

Property Maintenance

Chapter 0745 Maintenance – Occupancy Standards

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Article 1 - Short Title

745.1.1 Citation

This Chapter may be cited and known as the "Property Standards Chapter."

Article 2 - Interpretation

745.2.1 Accessory building - defined

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

745.2.2 Approved - defined

"approved" means acceptance by the Property Standards Officer.

745.2.3 Basement - defined

"basement" means that space of a building that is partly below grade which has half or more of its height, measured from floor to ceiling above the average exterior finished grade.

745.2.4 Cellar - defined

"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.

745.2.5 Committee - defined

"committee" means the City of Woodstock Property Standards Committee.

745.2.6 Dwelling - defined

"dwelling" means a building or structure or part of a building or structure, occupied or capable of being occupied in whole or in part for the purpose of human habitation.

745.2.7 Dwelling unit - defined

"dwelling unit" means a room or a suite of rooms operated as a house- keeping unit used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking, eating, sleeping, and sanitary facilities.

745.2.8 First storey - defined

"first storey" means that part of a building having a floor area closest to grade with a ceiling height of more than 1.8 m. (6 ft.) above grade.

745.2.9 Guard - defined

“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.

745.2.10 Habitable room - defined

“habitable room” means any room in a dwelling unit used for or capable of being used for living, cooking, sleeping or eating purposes.

745.2.11 Means of egress - defined

“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.

745.2.12 Non-habitable room - defined

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

745.2.13 Non-residential property - defined

“non-residential property” means a building or structure or part of a building or structure not occupied in whole or in part for the purpose of human habitation, and includes the lands and premises appurtenant and all of the outbuildings, fences or erections thereon or therein.

745.2.14 Occupant - defined

“occupant” means any person or persons over the age of 18 years in possession of the property.

745.2.15 Owner - defined

“owner” includes:

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

745.2.16 Person - defined

“person” means an individual, firm, corporation, association or partnership.

745.2.17 Property - defined

“property” means a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected, and includes vacant property.

745.2.18 Property Standards Officer - defined

“Property Standards Officer” means any Property Standards Officer or Assistant Property Standards Officer who may from time to time be appointed by the Council of The Corporation of the City of Woodstock to administer and enforce this Chapter.

745.2.19 Residential property - defined

“residential property” means any property that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any lands or buildings that are appurtenant to such establishment and all stairways, walkways, driveways, parking spaces, and fences associated with the dwelling or its yard.

745.2.20 Repair - defined

“repair” includes the provision of facilities, the making of additions or alterations or the taking of any other action that may be required to ensure that a property conforms with the standards set out in this Chapter.

745.2.21 Standards - defined

“standards” means the standards of the physical condition and of occupancy prescribed for property by this Chapter.

745.2.21.1 Swimming pool - hot tub - defined

“swimming pool or hot tub” means any body of water contained by artificial means, located outdoors used for swimming, diving, or bathing but shall not include a natural body of water, water course or fish pond. By-law 8215-06, June 15, 2006.

745.2.22 Toilet room - defined

“toilet room” means a room containing a water closet and a wash basin.

745.2.23 Yard - defined

“yard” means the land other than publicly owned land around or appurtenant to the whole or any part of a residential or non-residential property and used or capable of being used in connection with the property.

Article 3 – General Standards for All Property

745.3.1 Application – all property – within boundaries

The provisions of this Chapter shall apply to all properties within the boundaries of The Corporation of the City of Woodstock.

745.3.2 Property - buildings - use - conformity - required

No property within the City of Woodstock shall be used and no building or structure shall be erected, altered, enlarged, maintained or used for any purpose except in conformity with the provisions of this Chapter.

745.3.3 Use - building - non-conforming property – prohibited

No person shall use or permit anyone to use or occupy or, being the owner thereof or his/her agent, shall allow to be used or occupied, any building on any property unless the property conforms to the standards prescribed by this Chapter.

745.3.4 Hazards - accidents - prevented

All properties shall be maintained so as not to create a health, fire or accident hazard.

745.3.5 Conditions hazardous - prohibited

All properties shall be maintained free from conditions that may create a health, fire or accident hazard.

745.3.6 Workmanship - compliance to codes

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

745.3.7 Yards - clean - free from rubbish - hazards

Every yard, including vacant lots, shall be kept clean and free from:

- a. rubbish or debris and objects or conditions that may create a health, fire, or accident hazard;
- b. wrecked, dismantled, discarded, abandoned, non-operative or unlicensed machinery, vehicles, trailers or boats; unlicensed and operable vehicles are permitted to be stored only for the purposes of display for sale associated with any lawful car dealership;
- c. long grass, brush, undergrowth and noxious weeds as defined by the *Weed Control Act*;
- d. hedges shall be kept trimmed and made to comply with any by-law of the Corporation in effect from time to time;
- e. grass or weeds to a height in excess of 20 cm. (7.8 in.) except for property undergoing a naturalization program that has a naturalization plan approved by the Parks and Recreation Department;

- f. dilapidated, collapsed or partially constructed structures which are not currently under construction;
- g. injurious insects, termites, rodents, vermin or other pests; and
- h. dead, decayed or damaged trees or other natural growth. By-law 8761-12, May 17, 2012.

745.3.8 Surface conditions - free from hazards

Surface conditions of yards shall be maintained so as to:

- a. prevent ponding of storm water when such water constitutes a health or accident hazard except for the ponding of water for storm water management when approved by the City Engineer;
- b. prevent instability or erosion of soil;
- c. prevent surface water run-off from entering basements;
- d. be kept free of abandoned excavations;
- e. not exhibit an unsightly appearance;
- f. be kept free of garbage and refuse;
- g. be kept free of deep ruts and holes;
- h. provide for safe passage under normal use and weather conditions, day or night; and
- i. not to create a nuisance to other property.

745.3.9 Sewage and drainage - discharge - restrictions

Sewage shall be discharged into the sewage system.

745.3.10 Discharge - to ground surface - prohibited

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

745.3.11 Roof drainage - discharge - restrictions

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

745.3.12 Parking - surface area - requirements

All areas used for vehicular traffic and parking shall have a surface covering of asphalt, concrete, or compacted stone or gravel and shall be kept in good repair free of dirt and litter.

745.3.13 Surface maintained - safe - at all times

Steps, walks, driveways, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions day or night.

745.3.14 Accessory building - maintained - structurally sound

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

745.3.15 Structure - protected - weather-resistant material

Accessory buildings, fences, and other structures shall be protected from deterioration by the application of appropriate weather-resistant materials including paint or other suitable preservative and shall be of uniform colour unless the aesthetic characteristics of said structure are enhanced by the lack of such material.

745.3.16 Swimming pool - drainage - backwash – restriction

The drainage from a privately owned outdoor swimming pool or hot tub, which includes but is not limited to, a backwash cycle or a winterization shall not be directed to adjacent properties. By-law 8215-06, June 15, 2006.

745.3.17 Composting - location - construction requirements

The occupant of a residential property may provide for a compost area in accordance with any health regulations, provided that the compost area is no larger than 2 sq.m. (21.5 sq.ft.) and 1.5 m. (4.9 ft.) in height and is enclosed on all sides by concrete, lumber, or a commercial plastic enclosed container designed for composting. Any composter used for composting food waste shall be constructed in a manner to prevent the entry of rodents, vermin and birds. By-law 8079-05, April 7, 2005.

Article 4 - Residential Standards – General Conditions

745.4.1 Property - maintained - clean - sanitary - safe

Every tenant, or occupant or lessee of a residential property shall maintain the property or part thereof and the land which they occupy or control in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis, in accordance with municipal by-laws.

745.4.2 Building - walls - floor - room - maintained – sanitary

Every tenant, or occupant or lessee of a residential property shall maintain every floor, wall, ceiling and fixture under their control, including hallways, entrances, laundry rooms, utility rooms, and other common areas, in a clean, sanitary and safe condition.

745.4.3 Means of egress - unencumbered

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

745.4.4 Pests - extermination as required

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

745.4.5 Openings - windows - screened - sealed

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

745.4.6 Structural soundness - maintained - safe - to code

Every part of a dwelling shall be maintained in a structurally sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use, having a level of safety as required by the Ontario Building Code.

745.4.7 Loose materials - improperly secured – prohibited

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

745.4.8 Deterioration - rot - repaired - replaced

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

745.4.9 Foundation - maintained - waterproof - pest prevention

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

745.4.10 Depth - below frost line

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

745.4.11 Exterior walls - maintained - pest prevention

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

745.4.12 Broken - loose masonry - other cladding – repaired

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

745.4.13 Insulation requirements

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

745.4.14 Signs - paintings - graffiti - removed

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

745.4.15 Windows - doors - maintained - weather tight

Windows, doors, skylights, and basement or cellar hatchways shall be maintained in good repair, weather tight and reasonably draft-free, to prevent heat loss and infiltration by the elements. Maintenance includes painting, replacing damaged doors, frames and other components, window frames, sashes and

casings, replacement of non-serviceable hardware and reglazing and caulking where necessary. Where screening is provided on windows and doors it shall also be maintained in good repair.

745.4.16 Locks - all windows - doors - required

All windows that are intended to be opened and all exterior doors shall have suitable hardware so as to allow locking or otherwise securing from inside the dwelling unit. At least one entrance door to a dwelling unit shall have suitable hardware so as to permit locking or securing from either inside or outside the dwelling unit.

745.4.17 Entrance doors - solid - steel - required

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

745.4.18 Voice communication/locking release systems

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

745.4.19 Window openings - safety catches – requirements

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

745.4.20 Doors - within fire separations - requirements

Doors located within required fire separations shall be minimum 1-3/4 in. (4.5 cm.) solid core wood door or be labelled with a minimum twenty-minute fire resistance rating by an authorized testing agency.

745.4.21 Roof - maintained - weather tight

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

745.4.22 Ice - snow accumulations - prevention

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

745.4.23 Eaves-troughing - gutters - maintained – secure

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

745.4.24 Insulation levels - maintained

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

745.4.25 Walls, ceiling, floor - maintained - impervious

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

745.4.26 Floor - smooth - prevention of hazard - pest control

Every floor in a dwelling shall be reasonably smooth and level and maintained so as to be free of all loose, warped, protruding, broken, or rotted boards or other material that might cause an accident or allow the entrance of rodents and other vermin or insects. Dirt floors in basement or crawl spaces shall be protected by minimum 6 mil polyethylene or 5 cm. (2 in.) concrete mudcoat.

745.4.27 Floor - bathroom - kitchen - landing – impervious

Every floor in a bathroom, toilet room, kitchen, shower room, and laundry room shall be maintained so as to be impervious to water and readily cleaned.

745.4.28 Fire separations - maintained - repaired - to Code

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

745.4.29 Exits - public corridors - surface flame retardant

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

745.4.30 Stairs, porches and balconies - maintained – safe

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

745.4.31 Guardrail - handrail - requirements

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

745.4.32 Guardrails - handrails - rigid

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

745.4.33 Kitchens - minimum requirements

Every dwelling shall contain a kitchen area equipped with:

- a. a sink that is served with hot and cold running water and is surrounded by surfaces impervious to grease and water;
- b. suitable storage area of not less than 0.23 cubic metres (8 cu. ft.);
- c. a counter or work area at least 610 mm (2 ft) in width by 1,220 mm (4 ft) in length, exclusive of the sink, and covered with a material that is impervious to moisture and grease and is easily cleanable; and
- d. a space provided for cooking and refrigeration appliances including the suitable electrical or gas connections.

745.4.34 Combustible material - clearance requirement

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

745.4.35 Toilet - bathroom facilities - minimum requirements

Every dwelling unit shall contain a bathroom consisting of at least one fully operational water closet, washbasin, and a bathtub or suitable shower unit. Every washbasin and bathtub or shower shall have an adequate supply of hot and cold running water. Every water closet shall have a suitable supply of running water.

745.4.36 Fully enclosed - lockable door - privacy

Every required bathroom or toilet room shall be accessible from within the dwelling unit and shall be fully enclosed and provided with a door capable of being locked so as to allow privacy for the persons using said room.

745.4.37 Shared facilities - entrance requirements

Where toilet or bathroom facilities are shared by occupants of residential accommodation, other than self-contained dwelling units, an appropriate entrance shall be provided from a common passageway, hallway, corridor or other common space to the room or rooms containing the said facilities.

745.4.38 Plumbing - water - adequate - hot - cold – requirements

Each washbasin, bathtub or shower, and one kitchen sink shall be equipped with an adequate supply of hot and cold running water. Hot water shall be supplied at a temperature of not less than 43° C. (110° F).

745.4.39 Water - potable - supplied

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

745.4.40 Plumbing - drains - maintained - free from leaks

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.

745.4.41 Connection - sewage system - water seal traps

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

745.4.42 Fixtures - smooth - impervious

Every fixture shall be of such materials, construction and design as will ensure that the exposed surface of all parts are hard, smooth, impervious to hot and cold water, readily accessible for cleansing and free from blemishes, cracks, stains, or other defects that may harbour germs or impede thorough cleansing.

745.4.43 Sanitary sewage system - maintained - as approved

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

745.4.44 Electrical service - connected - to approved system

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

745.4.45 Wiring - fixtures - appliances - maintained

The electrical wiring, fixtures, switches, receptacles, and appliances located or used in dwellings, dwelling units and accessory buildings shall be installed and maintained in good working order so as not to cause fire or electrical shock hazards. All electrical services shall conform to the regulations established by the *Power Corporations Act*, as amended.

745.4.46 Outlet - minimum requirements - extension cord

Every habitable room in a dwelling shall have at least one electrical duplex outlet for each 11.1 sq. m. (120 sq.ft.) of floor space and for each additional 9.3 sq. m. (100 sq.ft.) of floor area a second duplex outlet shall be provided. Extension cords shall not be used on a permanent basis.

745.4.47 Light fixtures - minimum requirements

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

745.4.48 Illumination - sufficient - to avoid hazards

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

745.4.49 Heating - chimneys - maintained – requirements

Every dwelling and building containing a residential dwelling unit or units shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 20° C. (68.5° F.) in the occupied dwelling units. The heating system shall be maintained in good working condition so as to be capable of safely heating the individual dwelling unit to the required standard.

745.4.50 Installation - maintenance - requirements

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

745.4.51 Fuel - solid - liquid - storage requirements

Where a heating system or part thereof in a building requires solid or liquid fuel to operate, a place or receptacle for such fuel shall be provided and maintained in a safe condition and in a convenient location so as to be free from fire or accidental hazard.

745.4.52 Heating - appliances - enclosed - separate room

Every dwelling shall be so constructed or otherwise separated to prevent the passage of smoke, fumes, and gases from that part of the dwelling which is not used, designed or intended to be used for human habitation into other parts of the dwelling used for habitation. Such separations shall conform to the Ontario Building Code.

745.4.53 Fuel burning appliances - properly vented

All fuel burning appliances, equipment, and accessories in a dwelling shall be properly vented to the outside air by means of a smoke-pipe, vent pipe, chimney flue or other approved method.

745.4.54 Chimney - maintained - free of cracks – obstructions

Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good repair so as to prevent the escape of smoke, fumes or gases from entering a dwelling unit. Maintenance includes the removal of all obstructions, sealing open joints, and the repair of loose or broken masonry units.

745.4.55 Chimney - construction

Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good condition so as to prevent the heating of adjacent combustible material or structural members to unsafe temperatures.

745.4.56 Fire escapes - alarms - detectors - required

A listed fire alarm and a fire detection system, approved by the Canadian Standards Association or Underwriters Laboratories of Canada, shall be provided by the owners of buildings of residential occupancies as required by the Ontario Fire Code.

745.4.57 Smoke alarm - requirements

In addition to the provisions of Section 745.4.53, in every dwelling unit in a building, a listed smoke alarm, approved by the Canadian Standards Association or Underwriters Laboratories of Canada, or detectors of the single station alarm type, audible within bedrooms when intervening doors are closed, shall be installed between bedrooms or the sleeping area and the remainder of the dwelling unit, such as in a hallway or corridor serving such bedrooms or sleeping area. The products of combustion detector referred shall be:

- a. equipped with visual or audio indication that they are in operating condition;
- b. mounted on the ceiling or on a wall between 152.4 to 304.8 mm (6 to 12 in.) below the ceiling within 5 m. (16.4 ft.) of any bedroom.

745.4.58 Fire escapes - unobstructed - continuous – requirement

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 operable window or door.

745.4.59 Egress - safe - unobstructed - continuous – requirement

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

745.4.60 Exit - minimum requirements - multiple unit dwelling

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

745.4.61 Natural light - habitable rooms - requirements

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

745.4.62 Ventilation - minimum requirements - all rooms

Every habitable room in a dwelling unit, including kitchens, bathroom or toilet rooms, shall have openings for ventilation providing an unobstructed free flow of air of at least 0.28 sq. m. (3 sq.ft.), or an approved system of mechanical ventilation such that provide hourly air exchanges.

745.4.63 Mechanical ventilation - maintained

All systems of mechanical ventilation shall be maintained in good working order.

745.4.64 Enclosed areas - ventilation requirements

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

745.4.65 Elevating devices - maintenance – operational

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

745.4.66 Disconnected utilities - prohibited - exception

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

745.4.67 Occupancy standards - size - sleeping rooms

No room shall be used for sleeping purposes unless it has a minimum width of 2 m. (6.6 ft.), and a floor area of at least 7 sq. m. (75 sq.ft.). A room used for sleeping purposes by two or more persons shall have a floor area of at least 4 sq. m. (43 sq. ft.) per person.

745.4.68 Basement - dwelling unit - requirements

Any basement, or portion thereof, used as a dwelling unit shall conform to the following requirements:

- a. each habitable room shall comply with all the requirements set out in this Chapter;
- b. floors and walls shall be constructed so as to be damp proof and impervious to water leakage;
- c. each habitable room shall be separated from service rooms by a suitable fire separation and approved under the Ontario Building Code;
- d. access to each habitable room shall be gained without passage through a service room.

Article 5 - Vacant Lands and Buildings

745.5.1 Repairs - maintenance - to code - suitable materials

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

745.5.2 Vacant lands - standards - maintained

Vacant land shall be maintained to the standards as described in Sections 745.3.7 and 745.3.8.

745.5.3 Vacant land - graded - filled - prevention of ponding

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

745.5.4 Vacant buildings - clean - removal of rubbish

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

745.5.5 Opening - boarded up - painted

The owner or agent of a vacant building shall board up the building to the satisfaction of the Property Standards Officer by covering all openings through which entry may be obtained with at least 12.7 mm. (0.5 in) weatherproof sheet plywood securely fastened to the building and painted a colour compatible with the surrounding walls.

Article 6 - Non-Residential Property Standards

745.6.1 Repairs - maintenance - to code - suitable materials

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

745.6.2 Yards - maintained standards

The yards of non-residential property shall be maintained to the standards as described in Sections 745.3.7 and 745.3.8.

745.6.3 Material - equipment - neat - unobstructed - safe

The warehousing or storage of material or operative equipment that is required for the continuing operation of the industrial or commercial aspect of the property shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard or any unsightly condition and shall provide unobstructed access for emergency vehicles.

745.6.4 Parking, areas and driveways - surface requirements

All areas used for vehicular traffic and parking shall have a surface covering as required by the City of Woodstock zoning by-law including, but not limited to, asphalt, concrete, or compacted stone or gravel.

745.6.5 Prevention of dust - on road surface

All surface coverings shall be kept in good repair, free of dirt and litter. All surface coverings shall be treated to prevent the raising of dust. Driveways shall have a

surface covering that prevents the deposition of gravel or loose materials on the travelled portion of the municipal road allowance.

745.6.6 Maintained - safe - accessible

All areas used for vehicular traffic, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions.

745.6.7 Structural soundness - maintained - repaired

Every part of a building structure shall be maintained in a sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use, having a level of safety required by the Ontario Building Code. Structural members or materials that have been damaged or indicate evidence of deterioration shall be repaired or replaced.

745.6.8 Loose materials - secured

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

745.6.9 Exterior walls - maintained - good repair – uniform

Exterior walls of a building or a structure and their components, including soffits, fascia, windows and doors, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco, and other defective cladding, or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.

745.6.10 Unauthorized signs - graffiti - defacements removed

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

745.6.11 Guardrails - maintained - good repair – requirements

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

745.6.12 Guardrails - handrails - rigid - safe

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

745.6.13 Lighting - maintained - safe - prevention of nuisance

All non-residential establishments shall install and maintain sufficient windows, skylights, and lighting fixtures necessary for the safety of all persons attending the premises or as may be required by the *Occupational Health and Safety Act*

for industrial and commercial properties. However, lighting shall not be positioned so as to cause any impairment of use or enjoyment of neighbouring properties.

Article 7 - Administration and Enforcement

745.7.1 Applicable - all property within municipality

This Chapter shall apply to all property within the limits of the municipality.

745.7.2 Imperial measurements - use

The imperial measurements contained in this Chapter are given for reference only.

745.7.3 Enforcement - Property Standards Officer – appointed

The Council of The Corporation of the City of Woodstock shall appoint a Property Standards Officers to be responsible for the administration and enforcement of this Chapter.

Article 8 – Property Standards Committee

745.8.1 Property Standards Committee - composition – term

The Property Standards Committee of the City of Woodstock is hereby created and shall consist of five ratepayers of the Corporation. All appointments to this Committee shall become effective upon the passing of a resolution of Council which provides for such appointments, and shall expire as of November 30 in the year of a municipal election or when a successor to such appointee has been appointed. All appointments are at the discretion of Council. By-law 8318-07, February 1, 2007. By-law 8677-11, May 5, 2011.

745.8.2 Vacancies - filled by Council - term

Persons appointed to fill the vacancies where a committee member has resigned or is removed, shall have the same term as the committee member who has resigned or is removed. Council will also fill any other vacancy which may arise from time to time. By-law 8318-07, February 1, 2007.

745.8.2.1 Quorum - minimum

A quorum shall consist of a majority of the currently appointed voting members of the Committee. By-law 8318-07, February 1, 2007.

745.8.3 Appeals - Property Standards Committee - fee

Every person who initiates an appeal of an Order made under subsection 15.2 (2) of the Ontario *Building Code Act, 1992*, c. 23, shall submit a notice of appeal in the time frame and the manner prescribed in subsection 15.3 (1) of the Act. All notices of appeal shall be accompanied by a non-refundable payment of \$110 as the fee for the application.

745.8.4 Compliance - owner responsibility

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

745.8.5 Penalty - fine for contravention

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

745.8.6 Validity - severability

If an Article or Section of this Chapter is, for any reason, held to be invalid, the remaining articles shall remain in effect.

745.8.7 Conflict - other enactment - higher standards prevail

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

745.8.8 Transitional rules

After the date of the passing of this Chapter, By-law 6141-84, as amended, shall apply only to those properties in which an order to comply has been issued prior to the date of passing of this Chapter, and then only to such properties until such time as the work required by such order has been completed or any enforcement proceedings with respect to such order, including any demolition, clearance, or repair carried out by the municipality shall have been concluded. By-law 7874-02, December 5, 2002.