

The Corporation of the Town of Parry Sound

By-law 2012 - 6103

Property Standards By-law

Consolidated By-law - Reference copy only

Being a By-law for prescribing standards for the maintenance and occupancy of all property with the Town of Parry Sound and repealing By-laws 88-3281, 93-3618 and 93-3606.

Whereas pursuant to section 15.1(3) of the Building Code Act, S.O., 1992 c.23 the Council of the Municipality may pass a by-law to do the following things if an official plan includes provisions relating to property conditions and is in effect in the municipality:

1. Prescribing standards for the maintenance or occupancy of property within the municipality and for prohibiting the occupancy or use of such property that does not conform to the standards.
2. Requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in graded and leveled condition;

And Whereas the Town of Parry Sound has in effect an “Official Plan” that includes provisions relating to property standards;

And Whereas Council deems it necessary and in the public interest to enact a by-law prescribing standards for the maintenance and occupancy of property within the Town.

Now Therefore The Council Of The Corporation Of The Town Of Parry Sound Enacts As Follows:

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Part 1 - Definitions

In this by law:

- a) "Accessory Building" means a detached building or structure not used for human habitation that is subordinate to the lawful primary use of the main building or structure on the said property.
- b) "Actively" when used in relation to restoration or repair shall mean a continuous series of repairs or improvements occurring over a 12 month period.
- c) "Apartment Building" means a building containing more than four dwelling units with individual access from an internal corridor system.
- d) "Approved" means acceptance by the Property Standards Officer.
- e) "Balustrade" means a railing supported by a series of short posts forming an ornamental parapet to a balcony or terrace.
- f) "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.
- g) "Building" means a building as defined in the Building Code Act S O 1992 or a structure whether temporary or permanent used for or intended for supporting or sheltering any use or occupancy and shall include a tent or carport.

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- h) "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
- i) "Committee" means the means the Property Standards Committee
- j) "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
- k) "Dwelling Unit" means a room or a suite of rooms operated as a housekeeping unit used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking eating sleeping and sanitary facilities
- l) "First Storey" means that part of a building having a floor area closest to grade with a ceiling height of more than 1.8 metres (6 feet) minimum above grade
- m) "Guard" means a protective barrier installed around openings in floor areas or on the open sides of a stairway, landing, balcony, mezzanine gallery, raised walkway and other locations as required to prevent accidental falls from one level to another, such barriers may or may not have openings through it
- n) "Habitable Room" means any room in a dwelling unit that is designed used or intended to be used for living cooking sleeping or eating purposes
- o) "Means of Egress" means a continuous unobstructed path of travel provided by a doorway, hallway, corridor exterior, passageway, balcony, lobby, stair ramp or other exit facility used for the escape of persons from any point within a building, a

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floor area, a room or a contained open space to a public thoroughfare or an approved area of refuge usually located outside the building

- p) "Multiple Dwelling" means a building containing three or more dwelling units
- q) "Municipal Clerk" shall mean the Clerk of the Corporation of the Town of Parry Sound
- r) "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, foyer, corridor, stairway, closet, boiler, furnace or electrical room or other space for service and maintenance of the dwelling for public use and for access to and vertical travel between storeys and basement or part thereof which does not comply with the standards of fitness for occupancy set out in this By law
- s) "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
- t) "Occupant" means any person or persons over the age of eighteen years in possession of the property
- u) "Officer" means a Municipal Law Enforcement Officer assigned the responsibility for enforcing and administering this By-law as a Property Standards Officer.
- v) "Owner" means any person(s) for the time being managing or receiving the rent of or paying the municipal taxes on the land or premises in connection with which the word is used whether on his her own account or as agent, trustee or any other person who would so receive the rent if such land and premises were let and shall

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also include a lessee tenant or occupant of the property who under the terms of the lease or other rental agreement is required to repair and maintain the property in accordance with the Standards of Maintenance and Occupancy of the property and may include all other persons having a legal interest in the property.

- w) "Person" means a natural person, an individual, a firm, a corporation, an association or partnership and their heirs, executors, administrators or other legal representative of a person to whom the context can apply according to the law.
- x) "Property" means a building or structure or part of a building or structure and includes the lands and premises appurtenant thereto and all mobile structures, outbuildings, fences and erections thereon and includes vacant property.
- y) "Repair" includes the making of additions or alterations or the taking of such action as in restoring, renovating, mending, as may be required so that the property shall conform to standards established in this By-law.
- z) "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.
- aa) "Sewage" means the liquid wastes from residential or other buildings including industrial establishments.
- bb) "Sewage System" means the municipal sanitary sewer system or a private sewage disposal system approved by the Medical Officer of Health but shall not include a system designed or intended strictly to handle ground water.

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cc) “Standards” means the standards of the physical condition and of occupancy prescribed for property by this By-law.

dd) “Toilet Room” means a room containing a water closet and a wash basin.

ee) “Yard” means the privately 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.

ff) “Zoning By law” shall mean the current applicable Zoning By-law of the Town of Parry Sound.

Part 2 - General Standards for All Property

General Conditions

1. This By-law applies to all properties lying within the boundaries of the Town of Parry Sound.
2. No Person shall use, permit the use of, occupy, rent, or offer for rent any property within the Town that does not conform to the standards set out in this by-law.
3. All repairs and maintenance as required by this Bylaw 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 or other such Codes or requirements where applicable.
4. Any repairs or maintenance undertaken by the Town to bring the property into compliance with this By-law will be subject to a twenty five (25) percent surcharge.

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Accessory Buildings, Fences and Other Structures

1. Accessory buildings and other structures appurtenant to the property shall be maintained in structurally sound condition and in good repair.
2. Fences shall be maintained in structurally sound condition and in good repair and shall comply with the restrictions and conditions of the Zoning By-law.
3. 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.

Sewage and Drainage

1. Sewage shall be discharged into the Municipal Sewage Collection system in accordance with Municipal Sewer use By-law 97-3913.
2. Roof or sump drainage shall not be discharged onto sidewalks, stairs or directly onto adjacent property.
3. Downspouts used in conjunction with roof drainage shall be no less than 5.1 cm (2 inches) away from any shared lot line. All water drainage shall be directed away from the lot-line.
4. Storm water, which includes basement sump pump and rainwater, shall not be drained into a sanitary sewage system.

Parking Areas Walks and Driveways

1. 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.

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2. Notwithstanding, the foregoing for non residential properties which abut residential properties all areas used for vehicular traffic and parking shall have a surface covering of asphalt or similar hard surface.
3. 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.
4. 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.

Holes and Excavations

1. Exterior property areas shall be kept free from conditions such as holes and excavations that might create health or accident hazards. This may include abandoned or unused wells, excavation areas, trenches or ditches and foundation walls.
2. Holes and excavations which are necessary for or part of a use lawfully situated on private property must be kept in a manner to avoid an unsafe or unsightly condition. Precautions to be taken shall include the erection of fences, barricades, and all other means of protection necessary in respect thereto.
3. Exterior property areas shall be regarded or provided with a ground cover, as appropriate, to prevent unsafe ponding of water, unstable soil conditions, erosion or appearance not in harmony with the neighbouring environment.

Part 3 - Building Standards

General Conditions

1. Every owner, tenant, 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.

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2. Every owner, tenant, occupant or lessee of a residential property shall maintain every floor, wall, ceiling and fixture under their control including hallways entrances, laundry rooms, utility rooms and other common areas in a clean, sanitary and safe condition.
3. Accumulation or storage of garbage, refuse, appliances or furniture in public hallways or stairways shall not be permitted.

Pest Prevention

1. Buildings shall be kept free of rodents, vermin, insects and the presence of their nests, droppings and chew holes at all times. Where evidence of said items are apparent, methods used for exterminating such pests shall be in accordance with the provisions of the Pesticides Act, R. S. O., 1990, c.P. 11 and the responsibility for such extermination shall rest with the owner of the property, unless otherwise stipulated in the lease or rental agreement.
2. Openings, including windows, that might permit the entry of rodents, insects, vermin or other pests shall be appropriately screened or sealed.

Structural Soundness

1. Every part of a building and every accessory building 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 factor of safety required by the Ontario Building Code.
2. Walls roofs and other exterior parts of a building shall be free from loose or improperly secured objects or materials.
3. All overhang extensions including but not limited to canopies, marques signs, metal awnings, fire escapes, stand pipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in sound condition.

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Foundations

1. Foundation walls of all buildings shall be maintained so as to prevent the entrance of insects, rodents and excessive moisture. Maintenance includes but is not limited to the shoring of the walls to prevent settling, installing sub soil drains, when necessary grouting masonry cracks, waterproofing walls, joints and floors.
2. Every building, except for slab on grade construction, shall be supported by foundation walls or piers that extend below the frost line or to solid rock.
3. Every basement, cellar, and crawl space in a building shall be adequately drained.

Exterior Walls

1. Exterior walls of buildings and their components, including eaves, soffits and fascia, shall be maintained in good repair free from cracked, broken or loose masonry, stucco and other defective cladding or trim. Paint or other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.
2. Exterior walls of all buildings and their components shall be free of inappropriate signs, painted slogans, graffiti and similar defacements.

Windows and Doors

1. Windows, doors, skylights and basement or cellar hatchways shall be maintained in good repair and good working order, weather tight reasonably draught 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 where necessary. Where screening is provided on windows and doors it shall also be maintained in good repair.

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2. In a dwelling unit, all windows and skylights 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.
3. Solid core doors shall be provided for all entrances to dwellings and dwelling units.
4. 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.
5. Every window in a leased or rented dwelling unit that is located above the first storey of a multiple dwelling, shall be equipped with an approved safety device that would prevent any part of the window from opening greater that would permit the passage of a 100 mm diameter (3.9) inches) sphere. Such safety device shall not prevent the window from being fully opened during an emergency situation by an adult without the use of tools.

Roofs

1. Roofs of buildings and their components shall be maintained in a weather tight condition, free from loose or unsecured objects or materials. Shingles or other coverings which exhibit excessive deterioration shall be replaced as required.
2. Accumulations of ice and/or snow shall be promptly removed from the roofs of buildings and accessory buildings which slope toward a highway or sidewalk or where such conditions could hinder the safe passage of the public.
3. Where eavestroughing or roof gutters are provided, they shall be kept in good repair, free from obstruction or blockages and properly secured to the building and appropriately sloped to allow for proper water drainage.

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Walls, Ceilings, and Floors

1. Every wall, ceiling, and floor in a building shall be maintained so as to provide a continuous surface free of holes, cracks, loose coverings or other defects. Walls surrounding showers and bathtubs shall be impervious to water.
2. Every floor in a building shall be reasonably smooth and level and maintained so as to be free of 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.
3. Every floor in a bathroom, toilet room, shower room, laundry room and kitchen shall be maintained so as to be impervious to water and readily cleaned.

Stairs, Porches, and Balconies

1. Inside and outside stairs, porches and landings shall be maintained so as to be free of holes, cracks, and other defects that may constitute accident hazards.
2. 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.

Guardrails and Balustrades

1. A balustrade shall be installed and maintained in good repair on the open side of any stairway or ramp containing three (3) or more risers, including the landing, or a height of 600 mm (24 inches). A handrail shall be installed and maintained in good repair in all stairwells. Guardrails shall be installed and maintained in good repair around all landings, porches and balconies. Guardrails, balustrades and handrails

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shall be constructed in accordance with the Ontario Building Code, and maintained rigid in nature.

Kitchen

1. 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) hot water shall be supplied at a temperature of not less than 45 degrees Celsius (113F) and not more than 60 degrees Celsius (140F)
 - c) suitable storage area
 - d) a counter or work area, exclusive of the sink and covered with a material that is imperious to moisture and grease and is easily cleanable; and
 - e) a space provided for cooking and refrigeration appliances including the suitable electrical or gas connections.

Toilet and Bathroom Facilities

1. Every dwelling unit shall contain a bathroom consisting of at least one fully operational water closet, wash basin, and bathtub or suitable shower unit. Every wash basin and bathtub or shower shall have adequate supply of hot and cold running water. Hot water shall be supplied at temperature of not less than 45 degrees Celsius (113F) and not more than 60 degrees Celsius (140F). Every water closet shall have a suitable supply of running water.
2. Every required bathroom or toilet room shall be accessible from within the dwelling unit and shall be fully enclosed and provided with a door.

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3. Where toilet or bathroom facilities are shared by occupants of residential accommodation, other than self-contained 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.

Plumbing

1. Every dwelling unit shall be provided with an adequate supply of potable running water from a source approved by the Medical Officer of Health.
2. 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.
3. All plumbing fixtures shall be connected to the sewage system through water seal traps.
4. 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, extreme corrosion or other defects that may harbor germs or impede thorough cleansing.

Electrical Service

1. Every dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system.
2. The electrical wiring, fixtures, switches, receptacles, and appliances located or used in dwellings, dwelling units and accessory buildings and all non-residential buildings shall be installed and maintained in good working order so as not to cause fire or electrical shock hazards.

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3. All electrical services shall conform to all applicable regulations of the Electricity Act 1998, S.O. 1998c.15 and the Ontario Electrical Safety Code, Ontario Regulation 164/99 or its successor legislation.
4. Every habitable room in a dwelling shall have at least one electrical duplex outlet for each 11.1 square metres (120 square feet) of floor space and for each additional 9.3 square metres (100 square feet) of floor area a second duplex outlet shall be provided. Extension cords shall not be used on a permanent basis.
5. 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.
6. Lighting fixtures and appliances installed throughout a dwelling unit, including stairways, corridors, passageways, garages and basements shall provide sufficient illumination so as to avoid health and accident hazards in normal use.

Heating, Heating Systems, Chimneys and Vents

1. Every dwelling unit and building containing a residential dwelling unit shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 20 degrees Celsius (68 F) in the occupied dwelling units. The heating system shall be maintained in good working condition and capable of safely heating the individual dwelling units to the required standard on request of the dwelling unit's tenant.
2. Where the temperature level cannot be controlled by the tenant, the owner shall provide an approved secondary heat source under the tenant's control, which is capable of producing and maintaining the ambient temperature of 20 degrees Celsius (68F) within the dwelling unit if the primary heat source is not able at all times to do so.

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3. Every non-residential building shall maintain suitable heating facilities to sustain an indoor ambient temperature in accordance with the requirements of the Occupational Health and Safety Act R.S.O., 1990 c. O. 1.
4. All fuel burning appliances, equipment, and accessories in all buildings shall be installed and maintained to the standards provided by the applicable provincial legislation.
5. Where a heating system or part thereof requires solid or liquid fuel to operate, a place or receptacle for such fuel shall be provided and maintained in a safe condition and in a convenient location so as to be free from fire or accident hazards.
6. All fuel burning appliances, equipment, and accessories in all buildings shall be properly vented to the outside air by means of a smoke-pipe, vent pipe, chimney flue or other approved method.
7. Every chimney, smoke-pipe, flue, and vent shall be installed and maintained in good repair so as to prevent the expelled 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.
8. 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 temperature.
9. Every dwelling shall be so constructed or 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.

Fire Escapes, Alarms, and Detectors

1. Every dwelling unit shall be equipped with smoke alarms located between the bedrooms and the remainder of the dwelling unit, or as specified in the Ontario Building Code.

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2. A carbon monoxide detector shall be installed and maintained in all dwellings that are equipped with a fuel fired appliance or a "built-in" garage located in accordance with the Ontario Building Code.
3. All 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.

Egress

1. Every dwelling and each dwelling unit contained therein shall have a safe, continuous and unobstructed passage from the interior of the dwelling and the dwelling unit to the outside at street or grade level.
2. Each dwelling containing more than one dwelling unit shall have at least two exits, both which may be common or the one of which may be common and the other may be an exterior stair or fire escape. Access to the stairs or fire escape shall be from corridors through doors at floor level, except access from a dwelling unit be through a vertically mounted casement window having an obstructed opening of not less than 1.067 by 0.588 metres (42x22inches) with a sill height of not more than .0900 metres (35 inches) above the inside floor. A single exit is permitted from a dwelling unit where the path of egress is through an exterior door located at or near ground level and access to such exit is not through a room under the immediate control of the occupants of the dwelling unit.

Natural Light

1. Every habitable room except a kitchen, bathroom or toilet room shall have a window or windows, skylight or translucent panels facing directly to an outside space and admits as much natural light equal to not less than ten (10) percent of the floor area

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for living and dining rooms and five (5) percent of the floor area for bedrooms and other finished rooms.

Ventilation

1. Every habitable room shall have an opening or openings for natural ventilation and such openings shall have a minimum aggregate unobstructed free flow as required by the Ontario Building Code.
2. An opening for natural ventilation may be omitted if mechanical ventilation is provided, which changed the air once each hour.
3. All systems of mechanical ventilation shall be maintained in good working order.
4. All enclosed areas including basements, cellars, crawl spaces and attics or roof spaces shall be adequately ventilated so as to prevent the buildup of dampness and mould within the unit.

Elevating Devices

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

Barrier Free Design

1. All facilities provided for barrier free access that were installed and required at the time of original construction or major renovation of a building shall be operational and maintained in good condition. A building feature that was installed to provide barrier free access that exceeded the standard in place at the time of construction shall also be maintained.

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Disconnected Utilities

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

Occupancy Standards

1. The number of occupants residing on a permanent basis in an individual dwelling unit shall not exceed one person for every nine (9) square metres (96 square feet) of habitable floor area. For the purpose of computing habitable floor area, any area with the minimum ceiling height less than 2.1 metres (6 feet 11 inches) shall not be considered as habitable.
2. No room shall be used for sleeping purposes unless it has a minimum width of two square (2) metres (6 feet 7 inches) and a floor area of at least seven (7) metres square metres (75 square feet). A room used for sleeping purposes by two or more persons shall have a floor area of least four (4) square metres (43 square feet) per person.
3. 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 by-law:
 - b) floors and walls shall be constructed so as to be damp proof and impervious to water leakage.

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- c) each habitable room shall be separated from the fuel fired heating unit or other similarly hazardous equipment by a suitable fire separation and approved under the Ontario Building Code.
- d) access to each habitable room shall be gained without passage through a furnace room, boiler room, or storage room.

Part 4 - Special Circumstances

Vacant or Damaged Buildings

1. 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.
2. Where any building is vacant, unoccupied, or has been damaged by accident, storm, neglect or other causes or intentional damage, the owner or agent shall protect such building against the risk of accidental or intentional damage to the property, or such damage as may be caused to other properties, arising from the entry of unauthorized persons to the building, by effectively preventing entrance by unauthorized person to the satisfaction of the Property Standards Officer.
3. For the purpose of section 4.02, doors, windows, hatches, and other openings through which entry may be obtained are required to be kept in good repair and secured from unauthorized entry, or entry shall be prevented by closing and securing the openings.
4. Where a vacant or damaged property has not been sufficiently secured, the officer may issue an ORDER requiring the owner to secure the property in any of the following ways:
 - a) boarding which completely covers the opening with at least 12.7mm (0.5 inches) weatherproofed sheet plywood securely fastened to the building;
 - b) rigid composite panels, securely fastened to the building;

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- c) sheathing boards installed within the reveal of the exterior cladding and securely fastened to the building;
- d) brick and mortar securely fastened to the building; or
- e) concrete blocking and mortar securely fastened to the building.

The options listed above shall be considered progressively more secure with clause (e) being the most secure. It shall be the officer's discretion to determine the minimum level of security required.

- 5. Where it has been shown that a proper level of security has not been achieved, or the owner's control, attendance or lack of security measures to protect the property suggests a more serious option be used, the officer may order the owner to supply more stringent security measures as may be necessary beyond the options listed in subsection 4.04.
- 6. Where a building remains vacant for a period of more than ninety (90) days, or in the opinion of the officer further measures are required, the officer shall ensure that all utilities serving the building, which are not required for the safety or security thereof, are properly disconnected or otherwise secured, to prevent accidental or malicious damage to the building or adjacent property.
- 7. Any such work required under Part 4 of this by-law shall be done in compliance with the Ontario Building Code, other applicable codes and by-laws, including but limiting the generality of the foregoing, in compliance with the requirement for obtaining building or demolition permits, and with the by-laws applicable to demolition and clearing of property.

Fire Damaged Buildings

- 1. Fire damaged buildings shall be kept clear of all garbage, refuse and debris and shall have all water, electrical and gas services turned off except those services that are required for the security and maintenance of the property.

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2. Where a building has been damaged by fire, the officer may ORDER the owner to restore the building to meet the requirements of this By-law and the Ontario Building Code.
3. When the fire-damaged building or part is occupied again for other than the purpose of repair, the condition of the building and property shall be brought into compliance with all applicable sections of this by-law and Ontario Building Code.
4. The exterior walls and other surfaces of the building shall have smoke damage or other defacement removed and the surfaces refinished.
5. Where, in the opinion of the officer, restoration as specified in section 4.09 is not possible or economically feasible, the officer may ORDER the building demolished.

Marijuana Grow Houses and Clandestine Drug Operations

1. In the event that the municipal clerk has been notified by a police service that a property has been or is being used as with a Marijuana Grow House or a Clandestine Drug Operation facility, the municipal clerk will notify an officer, the officer shall, in addition to any other action ordered or permitted by law, register any and all Orders issued pursuant to an order or orders requiring compliance under the authority of section 15.2 of the Building Code Act, S.O. 1992, against the title of the property at the local Land Registry Office.
2. The ORDER referred to in section 4.13 shall contain a Schedule which will state:
“This property has been identified as having been used a Marijuana Grow Operation (Clandestine Drug Operation facility). Operations of this nature are well known to have detrimental effects on the air quality, electrical systems and structural elements within the structure. It is the opinion of the municipality that this property should not be occupied until all matters referred to in this ORDER have been addressed and resolved to the satisfaction of the investigating officer.”

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Part 5 - Administration and Enforcement

Complaints

1. This By-law shall apply to all property within the limits of the municipality and shall be enforced on a written complaint basis only. The written complaint shall include the name, address and telephone number or other contact information of the complainant. Failure to provide the required complainant information shall render the complaint incomplete and it will not be investigated.
2. Anonymous complaints or third party complaints which attempt to obscure the identity of the complainant will not be investigated.
3. Where an officer has determined that a complaint has been filed for a malicious or vexatious reason or as part of an ongoing pattern of harassment and does not involve a matter of serious health or safety, the officer may, after conferring and confirming with the Director of the Department, cease the investigation and close the file with no further action taken. The officer shall then advise the complainant of this in writing.

Officers

1. The Council of the municipality shall appoint a Property Standards Officer(s) responsible for the administration and enforcement of this by-law.
2. Unless otherwise specified in their appointment By-laws, the Municipal Law Enforcement Officers are hereby assigned the duties of Property Standards Officers for the Town of Parry Sound.

The Corporation of the Town of Parry Sound

By-law 2012 - 6103

Property Standards Committee

1. There shall be and is hereby established a Property Standards Committee consisting of no fewer than three (3) members, who shall be appointed by resolution to hold office for the term of Council.
2. The rules and practices for said committee are set in the Terms of Reference adopted by Council Resolution.

Penalty

1. Every person who contravenes any provisions of this By-law is guilty of an offence and upon conviction is liable to penalties in accordance with the Building Code Act, S.O. 1992, C.23, as amended, for each offence committed.

Certificate of Compliance

1. Upon the issuance of a Certificate of Compliance, at the request of an owner, a fee is payable in accordance with the Town's Fees and Service Charge By-law.

Transition Provision

1. After the day of passage of this By-law, By-law 88-3281, as amended, applies only to properties in respect of which an Order has been given under said by-law, prior to the date of passing of this By-law and only to such properties until such time as the work required by such Order has been completed or enforcement proceedings in respect of such Order, including demotion or repair by the Town have been concluded.

The Corporation of the Town of Parry Sound

By-law 2012 - 6103

Validity

1. Should any section, clause, or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the part so declared to be invalid.
2. Where a provision of this By-law conflicts with the provisions of another by-law in force with the municipality, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

Repeal

1. By-laws 88-3281, 93-3618 and 93-3606 are hereby repealed

Effective Date

1. This By-law comes into force and effect on the date of its passing.

Read a First time this day of , 2012

Mayor

Clerk

Read a Second and Third time, **Passed, Signed and Sealed**

this day of , 2012

The Corporation of the Town of Parry Sound

By-law 2012 - 6103

Mayor

Clerk