



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 240-92

To require adequate and suitable heat for rented dwelling accommodation and to repeal By-Law 276-81

WHEREAS paragraph 76 of Section 210 of The Municipal Act, R.S.O. 1990 m.45 permits councils of local municipalities to pass by-laws requiring the maintenance of adequate and suitable heat for rented or leased dwelling or living accommodation.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BRAMPTON ENACTS AS FOLLOWS:

1. DEFINITIONS

"adequate and suitable heat" means that the minimum temperature of the air in the accommodation which is available to the tenant or lessee is 68° Fahrenheit (20° Celsius) at 5 feet from above floor level and 3 feet from exterior walls in all habitable rooms and bathrooms.

"Commissioner" means the Commissioner of Public Works and Building or his designate;

"owner/landlord" includes the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used whether on his 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.

2. Every owner/landlord shall ensure that every building or part of a building which is rented or leased as dwelling or living accommodation shall:
- (a) between the 15th day of September in each year and the 1st day of June of the following year, be provided with adequate and suitable heat;
 - (b) have heating equipment or system capable of maintaining adequate and suitable heat; and
 - (c) not be equipped with auxiliary heating equipment as the primary source of heat.
3. The Commissioner, upon the request of any tenant or lessee, may enter, inspect and examine at any time the premises in which the dwelling or living accommodation of such tenant or lessee is located, for the purpose of determining whether adequate and suitable heat is being provided for such dwelling or living accommodation.

4. No person shall obstruct, hinder, delay or prevent the Commissioner in the exercise of any power conferred or the performance of any duty imposed by this by-law.
5. Every person who contravenes any of the provisions of this by-law is guilty of an offence, and, upon conviction is liable to a penalty not exceeding the sum of five thousand dollars (\$5,000.00), exclusive of costs.
6. By-law 276-81 is hereby repealed.

READ a FIRST, SECOND and THIRD TIME and PASSED in OPEN COUNCIL,
this 26th day of October, 1992.



PETER ROBERTSON - MAYOR



LEONARD J. MIKULICH - CLERK

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DATE 10/14/92