

# **CORPORATION OF THE MUNICIPALITY OF TWEED**

## **BY-LAW NO. 2001-02**

Being a By-Law to provide standards for the maintenance and occupancy of property in the Municipality of Tweed.

WHEREAS Section 15.1(3) of the Building Code Act, R.S.O. 1992 c.23, authorizes a municipality to enact By-Laws to:

1. Prescribe standards for the maintenance and occupancy of property;
2. Require property that does not conform with the standards to be repaired and maintained to conform with the standards or the site be cleared of all buildings, structures, debris or refuse and be left in a graded and leveled condition; and
3. Prohibit the occupancy or use of property that does not conform to the prescribed standards.

AND WHEREAS there is in effect in the Municipality of Tweed an Official Plan for the County of Hastings, which includes provisions relating to property conditions.

NOW THEREFORE the Council of the Corporation of the Municipality of Tweed hereby enacts as follows:

### **1. GENERAL**

#### **1.1 SHORT TITLE**

This by-law may be cited as the "Property Standards By-Law".

#### **1.2 METRIC PROVISIONS**

The provisions contained in this By-Law are in metric units. For convenience purposes only, imperial units in brackets have been included following the metric units. In no instance should the imperial units be used to determine any requirement of this By-Law.

### **2. DEFINITIONS**

In this By-Law, unless the context requires otherwise:

#### **2.1 "ACCEPTABLE" shall mean:**

- a) accepted by the Chief Building Official of the municipality with respect to matters under the Building Code Act;
- b) accepted by a designated Officer with respect to all other matters regulated by this By-Law.

#### **2.2 "ACCESSORY BUILDING" shall mean a building not used for human habitation customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building and shall include boat houses.**

#### **2.3 "BALUSTRADE" shall mean a protective barrier that acts a guard around openings in floors or at the open sides of stairs, landings, balconies, mezzanines, galleries, raised walkways, or other locations to prevent accidental falls from one level to another; such barrier may or may not have openings through it.**

#### **2.4 "BASEMENT" shall mean that portion of a building between two floor levels which is partly underground but which has at least one-half of its height from**

finished floor to the underside of the floor joists of the next above storey, above the adjacent average finished grade level adjacent to the exterior walls of the building and in which the height from finished grade to the underside of the floor joists of the next storey above is less than 1.8 meters (5.91 feet).

- 2.5 "BATHROOM" shall mean a room containing at least one washbasin and water closet and bathtub or shower, or two rooms which contain in total at least one washbasin, one water closet and one bathtub or shower.
- 2.6 "BOARDING, ROOMING OR LODGING HOUSE" shall mean a dwelling house in which the proprietor supplies lodgings, with or without meals, in return for monetary compensation. For the purpose of this By-Law a boarding, lodging or rooming house shall not include a motel, motor hotel, hotel, bed and breakfast establishment, group home or hospital.
- 2.7 "BUILDING" shall mean a structure having a roof supported by columns or walls or directly on the foundation and used for the shelter and accommodation of persons, animals or goods.
- 2.8 "BUILDING CODE ACT" shall mean the Building Code Act, S.O. 1992,c.23, as amended, including regulations thereunder.
- 2.9 "BULK CONTAINER" shall mean a refuse container emptied by mechanical means without removal from the property.
- 2.10 "CELLAR" shall mean that portion of a building between two floor levels which is partly or wholly underground but which has more than one-half of its height from finished floor to the underside of the floor joists of the storey next above, below the average level of ground adjacent to the exterior walls of the building.
- 2.11 "COMMERCIAL PROPERTY" shall mean a property used for the sale and/or rental of goods and/or services and for the purpose of this By-Law shall include office buildings, public halls, licensed premises and private clubs, and any building that is used in conjunction with these uses.
- 2.12 "COMMITTEE" shall mean the Property Standards Committee as established under this By-Law.
- 2.13 "CORPORATION" shall mean the Corporation of the Municipality of Tweed.
- 2.14 "COUNCIL" shall mean the Council of the Corporation of the Municipality of Tweed.
- 2.15 "CRAWL SPACE" shall mean an enclosed space between the underside of a floor assembly and the ground cover directly below, with a clearance less than 1.8 meters (5'11") in height.
- 2.16 "DWELLING" shall mean a building or structure or part of a building or structure occupied or capable of being occupied in whole or in part for the purposes of human habitation and includes the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein.
- 2.17 "DWELLING UNIT" shall mean a suite of two or more rooms designed or intended as an independent unit for residential occupancy by humans for living and sleeping purposes, in which sanitary conveniences are provided, in which facilities are provided for cooking or for the installation of cooking equipment, and in which a heating system is provided, and which has a private entrance from outside the building or from a common hallway or stairway inside. For the purpose of this By-Law, a dwelling unit does not include a hotel, motel or motor hotel.

- 2.18 "EXTERIOR PROPERTY AREAS" shall mean the property excluding buildings.
- 2.19 "FENCE" shall mean a privacy or other screen.
- 2.20 "FIRE RESISTANCE RATING" shall mean the time in hours that a material construction or assembly will withstand the passage of flame and transmission of heat when exposed to fire under specified conditions of test and performance criteria as stated in the Ontario Building Code.
- 2.21 "GROUND COVER" shall mean organic or nonorganic material applied to prevent erosion of the exterior property area such as concrete, flagstone, gravel, asphalt or grass.
- 2.22 "HABITABLE ROOM" shall mean a room designed or commonly used for living purposes, including a bedroom and a kitchen but not including any space in a dwelling used as a lobby, hallway, closet, or bathroom or any room having floor space of less than 4.65 square metres (50sq. ft.).
- 2.23 "HOUSEKEEPING UNIT, SINGLE" shall mean a single dwelling unit used by not more than four individuals who reside therein or more than four individuals who reside there as a family provided there is no program, person or agency requiring the supervision of such individuals.
- 2.24 "INDUSTRIAL PROPERTY" shall mean a property used for the manufacturing and/or processing of goods or used for the storage of goods or raw materials and any property that is used in conjunction with these uses.
- 2.25 "MAINTENANCE" shall mean the preservation and keeping in repair of a property.
- 2.26 "MEANS OF EGRESS" shall mean a continuous path of travel provided by a doorway, hallway, corridor, exterior passageway, balcony, lobby, stair, ramp, window or other egress facility for the escape of persons from any point within a building, floor area, room or contained open space to a public thoroughfare or approved open space and includes exits or access to exits.
- 2.27 "MULTIPLE DWELLING" shall mean a building containing two or more dwelling units.
- 2.28 "MULTIPLE USE BUILDING" shall mean a building containing both a residential and a non-residential property.
- 2.29 "MUNICIPALITY" shall mean the Municipality of Tweed.
- 2.30 "NON-HABITABLE SPACE" shall mean any space in a dwelling or dwelling unit other than a habitable room, and includes any bathroom, toilet room, laundry, pantry, lobby, communicating corridor, stairway, boiler room or other space for service and maintenance or common use, and for access to and vertical travel between storeys; and any unfinished basement.
- 2.31 "OCCUPANT" shall mean any person or persons over the age of eighteen years in possession of the property.
- 2.32 "OFFICER" shall mean a person who has been assigned the responsibility of administering and enforcing this By-Law.
- 2.33 "OWNER" shall mean the registered owner of the property or the person for the time being paying the municipal taxes or managing or receiving the rent of the property in connection with which the word is used whether on his or her own

account or as agent or trustee of any other person or who would so receive the rent if such property were let, and shall also include a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of the property.

- 2.34 "PROPERTY" shall mean a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected and includes vacant property.
- 2.35 "PUBLIC BUILDING" shall mean a building which is operated by a government or public authority or agency thereof for the purpose of servicing the public.
- 2.36 "RENTAL UNIT" shall mean any living accommodation used for or intended for use as a rented residential premises. And rental unit shall include:
- (a) a site for a mobile home or a site on which there is a land lease home used or intended for use as a rented residential premises; and
  - (b) a room in a boarding house, rooming house or lodging house.
- 2.37 "REPAIR" shall mean the provision of such facilities and the making of additions or alterations or the taking of such actions as may be required so that the property shall conform to the standards established in this By-Law.
- 2.38 "RESIDENTIAL PROPERTY" shall mean any property that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any land or buildings that are appurtenant to such an establishment.
- 2.39 "ROLL-OFF CONTAINER" shall mean a refuse container which is required to be transported from the property for the purpose of emptying.
- 2.40 "ROOMER OR LODGER" shall mean person harboured, received or lodged, in a boarding, rooming or lodging house in return for compensation.
- 2.41 "SEWAGE" shall mean any liquid waste containing human, animal, vegetable or mineral matter in suspension or solution, but does not include roof water or other storm runoff.
- 2.42 "SEWAGE SYSTEM" shall mean:
- a) an adequate system of underground conduits, operated either by the Corporation or by the Ministry of the Environment; or
  - b) a private sewage disposal system or holding tank approved by the Ministry of the Environment, the local Health Unit or other appropriate approval authority.
- 2.43 "SIGN" shall mean a structure or advertising device having illustrations affixed thereto or displayed thereon in any manner, which is used to identify, advertise or attract attention to any object, product, place, activity, person, institution, organization, firm, group, profession, enterprise, industry or business, or which displays or includes any letter, work, model, number, banner, flag, pennant, insignia, device or representation used as an announcement, direction or advertisement.
- 2.44 "STANDARDS" shall mean the standards of physical conditions and occupancy set out in this By-Law.

- 2.45 "TOILET ROOM" shall mean a room containing a water closet and washbasin.
- 2.46 "WALL" shall mean the solid vertical structure forming any one of the sides of a building and/or partition forming the side of a room.
- 2.47 "YARD" shall mean the land other than publicly owned land around and appurtenant to any property or any part of a building or structure and used or intended to be used or capable of being used in connection with said property.
- 2.48 "UNSAFE CONDITION" shall mean:
- a) structurally inadequate or faulty for the purposes for which it is used or intended to be used; or
  - b) in a condition that could pose a hazard to:
    - i) persons in the normal use of a building;
    - ii) persons authorized or expected to be on or about the property; or
    - iii) persons or property in the immediate vicinity of the subject condition.

### **3. MAINTENANCE OF ACCESSORY AND UNOCCUPIED BUILDINGS AND YARDS**

#### **3.1 ACCESSORY BUILDING**

- 3.1.1 Accessory buildings shall be kept in good repair and free from health, fire and accident hazards.
- 3.1.2 The exterior of any accessory building shall be weather-resistant through the use of proper weather-resistant material.

#### **3.2 UNOCCUPIED BUILDINGS**

- 3.2.1 Where any property is unoccupied, the owner or agent shall protect every such property against the risk of fire, accident or other danger and shall effectively prevent the entrance thereto of all unauthorized persons.
- 3.2.2 All materials used for boarding up unoccupied buildings shall be covered and maintained with a preservative which is weather resistant.
- 3.2.3 Where a building remains vacant and unattended for a period of more than ninety (90) days, the owner or his agent shall ensure that all utilities serving the property are properly disconnected or otherwise secured to prevent accidental or malicious damage to the building or adjacent property.
- 3.2.4 Section 3.2.3 does not apply where such utilities are necessary for the safety, maintenance or security of the building.

#### **3.3 DRAINAGE**

- 3.3.1 Storm water shall be drained from the yard so as to prevent recurrent ponding or the entrance of water into a basement, cellar or crawl space.
- 3.3.2 All reasonable means shall be employed to prevent the erosion of the soil in the yard.
- 3.3.3 No roof drainage shall be discharged onto sidewalks, stairs or neighbouring property.

### 3.4 FENCES

#### 3.4.1 Every fence shall be kept:

- a) protected by paint, preservative or other weather resistant material unless the aesthetic characteristics of the fence, screen or enclosure are enhanced by the lack of such material;
- b) in a structurally sound condition;
- c) free from objectionable markings, painted slogans, stains or other defacement;
- d) in good repair and free of accident hazards.

#### 3.4.2 The provisions set out in Section 3.4.1 herein, shall not apply to fences located within the Agricultural (A) Zone, the Rural (RU) Zone, the Hazard (H) Zone and the Environmental Protection (EP) Zone as set out in the Zoning By-Law.

### 3.5 GARBAGE DISPOSAL

#### 3.5.1 All garbage, rubbish and other debris from a property shall be promptly stored in a receptacle and made available for removal or removed in accordance with the waste management regulations. Where private containerized garbage pickup is provided, such containers shall be placed behind the building line and kept in a neat and tidy condition.

#### 3.5.2 Without limiting and in addition to the generality of Subsection 3.5.1, the collection, handling, storage and disposal of refuse shall comply with the following:

- a) it shall facilitate collection and disposal as required by the municipal corporation or private collecting agency, as applicable;
- b) refuse storage facilities shall be readily accessible to all occupants for whom the storage facility is required to be provided, or in the alternative be readily accessible by an operable refuse chute provided for this purpose in compliance with all regulations applicable thereto;
- c) refuse storage facilities shall be maintained in a clean, sanitary and odour controlled condition;
- d) it shall not obstruct an emergency route, recreation facility, parking area, driveway or walkway; and
- e) it shall not be stored adjacent to any building so as to create a fire hazard to the building or its occupant.

#### 3.5.3 Where refuse is to be stored or placed for disposal outside the enclosing walls of a building, the storage and place for disposal shall:

- a) be maintained at all times in a litter free condition and in a manner that will not attract pests or create a health or safety hazard due to the nature of the storage or through deterioration, wind or misuse of the storage facility;
- b) be screened from a public highway, street, walkway, park or

residential or non-residential property so as not to be visible from such locations.

3.5.4 Nothing in this Section shall require screening:

- a) whose only purpose is to screen a refuse collection area from another refuse collection area on the same or abutting properties; or
- b) between each occupancy in a multiple dwelling; or
- c) that reduces the width of an access route to less than 10 metres (32.8 feet);
- d) in regard to the placement of refuse for imminent pickup and disposal in compliance with the refuse collection By-Law of the municipality;
- e) in relation to a building containing less than five dwelling units.

3.5.5 Where an exterior bulk or roll-off container refuse disposal system is used it shall:

- a) be equipped with covers or similar devices which shall be readily openable but not left open except when actively being loaded; and
- b) be large enough to contain all refuse generated between collections by the occupants served; and
- c) not be loaded beyond the top of the container.

3.5.6 Subsection 3.5.5 (a) shall not apply to the storage of industrial or other reclaimable refuse that will not materially deteriorate by weathering or pests.

3.5.7 All refuse shall be stored inside the enclosing walls of a building when:

- a) the building contains five or more dwelling units, except that this requirement need not apply to a building for which the building permit was issued prior to the third reading of this by-law, provided the refuse disposal facilities are not exposed to view from within any dwelling unit on or adjacent to the property or are in compliance with Subsection 3.5.10;
- b) the refuse is generated and stored for disposal through food manufacturing or processing or by a restaurant, hotel, motel, banquet hall, cafeteria or other establishment engaged in the serving of meals to the public in consideration of payment therefor, except that this requirement shall not apply to any establishment engaged exclusively in the packaging or warehousing of food products where no food products refuse results from such operation; or
- c) the building is a retail commercial use exceeding 1,400 square metres (15,070 sq. ft.) in gross floor area.

3.5.8 Where refuse is stored or placed for disposal inside the enclosing walls of a building, the storage and placement for disposal shall:

- a) comply with the Building Code Act and the Fire Code; and

- b) be large enough to contain all refuse generated between collections by the occupants served.

3.5.9 Where a refuse chute system was originally provided in a multiple floor building, the system shall be maintained operative, except that acceptable alternatives may be provided if readily accessible to all occupants.

3.5.10 Notwithstanding Subsection 3.5.7, refuse shall be deemed to be stored inside a building when:

- a) a bulk or roll-off container is used; and
- b) connected to the building by a system of enclosed chutes such that the loading of refuse thereto is directly from within the building utilizing manual, compaction or other methods of handling; and
- c) the components outside the building are screened from view and maintained as prescribed in Subsection 3.5.3.

3.5.11 Notwithstanding the requirements of this Section, temporary storage resulting solely from the construction, demolition or alteration of a building or part thereof may be placed on the property provided:

- 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; and
- c) it is not stored in such a manner as to be deleterious to the neighbouring environment.

### 3.6 NOXIOUS PLANTS

All properties shall be kept free from noxious plants, including ragweed, poison ivy, poison oak and poison sumach and comply with the specifications of the Weed Control Act, R.S.O. 1990 c.W.5, as amended, and regulations thereunder, and any other By-Law of the Municipality.

### 3.7 PARKING, WALKWAYS AND SAFE PASSAGE

3.7.1 Areas used for vehicle traffic and parking shall be paved with bituminous, concrete or equivalent surfacing or shall be surfaced with crushed stone or other suitable and reasonable dust free substance, and shall be free from ponding and puddles and otherwise in good repair.

3.7.2 Paved communal parking areas shall be provided with suitable markings, such as painted lines, to indicate parking spaces, means of entry and egress for vehicles and shall be maintained so as to be clearly visible.

3.7.3 In yards of multiple dwellings and non-residential properties sufficient lighting of exterior property areas shall be provided to minimize any danger to persons using walkways.

3.7.4 Lighting standards and fixtures shall be kept in safe condition and good working order.

3.7.5 Communal walkways, driveways, ramps, parking areas and outside stairs and landings shall be promptly cleared of snow and appropriate measures shall be taken to minimize the risk of persons slipping or vehicles skidding on icy surfaces.



- 3.7.6 Walkways shall be repaved, resurfaced or regraded as often as necessary to maintain a reasonably smooth, slip-free and safe surface for pedestrian traffic.

### 3.8 SEWAGE

- 3.8.1 Sewage or organic waste shall be discharged into a sewage system approved by the Medical Officer of Health, Ministry of the Environment or other authorized approval authority.
- 3.8.2 Sewage of any kind shall not be discharged onto the surface of the ground, whether into a natural or artificial surface drainage system or otherwise.

### 3.9 YARDS

- 3.9.1 All yards shall be kept clean and free from rubbish, garbage, brush, or other debris and from objects or conditions that might create a health, fire or accident hazard.
- 3.9.2 Any vehicle, including a trailer, which is in a wrecked, discarded, dismantled, inoperative or abandoned condition without current license plates shall not be parked, stored or left in a yard but this shall not prevent the occupant of any premises from repairing a vehicle for his or her own use but not for commercial purposes, while such repair is completed within one month.
- 3.9.3 All yards shall be kept reasonably free of weeds. Noxious weeds and heavy undergrowth shall be eliminated.
- 3.9.4 Lawns, hedges and bushes shall be kept trimmed to a suitable height and shall not be overgrown or unsightly.
- 3.9.5 All yards and vacant lots shall be kept clean and free from termites, rodents, vermin and other pests and any conditions which might result in the harbouring of such pests.
- 3.9.6 All yards and vacant lots shall be free of dilapidated or collapsed structures or erections or accumulation of materials, inoperative machinery, or any parts thereof or any other unsafe condition or unsightly condition out of character with the surrounding environment.
- 3.9.7 All yards and vacant lots shall be free of holes or excavations or any unprotected wells that might create an accident or health hazard.
- 3.9.8 All yards shall be protected by suitable ground cover which prevents erosion of the soil.
- 3.9.9 The provisions set out in 3.9.1 to 3.9.8 herein shall not apply to non-residential buildings and structures located within the Agricultural (A), Rural (RU), Hazard (H) or Environmental Protection (EP) Zones as set out in the Zoning By-Law which applies to the property.

### 3.10 BUFFERING

- 3.10.1 Premises which, because of their use or occupancy, or for other reason, create a nuisance to adjacent premises or to the neighbourhood or to the users of streets or parks shall be buffered from such premises or public areas so as to minimize the effect of the nuisance.

3.10.2 Without limiting the generality of the foregoing, such buffering shall include:

- a) the provision and maintenance of an effective barrier to prevent wind-blown waste, wrappings, debris and the like from encroaching on the adjacent premises;
- b) the provision and maintenance of a visual screen to minimize the visual impact of nuisances to persons at grade adjacent to the property;
- c) to prevent lighting and vehicle headlights in parking areas from shining directly into dwelling unit windows;
- d) to screen transformers and other like appendages; and
- e) to provide a safe route for persons and vehicles.

### 3.11 PEDESTRIAN ACCESS

3.11.1 A safe pedestrian access shall be provided to the principal entrance of every residential building.

### 3.12 RETAINING WALLS

3.12.1 Retaining walls shall be maintained in a structurally sound condition, good repair and free from accident hazards.

3.12.2 Without restricting the generality of Subsection 3.12.1, the maintenance includes:

- a) redesigning and rebuilding to the requirements of the Building Code Act, or replacing of all deteriorated, damaged, misaligned or missing portions of the wall or railings and guards appurtenant thereto;
- b) installing subsoil drains where required to maintain the stability of the wall;
- c) grouting masonry cracks; and
- d) applying a coating or equivalent preservative to prevent deterioration or an unsightly appearance deleterious to the neighbourhood environment.

### 3.13 GANTRIES AND ANTENNAS

3.13.1 Gentries, antennas and like structures shall be maintained:

- a) plumb, unless specifically designed to be other than vertical;
- b) in good repair and free of fire and accident hazards;
- c) in a relatively rust free condition; and
- d) so as not to present an unsightly appearance deleterious to the neighbouring environment.

### 3.14 SIGNS

3.14.1 Signs shall be repaired and maintained:

- a) so as not to cause any unsafe condition;
- b) in a vertical plane unless otherwise erected and approved, in which case the sign shall be maintained as erected and approved;
- c) without any visible deterioration of the sign and its structure when viewed from any property other than the property on which the sign is situated; and
- d) in conformance with the requirements of the Sign By-Law of the municipality.

3.14.2 Signs and sign structures that are unused, not cared for or discarded shall be removed from the property or shall be stored within a building.

3.14.3 When the sign face or other parts of a sign have been removed, the remaining portion of the sign including the sign structure shall be maintained in a safe condition and so as not to create an unsightly appearance deleterious to the neighbouring environment, or be removed.

#### **4. MAINTENANCE OF BUILDINGS AND STRUCTURES**

##### **4.1 STRUCTURALLY SOUND**

4.1.1 Every part of a property shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any load to which it may be subject.

4.1.2 Materials which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

4.1.3 The factors of safety specified in the Building Code Act are the minimum standards.

4.1.4 An owner disputing the need for repairs under this Section may submit a written report signed and sealed by a professional engineer licensed to practice in the relevant discipline in the Province of Ontario on the matters thereto.

4.1.5 An Officer may accept the findings in the report pursuant to Subsection 4.1.4 as the requirements for compliance with the required repairs provided the Officer is satisfied all deficiencies have been identified and appropriately dealt with by the report.

4.1.6 An Officer may require an engineer's report of a building if, in the opinion of the Officer, the building is not structurally sound. Such engineer's report shall be at the expense of the owner(s).

##### **4.2 PEST PREVENTION**

4.2.1 All property shall be kept free of rodents, vermin and insects at all times and methods used for exterminating rodents, vermin, or insects shall be in accordance with the provisions of the Pesticides Act, R.S.O. 1990 c.P.11, as amended, including regulations thereunder.

4.2.2 Basement and cellar windows or ventilators used or required for ventilation, and any other openings in a basement or cellar including a floor drain that might permit the entry of rodents, shall be screened with wire mesh, metal grille or other durable material which will effectively exclude rodents.

### 4.3 FOUNDATIONS

- 4.3.1 Foundations shall be of masonry, concrete or other acceptable materials and designed to adequately support the loads imposed and provide a dry basement, cellar or crawl space. They shall be free of leaks and defective mortar joints or masonry. Foundation walls shall be waterproof and dampproof to prevent the entry of moisture or water into the basement, cellar or crawl space.
- 4.3.2 Foundations shall be maintained in good repair. The maintenance and repair includes:
- a) extension of the wall foundations below grade or regrading to provide adequate frost cover;
  - b) installing subsoil drains where such would be beneficial;
  - c) repairing or replacing decayed, damaged or weakened sills, piers, posts or other supports;
  - d) grouting, waterproofing, cladding or replacing as necessary so as to be weathertight;
  - e) where insects and rodents are detected, the treatment by acceptable methods to deter their entrance;
  - f) the replacement, cladding or treatment with other methods to restore the wall to its original or acceptable equivalent appearance;
  - g) the applying of acceptable materials to preserve all wood, metal work or other materials not inherently resistant to weathering or wear;
  - h) the restoring or replacing of:
    - i) the foundations, walls, columns, beams, floor and floor slabs; and
    - ii) components, cladding, finishes, and trims forming a part thereof;
  - i) the carrying out of such other work as may be required to overcome any existing settlement detrimental to the structural integrity or appearance of the building;
  - j) removing or replacing loose or unsecured objects and materials.

### 4.4 BASEMENTS, CELLARS AND CRAWL SPACES

- 4.4.1 Where a basement or cellar has a concrete or masonry floor, such floor shall be maintained in good condition.
- 4.4.2 Where a basement, cellar or crawl space has an earthen floor, adequate ventilation shall be provided.
- 4.4.3 Basement or cellar windows used or required for ventilation and any other opening in a basement or cellar including a floor drain, shall be screened with wire mesh, metal grille or other durable material which will effectively exclude rodents.

4.4.4 Where equipment requiring service such as plumbing, clean outs, traps and burners is located in crawl spaces, safe and adequate access shall be provided.

#### 4.5 DAMPNESS

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

#### 4.6 INSULATION

4.6.1 The insulation requirements of the Building Code Act shall be complied with where necessary and practical.

4.6.2 Every dwelling shall be provided with sufficient thermal insulation and vapour barrier to prevent moisture condensing on the interior surfaces of walls, ceilings and floors during the winter and to ensure comfortable conditions for the occupants.

#### 4.7 EXTERIOR WALLS, COLUMNS AND BEAMS

4.7.1 The exterior walls and other parts of the building shall be free from loose, rotted, warped and broken materials and objects. Such materials and objects shall be removed, repaired or replaced.

4.7.2 All exterior surfaces shall be of materials which provide adequate protection from the weather and insects.

4.7.3 The exterior walls and their components shall be adequate to support the loads upon them and shall have an acceptable cladding or covering, free of holes, cracks or excessively worn surfaces, to prevent the entry of moisture into the structure and provide reasonable durability and shall be so maintained by the painting, restoring or repairing of the walls, coping or flashing and by the waterproofing of joints and of the walls themselves and by the installing or repairing of termite shields or other suitable methods.

4.7.4 Appropriate measures shall be taken to remove any objectionable markings, stains, or other defacement occurring on the exposed finished exterior surfaces and where necessary to restore the surface and adjacent areas to, as near as possible, their appearance before the marking, staining or defacement occurred.

4.7.5 Exterior surfaces of a building shall be kept clean.

4.7.6 Exterior surfaces of materials used for the temporary barricading of openings to the interior of a building shall be surfaced with a finish compatible with the surrounding finishes.

4.7.7 Exterior columns and beams shall be maintained in a good state of repair and any decorative trim shall be maintained in a safe condition. Where necessary, such columns, beams and trim shall be restored, repaired or replaced and suitably protected against weathering, so as to prevent or remedy deterioration detrimental to the appearance of the building.

4.7.8 The provisions set out in Sections 4.7.1 to 4.7.7 herein, shall not apply to non-residential buildings and structures located within the Agricultural (A), the Rural (RU), the Hazard (H) and the Environmental Protection (EP ) Zones as set out in the Zoning By-Law which applies to the property.

## 4.8 ROOFS

- 4.8.1 All roof construction components shall provide adequate support for all probable loads and form a suitable base for the roof covering. The roof 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 and where necessary shall be maintained by the repair of the roof and flashing, or by applying waterproof coatings or coverings.
- 4.8.2 Every roof including related roof structures, eaves troughs, roof gutters, down pipes, and ice guards shall be maintained, repaired or replaced so as to properly perform the intended function.
- 4.8.3 Without restricting the generality of Subsections 4.8.1 and 4.8.2, the maintenance and repair includes:
- a) removal of obstructions or loose, unsecured objects and materials;
  - b) removal of dangerous accumulations of snow and ice;
  - c) removal of other accident and fire hazards;
  - d) the overhaul or provision of flashings.
- 4.8.4 Chimneys, smoke or vent stacks and other roof structures shall be maintained in good repair so as to be free from:
- a) loose bricks, mortar, and loose or broken capping;
  - b) loose or rusted stanchions, guy wire, braces and attachments; and
  - c) any fire or accident hazard.

## 4.9 DOORS AND WINDOWS

- 4.9.1 All exterior openings shall be fitted with doors or windows.
- 4.9.2 Windows, exterior doors and basement or cellar hatchways shall be maintained in good repair so as to prevent the entrance of wind or rain into the building.
- 4.9.3 Rotted or damaged doors, door frames, window frames, sashes and casings, weatherstripping, broken glass and missing or defective door and window hardware shall be repaired or replaced.
- 4.9.4 Without restricting the generality of Subsection 4.9.3, the maintenance and repair includes:
- a) the refitting, replacing or renewing of damaged, decaying or defective doors, windows, frames, sashes, casings, shutters, hatchways or screens;
  - b) reglazing cracked, broken or missing glass;
  - c) replacing or providing defective or missing hardware;
  - d) rescreening or weatherstripping where such is defective or missing;
  - e) painting or the applying of a similarly effective preservative.

4.9.5 When an opening is used or required for ventilation or illumination and is not required to be protected by a door, window or similar closure, it shall be protected with a:

- a) wire mesh screen, metal grille or other equivalent durable material; or
- b) other protection so as to effectively prevent the entry of rodents or vermin.

4.9.6 All exterior doors and opening windows in a dwelling unit shall be provided with the means of being latched or secured from within.

#### 4.10 FLOORS, STAIRS, VERANDAS, PORCHES, DECKS, LOADING DOCKS, BALCONIES, HANDRAILS AND LANDINGS

4.10.1 Every floor, stair, veranda, porch, deck, loading dock, balcony and every appurtenance and surface finishing attached or laid thereto shall be maintained, reconstructed, repaired, cleaned or replaced so as to properly perform the intended function and be of acceptable appearance.

4.10.2 Without restricting the generality of Subsection 4.10.1, the maintenance, reconstructing or repair includes:

- a) repairing or replacing floors, treads and riser, including finishes such as linoleum and carpet that contain depressions, protrusions, deterioration, or are broken, torn, warped, loose or otherwise defective;
- b) renewing or strengthening structural members that are rotted, deteriorated or loose;
- c) providing or renewing balustrades, guardrails and railings;
- d) restricting openings in and climbability of guards to which small children have access to the requirements of the Building Code Act; and
- e) painting or the applying of other equivalent preservative.

#### 4.11 WALLS AND CEILINGS

4.11.1 Every wall and ceiling finish shall be maintained so as to be free of holes, cracks, loose coverings or other defects. Such maintenance shall include appropriate finishing of all joints and surfaces.

4.11.2 Where dwelling units are separated vertically, the dividing walls from the top of the footings to the underside of the roof deck, and any space between the top of the wall and the roof deck shall be tightly sealed by caulking, mineral wool or similar non-combustible material, and such walls shall conform to the fire resistance ratings required in the Building Code Act.

#### 4.12 EGRESS

4.12.1 Every required exit from a residential building shall open directly to a street or outer court.

4.12.2 In the case of a single dwelling, there shall be at least two exits suitably remote from each other, from the first storey.

- 4.12.3 Every dwelling which contains dwelling units located other than on the ground floor shall be provided with a second means of egress.
- 4.12.4 In the case of a multiple dwelling, wherever there are not two means of egress from each apartment, suitably remote from each other, there shall be ready access to at least two means of egress leading to separate and independent exits or safe place of rescue.
- 4.12.5 A required exit shall not pass through an attached garage, or built-in garage or an enclosed part of another dwelling unit.
- 4.12.6 All commercial and industrial buildings shall be provided with exits of size and number so as to be in compliance with the requirements of the Ontario Building Code, as amended from time to time for the appropriate group and division.
- 4.12.7 All commercial and industrial buildings shall be provided with lighting facilities capable of supplying no less than ten (10) lux of light intensity onto the floor surfaces continuously.
- 4.12.8 All commercial and industrial buildings shall be provided with clean, clear, unobstructed and readily visible exit signs where such exit signs would be required to locate means of egress.

#### 4.13 AIR CONDITIONERS

All air conditioners (including heat pumps) shall be maintained in a safe mechanical and electrical condition and shall not adversely affect areas beyond the limits of the property by reason of noise or condensation drainage.

#### 4.14 ELEVATING DEVICES

Elevating devices shall be maintained:

- a) in accordance with the requirements of the Elevating Devices Act, R.S.O. 1990 c.E.8, and the Building Code Act, as amended, and all regulations made thereunder;
- b) with all parts and appendages including lighting fixtures, lamps, elevator buttons, floor indicators and ventilation fans in good repair and operational.

#### 4.15 FIRE AND ACCIDENT PREVENTION

- 4.15.1 When, because of the existence of a building or accessory structure, or the contents thereof, an unsafe condition exists to persons on or about the exterior property areas of a premises, the Building Code Act shall apply to the extent necessary to abate the unsafe condition.
- 4.15.2 In the event that strict application of the regulations in the Building Code Act is not practical, the Chief Building Official may accept alternative measures, as provided in the Building Code, 2.7.1.1 (a) & (b), provided the standard of safety that results is generally equivalent to the standard provided by the Building Code Act regulations.
- 4.15.3 In the event of fire or other disaster, measures shall be taken as soon as possible to make the damaged building or accessory structure compatible with its environment. Without restricting the generality of the foregoing, such measures include making the building or accessory structure safe; repairing damaged surfaces exposed to view; and refinishing so as to be in harmony with adjoining undamaged surfaces and the general environment.



4.15.4 In the event the building or accessory structure is beyond repair, the land shall be cleared of all remains and left in a graded, level and tidy condition.

4.15.5 Materials of a flammable nature shall be safely stored or removed at once from the property.

## **5. STANDARDS FOR USE AND OCCUPANCY OF BUILDINGS**

### **5.1 CLEANLINESS**

Every floor, wall, ceiling and fixture in a building shall be maintained in a clean and sanitary condition and the building shall be kept free from rubbish, debris or conditions which constitute a fire, accident or health hazard.

### **5.2 WATER**

5.2.1 Every dwelling, dwelling unit, commercial, or industrial building shall be provided with an adequate supply of potable running water from a source approved by the Medical Officer of Health or other authorized approval authority.

5.2.2 Every sink, wash basin, bathtub, or shower required by this By-Law shall have an adequate supply of hot and cold running water.

5.2.3 Adequate running water shall be supplied to every water closet.

### **5.3 PLUMBING**

5.3.1 Sewage shall be discharged into the sewage system or a system approved by the Medical Officer of Health or municipal designate.

5.3.2 All plumbing, drain pipes, water pipes and plumbing fixtures in every building and every connecting line to the sewage system shall be maintained in good working order and be protected from freezing.

5.3.3 The plumbing system shall provide an adequate and potable hot and cold water supply, drainage, venting and operation of fixtures.

5.3.4 Every water heater shall have sufficient capacity to provide an adequate supply of hot water at a temperature of not less than 43 degrees Celsius (109.4 degrees Fahrenheit) at all times in all parts of every building, dwelling unit, or shared facility.

5.3.5 All plumbing fixtures and piping shall conform to all Federal and Provincial legislation and regulations and to municipal By-Laws.

5.3.6 Where washing machines and plumbing fixtures are provided, they shall be maintained in good working order and in accordance with the manufacturer's recommendations or be removed.

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

5.4.1 Every dwelling unit except as provided in Subsection 5.4.2 hereof, 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.

5.4.2 In a boarding or lodging house there shall be a water closet, wash basin and bathtub or shower for not more than eight persons and these facilities shall be located on the same storey as, or on the next storey up or down from, the storey on which the room or dwelling unit is located.

5.4.3 Every commercial and industrial building shall contain plumbing fixtures in accordance with the appropriate provincial legislation.

5.4.4 All bathrooms and toilet rooms shall be located within and be accessible from within the building which it serves.

5.4.5 All bathrooms and toilet rooms shall be fully enclosed and have a door capable of being locked so as to provide privacy for the occupant.

5.4.6 Where practical a wash basin shall be located in the same room as the water closet, or shall be conveniently adjacent to the room containing the water closet.

5.4.7 No facilities for the preparation, cooking, storage or consumption of food or for sleeping shall be within a room containing a water closet.

5.4.8 In a building containing dwelling units, the sanitary conveniences and toilet facilities used in connection with the residential portion of the building shall be separated from any facilities and conveniences used in connection with any non-residential portion unless the occupants of the residential portion are also the occupants of the non-residential portion.

5.4.9 Rooms containing sanitary conveniences and toilet facilities shall:

a) be regularly cleaned so as to be maintained in a clean and sanitary condition; and

b) have smooth surfaces reasonably impervious to water.

## 5.5 KITCHENS

5.5.1 Every kitchen area shall be equipped with a sink served with hot and cold running water, storage facilities and counter top work area having minimum dimensions of 1.20 metres (3.94 ft.) in length by 0.56 metres (1.84 ft.) in width and space shall be provided for a stove and refrigerator.

5.5.2 The back splash and counter top around the kitchen sink shall have an impervious surface.

5.5.3 Every kitchen shall have provided an adequate and approved cooking device and it shall be installed in compliance with the Building Code Act for clear space above any exposed cooking surface. Clear space may be reduced in compliance with the requirements of the Building Code Act..

## 5.6 GARBAGE, REFUSE STORAGE ROOMS AND CHUTES

Where garbage, refuse storage rooms and chutes are provided they shall be in conformity with the Building Code Act and maintained in a clean and sanitary condition.

## 5.7 HEATING, VENTILATING AND MECHANICAL SYSTEMS

- 5.7.1 Any heating appliance or device shall be located with reference to clear space requirements on all sides in accordance with the Building Code Act, and shall not be placed so as to impede the free movement of persons within the room where it is located.
- 5.7.2 A space that contains a heating unit shall have natural or mechanical means of supplying air in such quantities to provide adequate combustion.
- 5.7.3 Where a heating system, or part of it, or any auxiliary heating system burns solid or liquid fuel, a space or receptacle for the storage of the fuel or residue shall be provided and maintained in a convenient location and properly constructed so as to be free from fire or accident hazards.
- 5.7.4 Fuel burning equipment shall be vented to a duct by means of a connection leading to a chimney or a vent or flue which conforms to building and safety standards.
- 5.7.5 Every chimney, smoke pipe and flue shall be maintained so as to prevent gas from leaking into the dwelling.
- 5.7.6 All flues shall be kept clear of obstruction, all open joints shall be sealed and all broken and loose masonry shall be repaired.
- 5.7.7 Fireplaces and similar construction used or intended to be used for burning fuels in open fires shall be connected to approved chimneys and shall be installed so as not to create a fire hazard to nearby or adjacent combustible materials and structural members.
- 5.7.8 In multiple dwellings provided with a central heating system, the heating unit shall be located in a separate room having walls, ceilings and doors all of which shall have the appropriate fire resistance ratings as required by the Building Code Act. The room shall be provided with sufficient combustion air directly from the outside.
- 5.7.9 In all commercial or industrial buildings provided with a central heating system, the heating unit shall be located in a separate room, having walls, ceilings and doors, all of which have the appropriate fire resistance rating as required by the Building Code Act.
- 5.7.10 Heating, ventilating and mechanical systems including factory built stoves, fireplaces and chimneys, fans, pumps, filtration and other equipment provided to supply heat or other services shall be maintained:
  - a) operational in accordance with manufacturer's specifications; and
  - b) free of hazards that could cause an accident.
- 5.7.11 Ventilation systems shall be:
  - a) regularly cleaned and maintained in good repair, working order and in a safe condition at all times; and
  - b) in conformance with the requirements of the Building Code Act.

## 5.8 ELECTRICAL SERVICES

- 5.8.1 Electrical installations, including the service capacity of the installations and the number and distribution of circuits, shall conform to the Electricity Act 1998, S.O.1998 c.15.

- 5.8.2 Every habitable room, except for a kitchen, shall contain at least one electrical duplex convenience outlet. Additional duplex convenience outlets shall be provided in accordance with the requirements of the Building Code Act.
- 5.8.3 Every kitchen shall have at least two electrical duplex convenience outlets, which shall be on separate circuits. One such outlet shall be provided over the counter top work surface and one shall be provided at the refrigerator space. In addition, an outlet shall be provided in a dining area forming part of a kitchen.
- 5.8.4 Fuses or overload devices shall not exceed limits set by the Electrical Safety Code.
- 5.8.5 An electrical light fixture shall be installed in every bathroom, toilet room laundry room, furnace room, kitchen, hallway, stairwell, basement and cellar.
- 5.8.6 Extension cords shall not be permitted on a permanent basis.
- 5.8.7 The electrical wiring and all electrical fixtures located or used in any building shall be installed and maintained in good working order and in conformity with the Electrical Safety Code.
- 5.8.8 A smoke alarm shall be installed in each living unit on each sleeping floor and maintained in operable condition at all times.

## 5.9 LIGHT

- 5.9.1 Every habitable room except for a kitchen, shall have a window or windows, skylights or translucent panels that face directly outside at least 15 centimetres (6 inches) above the adjoining finished grade with an unobstructed light transmitting area of not less than ten percent of the floor area of such rooms. The glass area of a sash door may be considered as a portion of the required window area.
- 5.9.2 Every hall, stairway, entrance and exit in all buildings shall be illuminated at all times so as to provide safe passage and the level of illumination, at floor level, shall not be less than 11 lux (1 foot candle).
- 5.9.3 Whenever walls or other portions of structures are located on the outside less than 0.91 metres (3 feet) from a window, such a window shall not be deemed to face directly to the outside and shall not be included as contributing to the required minimum window area of the room.

## 5.10 VENTILATION

- 5.10.1 Every habitable room shall have an opening or openings for natural ventilation from the outside. Such opening or openings shall have a minimum aggregate unobstructed area of 0.28 square metres (3 square feet) and shall be located in the exterior walls or through openable parts of skylights.
- 5.10.2 Openings for natural ventilation may be omitted from a kitchen, living or living-dining room, basement, cellar and crawl space if mechanical ventilation is provided which changes the air once every hour.
- 5.10.3 Every bathroom or room containing a water closet, shall be provided with an opening or openings for natural ventilation located in an exterior wall or through openable parts of skylights except said openings may be omitted

where a system of mechanical ventilation has been provided, such as an electrical fan with a duct leading to outside the dwelling.

- 5.10.4 All systems of mechanical ventilation or air conditioning shall be maintained in good working order.
- 5.10.5 Every basement, cellar, and unheated crawl space shall be adequately vented to the outside air by means of screened windows which can be opened or by louvers with screened openings.
- 5.10.6 In multiple dwellings, every laundry room, garbage room, corridor, boiler room, storage garage and all parts of the building used by the tenants in common shall be adequately ventilated and where a system of mechanical ventilation is used, it shall be maintained in good working condition.
- 5.10.7 Where insulation is installed so that there is a space between the insulation and the roofing, such space shall be ventilated.

## **5.11 HEAT**

- 5.11.1 Heat shall be provided and maintained in a dwelling unit so that the room temperature at 1.5 metres (5 feet) above floor level and 1 metre (3.3 feet) from exterior walls in all habitable space in any area intended for normal use by occupants, including recreation rooms and laundry rooms, but excluding locker rooms and garages, may be maintained to a minimum of 20 degrees Celsius (68 degrees Fahrenheit).
- 5.11.2 Subsection 5.11.1 does not apply to a dwelling unit in which the occupant can regulate the temperature as long as a minimum of 20 degrees Celsius (68 degrees Fahrenheit) can be maintained.
- 5.11.3 Every dwelling unit shall have heating equipment capable of maintaining the temperature levels required by Subsection 5.11.1.
- 5.11.4 No dwelling unit shall be equipped with portable heating equipment as the primary source of heat; and
- 5.11.5 Only heating equipment approved for use by a recognized standards testing authority shall be provided in a room intended for use for sleeping purposes.

## **6. OCCUPANCY STANDARDS FOR DWELLINGS**

- 6.1 Every occupant of a dwelling, in that part of the dwelling that he or she occupies or controls, shall:
  - a) limit the number of occupants thereof to the maximum number permitted by this By-Law;
  - b) maintain all plumbing, cooking, refrigerating appliances and fixtures and all storage facilities and other equipment therein in a clean, safe and sanitary condition;
  - c) keep all exits clean and unobstructed;
  - d) maintain the dwelling in a safe, clean and sanitary condition.
- 6.2 A dwelling shall be at all times kept free of rodents, vermin and insects which may be deleterious to safety or health and from conditions which may encourage infestation by such pests.

- 6.3 In a dwelling unit, openings in the exterior walls or roof shall be fitted and maintained as to protect all habitable space from water and weather entry and so as to make such space reasonably free from drafts.
- 6.4 No person shall use or permit the use of a non-habitable space in a dwelling for a habitable room purpose.
- 6.5 The maximum number of occupants in a dwelling or dwelling unit shall not exceed one person per 9.28 square metres (100 sq. feet) of habitable room floor area.
- 6.6 For the purpose of computing the maximum number of occupants in Subsection 6.5 any child under twelve of age shall be deemed one-half person.
- 6.7 No room in any dwelling shall be used for sleeping purposes unless there is a minimum width of 2 metres (6.6 feet) and a minimum floor area of 7 square metres (75 sq. feet). At least one half of the required minimum floor area shall have a ceiling height of 2.13 metres (7 feet) and no floor area with a ceiling height of less than 1.37 metres (4.5 feet) shall be counted.
- 6.8 A bedroom shall be a habitable room and no kitchen, bathroom or hallway shall be used as a bedroom.
- 6.9 If a finished ceiling is not applied to the underside of the joists, then the bottom of the joists shall be deemed to be a ceiling for the purpose of establishing these vertical height measurements.
- 6.10 The minimum floor area of a room used by two or more persons for sleeping shall be 3.72 square metres (40 sq. feet) for each person so using the room.
- 6.11 Food shall not be stored or prepared in a room that contains a water closet.
- 6.12 No portion of a building shall be occupied if it does not meet the requirements of this By-Law.

## **7. ADMINISTRATION**

### **7.1 APPLICATION OF BY-LAW**

- 7.1.1 This By-law shall apply to all property in the Municipality of Tweed.
- 7.1.2 Any owner of property which is below the standards prescribed in this By-Law is required to repair and maintain such property to comply with the standards prescribed in this By-Law or clear the site of all buildings, structures, debris or refuse and leave it in a graded and leveled condition.

### **7.2 PROPERTY STANDARDS COMMITTEE**

- 7.2.1 The Council of the Municipality of Tweed shall establish a Property Standards Committee composed of such persons, not fewer than three, as the Council may appoint.
- 7.2.2 Any person appointed to the Property Standards Committee shall be a resident of the Municipality of Tweed.
- 7.2.3 The term of office of a person appointed to the Property Standards Committee shall be for such term as the municipal Council designates at the time of the appointment or, if no specific term is designated, for one year.
- 7.2.4 The municipal Council shall forthwith fill any vacancy that occurs in the membership of the committee.

- 7.2.5 The members of the committee may be paid such compensation as the municipal Council may provide.
- 7.2.6 The members of the committee shall elect a chair from among themselves; when the chair is absent, the committee may appoint another member as acting chair.
- 7.2.7 A majority of the members constitutes a quorum for transacting the committee's business.
- 7.2.8 The members shall provide for a secretary for the committee. The secretary 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, and Section 74 of the Municipal Act, R.S.O.1990 c.M.45 applies with necessary modification to the minutes and records.
- 7.2.9 The committee shall give notice or direct that notice be given of a hearing of an appeal to such persons as the committee deems advisable.
- 7.2.10 The committee may, subject to Subsection 7.2.9, adopt its own rules of procedure and any member may administer oaths.

### **7.3. PROPERTY STANDARDS OFFICER**

- 7.3.1 The Council of the Municipality of Tweed shall appoint a Property Standards Officer or Officers who shall be responsible for administering and enforcing this By-Law.
- 7.3.2 For the purpose of this By-Law, the officer may be referred to as the Property Standards Officer.
- 7.3.3 A Property Standards Officer has the power and authority provided in the Building Code Act, in particular Sections 15.1, 15.5, 15.7 and 15.8 subject to Section 16, and, in the exercise of such powers and authority, shall follow the procedures required by the said legislation.

### **7.4. APPEALS**

- 7.4.1 Rights of appeal and the procedures for appeals are as set out in the Building Code Act, in particular Section 15.3.

### **7.5 CERTIFICATE OF COMPLIANCE**

- 7.5.1 The fee payable for the issuance of a Certificate of Compliance pursuant to Section 15.5 of the Building Code Act shall be seventy dollars (\$70.00).

## **8. SCOPE OF THE BY-LAW**

### **8.1 REPAIRS**

- 8.1.1 All repairs to comply with this By-Law and any order issued hereunder shall be carried out with suitable and sufficient materials in a manner acceptable as good and workmanlike for the trades concerned.
- 8.1.2 Nothing in this By-Law shall require repairs to be carried out inside an unused building or inside an unused part thereof, except as necessary to remedy an unsafe condition.

## 8.2 CONFLICTS

- 8.2.1 In the event that a provision of this By-Law conflicts with a provision of another By-Law in force in the Municipality of Tweed, the provision that establishes the higher standard for the protection of the health, safety or welfare shall prevail.
- 8.2.2 In the event that a provision of this By-Law conflicts with a provision of the Building Code Act, the provision of the Building Code Act shall prevail.
- 8.2.3 To the extent that a provision of this By-Law purports to regulate a matter beyond the authority of Council in enacting the By-Law, the provision shall be inoperative.
- 8.2.4 If any part of this By-Law is determined to be void or unenforceable, it shall not affect or impair any other part of this By-Law which shall continue in full force and effect and be construed as if it had been enacted without the void or unenforceable part.

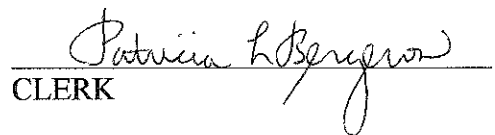
## 9. AUTHORITY

- 9.1 That this By-Law shall come into force and take effect immediately upon the passing thereof by the Council of the Corporation of the Municipality of Tweed.

Read a first and second time this 6<sup>th</sup> day of February, 2001.

Read a third and final time, passed, signed and sealed in open Council this 20<sup>th</sup> day of February, 2001.

  
REEVE

  
CLERK