to the health or safety of any person, the Officer may make an order in accordance with section 15.7 of the Building Code Act containing particulars of the non-conformity and requiring remedial repairs or other work to be carried out immediately to terminate the danger.

66.0 Compliance Orders and Certificates of Compliance

66.1 The owner or occupant of a property shall:

- a) Comply with all standards prescribed in this by-law;
- b) Comply with any final and binding Order of the Property Standards Officer;
- c) Produce documents or things requested by the Property Standards Officer for inspection as relevant to the property or any part thereof, allow the removal of such documents or things for the purpose of making copies, provide information or assist in the collection of information from other persons concerning, a matter related to the property or part thereof, allow entry by the Property Standards Officer or such persons as needed to carry out an inspection or test or in aid thereof, permit examination, tests, sampling or photographs necessary for the purpose of an inspection or in aid thereof, and provide at their expense when requested, tests and samples as are specified in an Order, all as may aid or assist in the carrying out of an inspection and determination of compliance with this by-law and the relevant portions of the Act; and

- d) Ensure, that in complying under this by-law, and in carrying out work required under an Order or other obligation under this by-law, that the property and activities shall be kept and carried out in a condition and manner that avoids conditions dangerous to the Owner, occupants or visitors to the property or which put at risk of injury or health such persons and giving adequate warning where such risks cannot be avoided so as to allow such person to avoid the danger or risks.

66.2 Every Property Standards Officer who finds that a property does not conform with any of the standards of this By-law, may make an order pursuant to the provision of Section 15.2 of the Building Code Act:

- a) Requiring the property that does not conform with the standards to be repaired and maintained to conform with the standards; or
- b) Requiring that the site be cleared of all buildings or accessory buildings, structures, debris or reuse and left in a graded and leveled condition.

66.3 Every owner of property shall comply with an order made pursuant to this By-law and the Building Code Act requiring compliance as confirmed or modified, If an order of a Property Standards Officer is not complied with in accordance with the order as deemed confirmed or as confirmed or modified by the Committee or a judge, the Municipality may cause the property to be repaired or demolished accordingly.

66.4 Where any person who fails to comply with an order issued, the Municipality may enter and cause the required work to be done at the cost of the person. The cost of such work may be recovered by action or by adding the costs to the tax roll and collecting the costs in the same manner as property taxes.

66.5 A person affected by a Property Standards Order may seek to have compliance with an outstanding Order determined by supplying such proof as may allow compliance to be determined or permit or arrange for an inspection of the property by a Property Standard Officer, and shall be liable to pay any applicable fees, charges or expenses.

- 66.6 Where the proof submitted to comply with subsection 66.5 is insufficient for the Property Standard Officer to determine the compliance of the property with the Order or part thereof, the person shall, subject to the Building Code Act, permit or arrange for a reasonable and timely inspection by the Officer to determine compliance or that the proof submitted confirms compliance.
- 66.7 Any property owner may make an application to the Municipality of Meaford for a certificate of compliance by completing and signing an application on the form available at the Municipality of Meaford Municipal Office and pay the applicable fee.
- 66.8 Where a Property Standards Order has been registered, an owner or occupant may apply for an inspection of the property in respect of the Order and shall pay the fee prescribed in accordance with the Municipality's fees and services by-law and any revisions thereto in the form of a certified cheque, money order or cash at the time of application, which fee includes the registration or discharge where compliance with the Order is found.

67.0 Appeal of Order

- 67.1 An owner who has been served with an order made under this By-law and Building Code Act and who is not satisfied with the terms or conditions of the order may appeal to the Committee by sending a notice of appeal by registered mail to the Secretary of the Committee within 14 days after being served with the order.
- 67.2 An order that is not appealed within the time referred to in Section 39.1 shall be deemed to be confirmed.
- 67.3 The Committee shall hear the appeal.
- 67.4 On an appeal, the Committee has all the powers and functions of the Property Standards Officer who made the order and the Committee may do any of the following things if, in the Committee's opinion, doing so would maintain the general intent and purpose of the by-law and of the official plan or policy statement:
- a) Confirm, modify or rescind the order to demolish or repair,

b) Extend the time for complying with the order.

67.5 The Municipality in which the property is situated or an owner or person affected by a decision under this section may appeal to the Superior Court of Justice by notifying the Clerk of the Municipality in writing and by applying to the court within 14 days after a copy of the decision is sent.

67.6 The Superior Court of Justice shall appoint, in writing, a time and place for the hearing of the appeal and may direct in the appointment the manner in which and the persons upon whom the appointment is to be served.

67.7 On the appeal, the judge has the same powers and functions as the Committee.

67.8 An order that is deemed to be confirmed under section 39.2 or that is confirmed or modified by the Committee under section 39.3 or a judge under section 39.7, as the case may be, shall be final and binding upon the owner who shall carry out the repair or demolition within the time and in the manner specified in the order.

68.0 Power of Municipality to Repair and Demolish

68.1 If an order is not complied with in accordance with the order as deemed confirmed or as confirmed or modified by the Committee, or a judge, the Municipality in accordance with section 15.4 of the Building Code Act may cause the property to be repaired or demolished.

68.2 Where an order is not complied with and the Municipality has caused the property to be repaired or demolished, the Municipality has priority lien status in accordance with section 1 of the Municipal Act, 2001, as amended, on the property for the amount spent on the repair or demolition and the amount may be added to the tax roll by the Treasurer of the Municipality and may be collected in the same manner as taxes on the property.

69.0 Heritage Permits

69.1 In circumstances where an order is for the restoration of existing features and attributes, and the building owner is required to obtain a Heritage Permit from the Municipality in order to

complete the necessary restoration, the permit application shall be treated as minor in nature, and be approved by the Director responsible under delegated authority.

Part X – Other Matters

70.0 Validity

70.1 In the event any provision, or part thereof, of this by-law is found by a court of competent jurisdiction to be ultra vires, such provision, or part thereof, shall be deemed to be severed, and the remaining portion of such provision and all other provisions of this by-law shall remain in full force and effect.

71.0 Transitional Rules

71.1 An order made pursuant to By-law No. 108-2008, the Property Standards By-law is continued under and in conformity with the provisions of this by-law so far as consistently may be possible.

71.2 All proceedings taken pursuant to By-law No. 108-2008, the Property Standards By-law shall be taken up and continued under and in conformity with the provisions of this by-law so far as consistently may be possible.

71.3 In the recovery or enforcement of penalties and forfeitures incurred, or in any other proceeding in relation to matters that have happened before the repeal of By-law No. 108-2008, the Property Standards By-law, the procedure established by this by-law shall be followed so far as it can be adopted.

71.4 The members of the Property Standards Committee as it exists on the effective date of this by-law shall continue in office until successors are appointed in accordance with the provisions of this by-law.

72.0 Fees and Services

72.1 The municipal fees for the administration and enforcement of this by-law shall be in accordance with the Municipality's fees and services by-law and any revisions thereto.

73.0 Repeal

73.1 That by-law 2008-108 is hereby repealed.

74.0 Short Title

74.1 This by-law shall be known as the "Property Standards By-law".

75.0 Effective Date

75.1 This by-law shall come into force and take effect upon passing.

Read a first, second and third time and finally passed this 23rd day of September, 2019.

Barb Clumpus, Mayor

Matthew Smith, Clerk