

MINIMUM MAINTENANCE AND OCCUPANCY STANDARDS BY-LAW 87-77

THE CORPORATION OF THE
CITY OF BRAMPTON

1977

BY-LAW 87-77

AMENDED BY BY-LAW 225-80

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A by-law of The Corporation of the City of Brampton to establish standards for the maintenance and occupancy of property in the City of Brampton.

The Council of The Corporation of the City of Brampton enacts as follows:

PART I
DEFINITIONS

1. In this by-law:
 - (1) Accessory building means a detached building or structure subordinate to a main building or structure and includes any building or structure the use of which is incidental to that of a main building or structure, and shall include garages, driving sheds, barns, and similar storage facilities.
 - (2) Balustrade means a protective barrier that acts as 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.
 - (3) Basement means 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 finished ceiling above adjacent finished grade.
 - (4) Bathroom means a room which shall contain a water closet and basin and may contain a bathtub or shower.
 - (5) Cellar means that portion of a building between two floor levels which is partly or wholly underground and which has more than one half of its height, from finished floor to finished ceiling, below adjacent finished grade.
 - (6) City means the Corporation of the City of Brampton.
 - (7) Committee means the Property Standards Committee established pursuant to the provisions of this By-law.

- (8) Dwelling means a building any part of which is or is intended to be used for purposes of human habitation, and includes a building that could be intended for such use except for its state of disrepair.
- (9) Dwelling Unit means one or more rooms connected together as a separate unit in the same structure and constituting an independent housekeeping unit for residential occupancy by humans for living and sleeping purposes.
- (10) Fire Resistance Rating means the time in hours or fraction thereof that a material or assembly of materials will withstand the passage of flame and the transmission of heat when exposed to fire under specified conditions of test and performance criteria, or as determined by extension or interpretation of information derived therefrom as prescribed in the Ontario Building Code.
- (11) Habitable Room means any room in a dwelling unit used or intended to be used for purposes of living, sleeping, cooking or eating.
- (12) Last Known Address means the address which appears on the Assessment Rolls prepared for the City.
- (13) Multiple Dwelling means a building containing three or more dwelling units which are in use.
- (14) Mixed Use Building means a building containing one or more dwelling units and other uses not accessory to the dwelling units.
- (15) Non-Habitable Room means any room in a dwelling unit other than a habitable room.
- (16) Occupant means any person in possession of the property.
- (17) Ontario Building Code means the Ontario Building Code Act, S.O. 1974, Chapter 74 and all regulations thereunder.
- (18) Owner includes the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used whether on 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 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 maintenance and occupancy of property.

- (19) Person shall mean and include any person, firm, partnership, association, corporation, company or organization of any kind. The singular number shall include the plural and vice versa.
- (20) 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, and is to be divided for the purposes of this By-law as follows:
- (a) Urban Residential Property includes property which is occupied or is capable of being occupied in whole or in part for the purposes of human habitation and is hereinbefore and hereinafter referred to as a dwelling and which is located in that part of the City defined in Schedule 'C'.
 - (b) Non-residential Property includes property which is not occupied or capable of being occupied in whole or in part for the purpose of human habitation and includes those lands zoned as Commercial, Industrial, and Institutional by restricted area by-laws approved by the Ontario Municipal Board from time to time.
 - (c) Rural Residential Property includes property which is occupied or is capable of being occupied in whole or in part for the purposes of human habitation and is hereinbefore and hereinafter referred to as a dwelling and which is located outside that part of the City defined in Schedule 'C' but does not include farm property.
 - (d) Farm Property includes land, dwelling and all accessory buildings used primarily for agricultural purposes.
 - (e) Vacant Land includes property on which there are no structures of any kind.
- (21) Repair includes the provision of such facilities and the making of additions or alterations or the taking of such action as may be required so that the property shall conform to the standards established in this By-law.
- (22) Sewerage System means an approved sanitary sewerage system or an approved private sewage disposal system which is in compliance with the applicable by-law in force as amended.

- (23) Standard means the standards of physical condition and of occupancy prescribed for all property by this By-law.
- (24) Standards Officer means a Property Standards Officer of the City duly appointed by a by-law of the City to administer and enforce the provisions of this By-law.
- (25) Vehicle includes a motor vehicle, trailer, boat, motorized snow vehicle, mechanical equipment and any kind of power, excluding muscular power.
- (26) Yard means the land other than the publicly owned land around and appurtenant to the whole or any part of a building and used or intended to be used, or capable of being used in connection with the building.

PART II

ADMINISTRATION AND ENFORCEMENT

2. Administration and Enforcement

The City may from time to time appoint Standards Officers and such other staff as may be necessary to carry out the functions of this By-law, including the enforcement thereof.

3. Certificates of Appointing

The Clerk of the City shall issue a certificate of appointment bearing his signature or a facsimile thereof, and the photograph and signature of the person appointed as a Standards Officer.

4. Right to Enter and Inspect

A Standards Officer or any person acting under the Standards Officer's instructions may, at all reasonable times and upon producing a certificate of appointment referred to in Section 3, enter and inspect any property, but shall not enter any room or place actually used as a dwelling unit without,

- (1) the written consent of the occupier, or
- (2) the authority of a search warrant issued pursuant to the provisions of Section 16 of The Summary Convictions Act, R.S.O. 1970, Chapter 450, as amended.

5. Notice of Violation

- (1) When a Standards Officer has reasonable grounds to believe that any property does not conform with the standards, the Standards Officer shall issue a notice to the owner and all persons shown by the records of the registry office, the land titles office and the sheriff's office to have any interest therein.
- (2) The notice referred to in subsection (1) hereof shall contain:
 - (a) the municipal address or the legal description of the property,
 - (b) reasonable particulars of the repairs or a statement that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition, whichever is applicable,

- (c) a date for the person to appear before the Standards Officer, as prescribed by Section 6,
- (d) a statement indicating that the person to appear or his representative may appear, make any representations, present any evidence, and that, in the event that the person required to appear, does not appear the action that may be taken to make the property conform to the standards, and
- (e) any other information that the Standards Officer deems necessary.

- (3) The notice shall be served or caused to be served,
 - (a) by personal service,
 - (b) by prepaid registered mail, or
 - (c) if the Standards Officer is unable to effect service he shall place a placard containing the terms of the notice in a conspicuous place on the property, and the placing of the placard shall be deemed to be sufficient service of the notice on the owner or other interested persons. The form of the placard may be in the form annexed hereto as Schedule 'A'.

- (4) A Standards Officer may provide all occupants with a copy of the notice referred to in subsection (1) hereof.

6. Appearance Before Standards Officer

The Standards Officer shall afford all persons who were served with the notice an opportunity to appear before him and make representations in connection therewith.

7. Orders

- (1) After affording the opportunity to make representations the Standards Officer may make an order or orders to the owner or occupant;
 - (a) requiring the owner or occupant to make the property conform to the standards within a reasonable period of time as determined by the Standards Officer; or
 - (b) requiring the owner to demolish the property within a reasonable period of time determined by the Standards Officer.
- (2) The order referred to in subsection (1), shall contain, in addition to the requirements of subsection (1), the following requirements;
 - (a) the municipal address or legal description of the property,

- (b) reasonable particulars of the repairs or a statement that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition, whichever is applicable,
 - (c) a date for the person to appear before the Standards Officer, as prescribed by Section 6,
 - (d) a statement indicating that the person to appear or his representative may appear, make any representations, present any evidence, and that, in the event that the person required to appear, does not appear the action that may be taken to make the property conform to the standards.
 - (e) any other information that Standards Officer deems necessary, and
- (3) The notice shall be served or caused to be served,
- (a) by personal service,
 - (b) by prepaid registered mail, or
 - (c) if the Standards Officer is unable to effect service he shall place a placard containing the terms of the notice in a conspicuous place on the property, and the placing of the placard shall be deemed to be sufficient service of the notice on the owner or other interested persons. The form of the placard may be in the form annexed hereto as Schedule 'A'.
- (4) Where an order is made pursuant to paragraph (b) of subsection (1) hereof, a copy of such order may also be sent to the occupant or occupants of the property.
- (5) Where an order of a Standards Officer is directed to an owner to repair or demolish and the property affected is used or occupied by a person or persons holding such property under the provisions of a lease, oral or written, the occupant of the said property shall afford entry to the owner or his agent at all reasonable times so that the owner or the owner's agent may carry out the required repairs.

8. Extensions

- (1) A Standards Officer may also make an order extending the time for compliance with any order to repair or demolish given by a Standards Officer provided there is evidence of intent to comply with any such order and that reasonable conditions exist which prevent immediate compliance.
- (2) The order extending the time shall be served or caused to be served;
 - (a) by personal service,

- (b) by prepaid registered mail, or
- (c) if the Standards Officer is unable to effect service he shall place a placard containing the terms of the order in a conspicuous place on the property, and the placing of the placard shall be deemed to be sufficient service of the order on the owner or other interested persons. The form of the placard may be in the form annexed hereto as Schedule 'A'.

9. Notification

- (1) A notice or an order made under Sections 5, 7, or 8 when sent by registered mail shall be sent to the last known address of the person.
- (2) Where a notice or order is served by prepaid registered mail, the date of service shall be deemed to be the fourth day following the date of mailing.
- (3) If the Standards Officer is unable to effect service under Sections 5 or 7 he shall place a placard containing the terms of the notice or order in a conspicuous place on the property, and the placing of the placard shall be deemed to be sufficient service of the notice or order on the owner or other interested persons. The form of the placard may be in the form annexed hereto as Schedule 'A'.
- (4) No person shall pull down or deface the placard placed pursuant to subsection (3).

10. Registration of Caution

- (1) An order issued pursuant to Section 7 may be registered in the proper Registry Office or Land Titles Office and, upon such registration, any person acquiring any interest in the land subsequent to the registration of the order shall be deemed to have been served with the order on the date on which the order was served under the provisions of this By-law.
- (2) When the requirements of the registered order have been satisfied, the Clerk of the City or his representative shall forthwith register in the proper Registry Office or Land Titles Office a certificate stating that such requirements have been satisfied, which shall operate as a discharge of such order.

11. Certificate

- (1) Following the inspection of a property a Standards Officer may, or on the request of the owner shall, issue to the owner a Certificate of Compliance if, in the Standards Officer's opinion, the property is in compliance with the standards.
- (2) A fee shall be payable for a Certificate of Compliance issued at the request of the owner in the amounts prescribed by Schedule 'B' annexed hereto.

12. Right of City to Repair or Demolish

When an owner has failed to obey an order made pursuant to Section 7 or Section 8 to repair or demolish all or any part of a property, and when an occupant has failed to obey an order made pursuant to Section 7 or Section 8 to repair all or any part of a property, the City may cause the repairs or demolition to be done and the cost of the work shall be at the expense of the owner or occupant, and shall be added to the Collector's Roll of Taxes and shall be collected in like manner as municipal taxes.

13. Property Standards Committee

- (1) A Property Standards Committee is hereby established to review the orders issued by a Standards Officer upon application in accordance with Section 14.
- (2) The Committee shall be composed of not less than three (3) ratepayers of the City to be appointed by City Council, based on replies to an advertisement which shall be published at least twice in the local newspapers, having general circulation in the City.
- (3) The terms of office for the members of the Committee shall be for three (3) years with one term expiring annually so that the first appointments shall be for one, two and three years.
- (4) A member shall serve for the term for which the member is appointed or until a successor is appointed by City Council.
- (5) The Committee shall;
 - (a) elect a chairman from its members, and
 - (b) make provisions for a secretary of the Committee, said secretary being an employee of the City other than a Standards Officer.

- (6) When the Chairman is absent through illness or otherwise, the Committee may appoint another member to act as Chairman pro tempore.
- (7) In the event of a vacancy in the membership of the Committee, City Council shall forthwith fill the vacancy based on replies to an advertisement for a ratepayer which shall be published at least twice in the local newspapers, having general circulation in the City.
- (8) A simple majority of the Committee shall constitute a quorum.
- (9) Any member of the Committee may administer oaths.
- (10) A member City Council or an employee of the City or of a local board thereof is not eligible to be a member of the Committee, but a teacher employed by a board of education or school board is not deemed to be an "employee" for the purpose of this subsection.
- (11) The secretary shall keep on file minutes and records of all applications and the decisions thereon and of all other official business of the Committee, and Section 216 of The Municipal Act, R.S.O. 1970, Chapter 284, as amended, applies mutatis mutandis to such documents.
- (12) Any member may be reappointed upon the completion of his term of office provided that no member shall serve for a period exceeding six (6) consecutive years.
- (13) A member shall be deemed to have resigned if he fails to attend three (3) consecutive regular meetings.

14. Appeal to Committee

When an owner or occupant upon whom an order has been served in accordance with this By-law is not satisfied with the terms or conditions of the order, the owner or occupant may appeal to the Committee, by sending notice of appeal by registered mail to the secretary of the Committee within fourteen (14) days after service of the order, and, in the event that no appeal is taken, the order shall be deemed to have been confirmed.

15. The secretary of the Committee, on receipt of the notice of appeal referred to in Section 14 shall:

- (1) determine the date, place and time of the hearing, and
- (2) give notice in writing of the date, place and time of the hearing referred to in Subsection (1) to;
 - (a) the appellant,
 - (b) the Standards Officer who issued the order, and
 - (c) any other interested persons who appeared at the appearance held pursuant to Section 6.

16. (1) The Committee shall;
 - (a) hold hearings in accordance with this by-law, and
 - (b) have all the powers and functions of a Standards Officer.
- (2) The Committee may adopt its own rules of procedure.
- (3) The Committee may;
 - (a) confirm the order,
 - (b) modify or quash the order, or
 - (c) extend the time for complying with the order provided that, in the opinion of the Committee, the general intent and purpose of this By-law and of the official plan of the City are maintained.
- (4) The Committee shall give its decision in writing.
- (5) The secretary of the Committee shall notify all persons notified under Section 15 and any other person who appeared and requested notice at the hearing and in such manner as prescribed by the Committee.

17. Provision is hereby made for the payment of honoraria, as follows:

Honoraria may be paid to members of the Committee at the rate of up to Fifty Dollars (\$50.00) for each meeting attended. The Committee shall not meet more than once a month without leave of Council.

18. Appeal to County Court Judge

- (1) City Council or any owner or occupant or person affected by a decision of the Committee may appeal to a Judge of the County Court of the Judicial District of Peel by so notifying the Clerk of the City in writing and by applying for an appointment within fourteen (14) days after the sending of a copy of the decision of the Committee.
- (2) The Judge shall, in writing, appoint a day, time and place for the hearing of the appeal and in his appointment may direct that it shall be served upon such persons and in such manner as the Judge prescribes.

- (3) The Judge on such appeal has the same powers and functions as the Committee.

19. Final and Binding Order

The order, when no appeal is taken within the time prescribed or after an appeal pursuant to Section 14 or Section 18 is completed, shall be final and binding upon the owner or occupant, who shall make the repair or effect the demolition within the time and in the manner specified in the order.

20. Duties

Every owner shall ensure his property is maintained in accordance with the provisions of this By-law.

21. Every person to whom an order is issued or who is required to do or abstain from doing anything by or pursuant to this By-law shall obey such order or do or abstain from doing such thing as required.

22. Penalties

Any owner in contravention of an order that is final and binding shall forfeit and pay a penalty not exceeding Five Hundred Dollars (\$500.00) for each day of contravention.

23. Subject to section 22, every person who contravenes this By-law is guilty of an offence and liable upon summary conviction to a penalty not exceeding One Thousand (\$1,000.00) exclusive of costs for each and every such offence and every fine is recoverable under The Summary Convictions Act. A Provincial Court Judge or a Justice of the Peace are hereby authorized to hear and determine prosecutions under this By-law.

24. The invalidity of any section, clause, sentence or provisions of this By-law shall not affect the validity of any other part of this By-law which can be given effect without such invalid part or parts.

PART III

URBAN RESIDENTIAL PROPERTY STANDARDS

This part prescribes the standards for every residential property situated in the Urban Area of the City of Brampton.

25. Yard

- (1) Every yard shall be kept clean and free from rubbish or other debris, including holes and excavations, that are health, fire or accident hazards or may attract or harbour rodents.
- (2) Lawns shall be kept trimmed and from becoming unreasonably overgrown. Hedges, bushes and trees shall be kept trimmed and from becoming unreasonably overgrown in a fashion that may affect safety, visibility or passage of the general public.
- (3) Every yard shall be kept clean and free from dead, decayed or damaged trees or other natural growth and the branches and limbs thereof which may fall and cause an accident.
- (4) No vehicle which is in a wrecked, discarded, dismantled or inoperative condition shall be parked, stored, or left in the yard.
- (5) No motor vehicle shall be parked in the front yard or exterior side yard except on a driveway.

26. Sewage and Drainage

- (1) All sewage shall be discharged into an approved sanitary sewerage system which is in compliance with the applicable By-law.
- (2) No roof drainage shall be discharged or channeled on walkways or stairs.
- (3) Storm water and water artificially brought on the land shall be drained from the yard so as to prevent recurrent ponding or the entrance of water into a basement or cellar.

27. Walks

- (1) A walk shall be provided from the principal entrance of every building to a public street or to a driveway affording access to a public street.

- (2) Every walk shall be surfaced with stone, gravel, asphalt, concrete or other material capable of providing a hard surface.

28. Safe Passage

Steps, walks, driveways, parking spaces, and similar areas of a yard shall be maintained so as to afford safe passage under normal use and weather conditions. The total width of a driveway and walk shall not exceed the lessor of twenty-five (25) feet or fifty (50) percent of the lot width and in the case of a corner lot the total width of a driveway and walk shall not exceed the lessor of twenty-five (25) feet or twenty-five (25) percent of the length of the flankage lot line.

29. Fences

All fences shall be kept in good repair, free from accident hazards, and where required, protected by paint, preservative, or other weather resistant material unless the characteristics of the fence, screen or enclosure are designed to be enhanced by the lack of such material.

30. Garbage Disposal

- (1) Every dwelling or every dwelling unit within the dwelling shall have sufficient appropriate receptacles to contain all garbage, rubbish, and ashes, which shall be made available for removal in accordance with applicable regulations of the City.
- (2) Receptacles shall be acceptable plastic bags or other containers that are made of watertight construction, provided with a tight fitting cover and maintained in a clean state.
- (3) Garbage, rubbish, and ashes shall be promptly stored in appropriate receptacles.
- (4) Plastic bags shall not be stored outdoors unless protected from damage and except for garbage pick-up time.
- (5) Notwithstanding subsections (1), (2), (3), and (4) compost heaps are allowed.

31. Antennae

Lightning arrestors, television and radio antennae and structures of similar character shall be maintained in good repair and free of fire and accident hazards and properly anchored and plumb, unless specifically designed to be other than vertical.

32. Pest Prevention

- (1) Property shall be kept free of infestation by rodents, vermin, and insects at all times and methods used for exterminating rodents or insects or both shall be in accordance with the provisions of The Pesticides Act R.S.O. 1970, Chapter 346, as amended.
- (2) A basement or cellar window used or required for ventilation, and any other opening in a basement or cellar that might permit the entry of rodents, shall be screened with wire mesh, metal grill or other durable material as will effectively exclude rodents.

33. Basement Floors

- (1) Basement, cellar or crawl spaces which are not served by a stairway may have a dirt floor provided it is covered with a moisture proof covering.
- (2) Basements or cellars which are served by a stairway shall have a concrete floor with a floor drain located at the lowest point of the said floor and connected to a sewerage system or to an acceptable system of disposal.
- (3) A concrete floor in a basement or cellar shall be free from major cracks, breaks, or such as to create a hazardous condition.
- (4) Where a basement or cellar is served by an outside stairwell, the floor of the stairwell shall have a floor drain connected to a sewerage system.

34. Foundations

- (1) The foundation walls and the basement, cellar or crawl space floor shall be maintained in good repair so that it may effectively support all loads imposed upon it and where necessary shall be so maintained by shoring of the walls, installing of subsoil drains at the footing, grouting masonry cracks, parging and waterproofing the walls and floors.
- (2) Every building unless of the slab-on-grade type shall be supported by foundation walls or piers which extend below the frost line or to solid rock and all footings, foundation walls, piers, slab-on-grade shall be concrete or other suitable material.
- (3) Subsection (2) does not apply to accessory buildings.

35. Structurally Sound

- (1) Every part of a building, including an accessory building, 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.
- (2) The exterior walls, roofs 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.
- (3) All exterior surfaces shall be of materials which provide adequate protection from the weather.

36. Exterior Walls

The exterior walls and their components shall be maintained so as to prevent their deterioration due to weather and insects, and shall be so maintained by the painting, restoring or repairing of the walls, coping or flashing, by the waterproofing of joints and of the walls themselves by the installing or repairing of termite shields and by the treating of the soil with poison, in accordance with The Pesticides Act, R.S.O. 1970, Chapter 346, as amended.

37. Roof

A roof shall be maintained in a watertight condition so as to prevent leakage of water into the building. The attic shall be ventilated in conformance with the Ontario Building Code.

38. 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.

39. Doors and Windows

- (1) Windows, exterior doors, and basement or cellar hatchways shall be maintained in good repair so as to prevent the entrance of wind and rain into the dwelling.
- (2) Rotted or damaged doors, door frames, window frames, sashes and casings weather stripping, broken glass, and defective door and window hardware shall be repaired or replaced.

(3) All windows intended to be opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise secured.

(4) In a dwelling with three or more stories, all windows intended to be opened and all balcony doors shall have safety devices to prevent risk of accidents to children. Such safety devices shall be in conformity with the Ontario Building Code.

40. Stairs and Porches

An inside or outside stair and any porch appurtenant to it shall be maintained so as to be free of defects which may constitute possible accident hazards and all treads or risers that show excessive wear or are broken, warped or loose and all supporting structural members that are rotted or deteriorated shall be repaired or replaced.

41. Egress

(1) There shall be provided means of egress from every floor area for the safety of every person in the building in accordance with the Ontario Building Code.

(2) All means of egress shall be maintained in good repair and free of objects or conditions which constitute an accident or fire hazard.

(3) Every dwelling unit shall have a separate access so as to provide a safe, continuous and unobstructed exit from the interior of the building to the exterior at street or grade level.

42. Balustrades and Handrails

(1) A handrail shall be installed and maintained in good repair on every open side of a balcony, porch, landing and stairwell, with three or more risers and a stairway with three or more risers.

(2) A barrier, such as a balustrade shall be installed and maintained in good repair on the open side of a balcony, porch, landing and stairwell with a difference of five (5.0) feet or more in elevation.

43. Walls and Ceilings

(1) Every wall and ceiling shall be free of holes, cracks, loose coverings or other defects which would permit flame or excessive heat to enter the concealed space.

- (2) Where occupancies or dwelling units are separated vertically, the dividing walls shall:
 - (a) be continued in the basement from the top of the footings or the floor to the underside of the finished floor surface,
 - (b) be continued in the attic from the top of the finished ceiling surface to the underside of the finished roof surface,
 - (c) consist of at least two (2) one-half inch layers of gypsum wallboard or material of equivalent fire resistance rating, and
 - (d) be tightly sealed with caulking of mineral wool or similar non-cumbustible material.

- (3) Where a dwelling unit and non-residential occupancy are separated horizontally, there shall be a finished ceiling separating these occupancies, which shall;
 - (a) consist of at least two (2) one-half inch layers of gypsum wallboard or material of equivalent fire resistance rating, and
 - (b) be tightly sealed with caulking or mineral wool or noncombustible material.

44. Floors

- (1) Every floor shall be smooth and be maintained so as to be free of all loose, warped, protruding broken or rotted boards that might cause an accident or allow dirt to accumulate and all defective floor boards shall be repaired.

- (2) Where floor boards have been covered with linoleum or some other covering that has become worn or torn so that it retains dirt or might cause an accident, the linoleum or other covering shall be repaired, replaced or removed.

45. Cleanliness

- (1) Every floor, wall, ceiling, fixture, appliance and equipment shall be maintained in a clean and sanitary condition as is appropriate to the use which is being made of the building.

- (2) The building shall be kept free from rubbish, debris or any condition which constitutes a fire, health or accident hazard.

46. Water

Every dwelling shall be provided with an adequate supply of potable running water. Every sink, wash basin, bathtub, or shower required by this By-law shall have an adequate supply of hot and cold running water. All hot water shall be supplied at a minimum temperature of one hundred and twenty (120) degrees fahrenheit. Adequate running water shall be supplied to every water closet.

47. Plumbing

All plumbing, drain pipes, water pipes and plumbing fixtures in every dwelling and every connecting line to the sewerage system shall be maintained in good working order in accordance with the Plumbing Regulations, R.R.O. 1970, Chapter 647, as amended, and free from leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

48. Kitchen & Bathroom Facilities

- (1) Every dwelling unit except as otherwise provided in subsection (2) shall contain plumbing fixtures consisting of at least:
 - (a) a water closet
 - (b) a kitchen sink
 - (c) a wash basin
 - (d) a bathtub or shower.
- (2) The occupants of not more than two dwelling units may share a water closet, wash basin and bathtub or shower, provided:
 - (a) not more than a total of eight persons occupy both dwelling units;
 - (b) access to the fixtures can be gained without going through rooms of another dwelling unit or outside the dwelling.

49. Bathroom

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

50. Cooking Spaces

- (1) Every kitchen shall be provided with a supply of electricity that has been approved by the Ontario Hydro Electric Power Commission of Ontario.

- (2) All combustible materials immediately underneath or within one foot of any cooking apparatus shall be fire retarded or covered with fire resistive material, except where such apparatus is installed in accordance with the requirements of the applicable codes. There shall always be at least thirty (30) inches clear space above any exposed cooking surface of such apparatus.

51. Heating System

- (1) Every dwelling shall be provided with a heating system capable of maintaining a room temperature of not less than sixty-eight (68) degrees fahrenheit at five feet above floor level and three feet from exterior walls in all habitable rooms and bathrooms.
- (2) The heating system shall be maintained in good working condition.
- (3) No room heater shall be placed so as to cause a fire hazard to walls, curtains, and furniture, nor to impede the free movement of persons within the room where the heater is located.
- (4) All connections between heating equipment, cooking equipment that burns or is designed or intended to burn liquid or gaseous fuel and the source of liquid or gaseous fuel shall be maintained in good repair.
- (5) All fuel shall be stored in a safe manner.
- (6) Every chimney, smoke or vent stack and other roof structures shall be maintained plumb and in good repair so as to be free from:
 - (a) loose bricks, mortar and loose or broken capping;
 - (b) loose or rusted stanchions, braces and attachments;
 - (c) fire or accident hazard.

52. Electrical Service

- (1) The electrical wiring and all equipment and appliances located or used in a building shall be installed and maintained in good working order in accordance with Hydro Electric Power Commission Regulations so as not to overload the designed size of the service so as not to cause a fire or electrical shock hazard.
- (2) No fuse or overload device shall exceed the capacity indicated on the fuse panel.

53. Light

- (1) Adequate artificial light shall be available at all times in all rooms and in every stairway, hall, cellar and basement in a dwelling.
- (2) Sufficient windows, skylights and electrical lighting fixtures shall be provided and maintained in order to furnish illumination in all passageways and stairways whenever the building is in use, and in all stairways provided for use in case of fire or other emergency.

54. Ventilation

- (1) Every habitable room and every bathroom shall be ventilated in conformance with the Ontario Building Code.
- (2) Where an aperture such as a window, skylight, or louver is used for ventilation the aperture shall be maintained so as to be easily opened, kept open and closed.
- (3) All Systems of mechanical ventilation or air conditioning shall be maintained in good working order.

55. Basement, Cellar or Unheated Crawl Space

- (1) Every basement or unheated crawl space should be adequately vented to the outside air by means of screened windows which can be opened or by louvers with screened openings, the area of which shall not be less than one (1) percent of the floor area for basements and one (1) square foot per five hundred (500) square feet of crawl space area.
- (2) An opening for natural ventilation may be omitted from the basement or unheated crawl space where a system of mechanical ventilation has been provided which changes the air once each hour.

56. Occupancy Standards

- (1) The maximum number of occupants in a dwelling unit shall not exceed one person for each one hundred and fifty (150) square feet of the total floor area of all the habitable rooms within the dwelling unit. A bedroom shall be a habitable room and no kitchen, bathroom or hallway shall be used as a bedroom. For the purposes of this Section a child under twelve (12) years of age shall be deemed to be one-half (1/2) person.

- (2) No room shall be used for sleeping purposes unless it has a minimum width of six (6) feet and a floor area of at least sixty (60) square feet and further, a room used for sleeping purposes by two or more persons shall have a floor area of at least forty (40) square feet for each person so using the room.

57. Underground Parking Garages

- (1) Underground parking garages shall be maintained in a clean and safe condition.
- (2) Lighting in underground parking garages shall be considered to be adequate if the number and arrangement of light fixtures is such as to provide an average level of illumination of at least five foot-candle at any location on the floor.
- (3) Lighting fixtures in all underground parking garages shall be protected from accidental or malicious damage by the provision of wire screens or by other suitable means.
- (4) The walls, ceilings and columns of all underground parking garages shall be luminous white and shall be suitable for application to the material of which the walls, ceilings and columns are formed, and shall be washable and shall be washed or renewed as often as is necessary to maintain their original reflective value.
- (5) No machinery, boats, vehicles including trailers, or parts thereof which are in an unusable, wrecked, discarded or abandoned condition shall be stored or allowed to remain in an underground parking garage.
- (6) Mechanical ventilation for underground parking garages shall conform with the requirements of the Ontario Building Code.

58. Elevators, Hoists, Lifts, Moving Stairs and Walkways

Elevators, hoists, lifts and moving stairs and walkways shall be installed and maintained in good working order and in an operative condition, free of hazards that could cause an accident, and in accordance with the requirements of the Ontario Building Code.

PART IV

NON-RESIDENTIAL PROPERTY STANDARDS

This part prescribes the standards for every non-residential property situated in the City of Brampton.

59. Yard

- (1) A yard shall be kept clean and free from rubbish or other debris, including holes and excavations, that are health, fire or accident hazards or may attract or harbour rodents.
- (2) Lawns shall be kept trimmed and from becoming unreasonably overgrown. Hedges, bushes, and trees shall be kept trimmed and from becoming unreasonably overgrown in a fashion that may affect safety, visibility or passage of the general public.
- (3) Every yard shall be kept clean and free from dead, decayed or damaged trees or other natural growth and the branches and limbs thereof which may fall and cause an accident.
- (4) No vehicle which is in a wrecked, discarded, dismantled or inoperative condition shall be parked, stored, or left in the yard unless such vehicle is required for business or farming purposes.
- (5) Where a restricted area by-law permits outside storage, such storage, such storage shall not exceed the lesser of eight (8) feet or the height of a surrounding fence. Outside storage shall be maintained so as to prevent an unsafe or unsightly condition out of character with the surrounding environment. The provision and maintenance of a surrounding fence shall be appropriate to the nature of the adjacent uses, to minimize the visual impact of nuisances to persons at grade adjacent to the property.
- (6) All areas used for vehicular traffic, parking and facilities for loading and unloading, including loading spaces or bays shall be;
 - (a) kept free from dirt, surface dust and refuse,
 - (b) maintained in good repair, and
 - (c) properly drained.

60. Sewerage and Drainage

- (1) All sewage shall be discharged into an approved sewerage system which is in compliance with the applicable By-law.
- (2) No roof drainages shall be discharged or channeled on walkways or stairs.
- (3) Storm water and water artificially brought on the land shall be drained from the yard so as to prevent recurrent ponding or the entrance of water into a basement or cellar.
- (4) Adequate drainage shall be installed where there is recurring excessive ponding caused by surface water.

61. Walks

- (1) A walk shall be provided from the principal entrance of every building to a public street or to a driveway affording access to a public street.
- (2) Every walk shall be surfaced with stone, gravel, asphalt, concrete or other material capable of providing a hard surface.

62. Safe Passage

Steps, walks, driveways, parking spaces and similar areas of the yard shall be maintained so as to afford safe passage under normal use and weather conditions.

63. Fences

All fences shall be kept in good repair, free from accident hazards, and where required, protected by paint, preservative or other weather resistant material unless the characteristics of the fence, screen or enclosure are designed to be enhanced by the lack of such material and be constructed in such a manner as to prevent all cartons, wrappers, paper, rubbish and debris from blowing onto adjoining property.

64. Signs

All signs and billboards shall be maintained in good repair and any signs which are excessively weathered or faded, or those upon which the paint has excessively peeled or cracked shall, with their supporting members, be removed or put into a good state of repair.

65. Garbage Disposal

- (1) Garbage, rubbish and ashes shall be promptly stored in appropriate receptacles.
- (2) Every building shall be provided with sufficient appropriate receptacles to contain all garbage, rubbish, ashes and trade waste.
- (3) Receptacles shall be acceptable plastic bags or other containers that are made of water-tight construction, provided with a tight-fitting cover and maintained in a clean state.
- (4) Plastic bags shall not be stored outdoors unless protected from damage, and except for garbage pick-up time.
- (5) Every building shall be provided with rodent-proof storage space for garbage and trade waste.
- (6) Containers shall be made available for the disposal of refuse which may be discarded by customers and the yard shall be kept free of such refuse.

66. Antennae

Craneways, lightning arrestors, television and radio antennae and structures of similar character shall be maintained in good repair and free of fire and accident hazards and properly anchored and plumb, unless specifically designed to be other than vertical.

67. Pest Prevention

- (1) Property shall be kept free of infestation by rodents, vermin and insects at all times and methods used for exterminating rodents or insects or both shall be in accordance with the provisions of The Pesticides Act, R.S.O. 1970, Chapter 346, as amended.
- (2) A basement or cellar window used or required for ventilation and any other opening in a basement or cellar, including a floor drain that may permit the entry of rodents, shall be screened with wire mesh, metal grill or other durable material as will effectively exclude rodents.

68. Basement Floors

- (1) Basement, cellar or crawl spaces which are not served by a stairway may have a dirt floor provided it is covered with a moisture proof covering.
- (2) Basements or cellars which are served by a stairway shall have a concrete floor with a floor drain located at the lowest point of the said floor and connected to a sewerage system or to an acceptable system of disposal.
- (3) A concrete floor in a basement or cellar shall be free from major cracks, breaks, or such as to create a hazardous condition.
- (4) Where a basement or cellar is served by an outside stairwell, the floor of the stairwell shall have a floor drain connected to a sewerage system.

69. Foundations

- (1) The foundation walls and the basement, cellar or crawl space floor shall be maintained in good repair so that it may effectively support all loads imposed upon it and where necessary shall be so maintained by shoring of the walls, installing of subsoil drains at the footing, grouting masonry cracks, parging and water-proofing the walls or floors.
- (2) Every building unless of the slab-on-grade type shall be supported by foundation walls or piers which extend below the frost line or to solid rock and all footings, foundation walls, piers, slab-on-grade shall be of concrete or other suitable material.
- (3) Subsection (2) does not apply to accessory buildings.

70. Structurally Sound

- (1) Every part of a building, including an accessory building, 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.
- (2) The exterior walls, roofs 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.
- (3) All exterior surfaces shall be of materials which provide adequate protection from the weather.

71. Exterior Walls

- (1) The exterior walls and their components shall be maintained so as to prevent their deterioration due to weather or insects, and shall be so maintained by painting, restoring, or repairing of the walls, coping or flashing, by the waterproofing of joints and of the walls themselves by installing or repairing of termite shields and by the treating of the soil with poison, in accordance with The Pesticides Act, R.S.O. 1970, Chapter 346, as amended.
- (2) All canopies, marquees, signs, awnings, stairways, fire escapes, stand pipes, exhaust ducts, air conditioners and similar overhang extensions shall be;
 - (a) maintained in good repair,
 - (b) properly anchored, and
 - (c) protected from the elements and against decay and rust by the periodic application of a weather coating material such as paint or other protective treatment.
- (3) All air conditioners which are installed and operated directly over a public sidewalk shall be equipped with proper devices for the prevention of condensation drainage upon the sidewalk.

72. Roof

A roof shall be maintained in a watertight condition so as to prevent leakage of water into the building. The attic shall be ventilated in conformance with the Ontario Building Code.

73. 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.

74. Doors and Windows

- (1) Windows, exterior doors, and basement or cellar hatchways shall be maintained in good repair so as to prevent the entrance of wind and rain into the building.
- (2) Rotted or damaged doors, door frames, window frames, sashes and casings, weather stripping, broken glass, and missing or defective door and window hardware shall be repaired or replaced.

- (3) All windows intended to be opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise secured.

75. Stairs and Porches

An inside or outside stair and any porch appurtenant to it shall be maintained so as to be free of defects which may constitute possible accident hazards and all treads or risers that show excessive wear or are broken, warped or loose and all supporting structural members that are rotted or deteriorated shall be repaired or replaced.

76. Balustrades and Handrails

- (1) A handrail shall be installed and maintained in good repair on every open side of a balcony, porch, landing and stairwell, with three or more risers and a stairway with three or more risers.
- (2) A barrier, such as a balustrade shall be installed and maintained in good repair on the open side of a balcony, porch, landing and stairwell with a difference of five (5) feet or more elevation.

77. Walls and Ceilings

- (1) Every wall and ceiling shall be free of holes, cracks, loose coverings or other defects which would permit flame or excessive heat to enter the concealed space.
- (2) Where occupancies are separated vertically, the dividing walls shall:
 - (a) be continued in the basement from the top of the footings of the floor to the underside of the finished floor surface,
 - (b) be continued in the attic from the top of the finished ceiling surface to the underside of the finished roof surface,
 - (c) consist of at least two (2) one-half inch layers of gypsum wallboard or material of equivalent fire resistance rating, and
 - (d) be tightly sealed with caulking of mineral wool or similar non-combustible material.

- (3) Where the non-residential occupancies are separated horizontally, there shall be a finished ceiling separating these occupancies, which shall;
 - (a) consist of at least two (2) one-half inch layers of gypsum wallboard or material of equivalent fire resistance rating, and
 - (b) be tightly sealed with caulking or mineral wool or similar non-combustible material.

78. Floors

- (1) Every floor shall be smooth, and maintained in good repair so as to be free of all loose, warped, protruding, broken or rotted boards that may cause an accident or allow dirt to accumulate and all defective floor boards shall be repaired.
- (2) Where floor boards have been covered with linoleum or some other covering that has become worn or torn so that it retains dirt or may cause an accident, the linoleum or other covering shall be repaired, replaced or removed.

79. Cleanliness

- (1) Every floor, wall, ceiling, fixture, appliance and equipment shall be maintained in a clean and sanitary condition as is appropriate to the use which is being made of the building.
- (2) The building shall be kept free from rubbish, debris, or any condition which constitutes a fire, health or accident hazard.

80. Egress

- (1) There shall be provided means of egress from every floor area for the safety of every person in the building in accordance with the Ontario Building Code.
- (2) All means of egress shall be maintained in good repair and free of objects or conditions which constitute an accident or fire hazard.

81. Heating System

- (1) Where persons are employed in duties and operations in an enclosed space or room within a building and not engaged in physical activity, the heating equipment shall be capable of providing sufficient heat in such spaces or rooms to maintain a temperature of not less than sixty-eight (68) degrees Fahrenheit during normal working hours.
- (2) The heating system shall be maintained in good working condition.
- (3) Auxiliary heaters shall not be used as a primary source of heat.
- (4) A room heater shall not be placed so as to cause a fire hazard to walls or any other equipment, or impede the free movement of persons within the room where the heater is located.
- (5) Where a heating system or part of it or any auxiliary heating system burns solid or liquid fuel, a place or receptacle for the storage of the fuel shall be provided and maintained in a convenient location, and properly constructed so as to be free from fire or accident hazards.
- (6) An adequate supply of fuel shall be available at all times.
- (7) Equipment burning fuels shall be properly vented by a connecting duct or flue pipe leading to a chimney or a vent flue.
- (8) Where combustible materials are stored in the basement, the fuel-burning heating system shall be enclosed.
- (9) Every chimney, smoke pipe, flue and vent shall be maintained so as to prevent gases from leaking into the building or property, and shall be free of any defects.
- (10) A fuel burning central heating system in a mixed use building shall be located in a separate room having walls, ceiling and doors with a fire resistance rating of not less than one (1) hour.
- (11) Where in the opinion of an Standards Officer there exists a hazardous condition due to storage in or use of a space adjacent to a heating system, the furnace shall be enclosed in accordance with the provisions of the Ontario Building Code.

82. Plumbing

All plumbing, drain pipes, water pipes and plumbing fixtures in every building and every connecting line to the sewerage system shall be maintained in good working order in accordance with the Plumbing Regulations, R.R.O. 1970, Chapter 647, as amended, and free from leaks and defects as per applicable By-law in force as amended and all water pipes and appurtenances thereto shall be protected from freezing.

83. Bathroom Facilities

- (1) Buildings where people work shall have sanitary facilities as required by the Ontario Building Code.
- (2) Every bathroom shall have a floor of water repellent construction.
- (3) All bathroom facilities and bathrooms shall be kept clean and neat at all times.
- (4) The bathroom walls and ceiling of every bathroom shall be provided with a smooth surface and where paint is used as the surface coating it shall be maintained and painted as is necessary for cleanliness.
- (5) Each bathroom shall be provided with toilet paper, soap and individual towels or other means of drying.
- (6) Every bathroom shall be provided with an opening or openings for natural ventilation located in an exterior wall or through openable parts of skylights and all such openings shall have a minimum aggregate unobstructed free flow area of one (1) square foot.
- (7) An opening for natural ventilation may be omitted from a bathroom where a system of mechanical ventilation has been provided, such as an exhaust fan with a duct leading to outside the building.

84. Electrical Service

- (1) No fuse or overload device shall exceed the capacity indicated on the fuse panel.

- (2) Extension cords which are not part of a fixture shall not be permitted on a semi-permanent or permanent basis, where in the opinion of the Standards Officer a hazardous condition exists.
- (3) The electrical wiring and all electrical fixtures, located or used in a building shall be installed and maintained in good working order and in conformity with the regulations of the Hydro Electric Power Commission of Ontario.

85. Light

Sufficient windows, skylights and electrical lighting fixtures shall be provided and maintained in order to furnish illumination in all passageways and stairways whenever the building is in use, and in all stairways provided for use in case of fire or other emergency.

86. Ventilation

- (1) Every room where people work shall have an opening or openings for natural ventilation which openings shall be located in the exterior walls or through openable parts of skylights and shall have a minimum aggregate unobstructed free flow area of one percent of the floor area of the room.
- (2) An opening for ventilation may be omitted if mechanical ventilation is provided which changes the air two times each hour.
- (3) Where mechanical ventilation is used, the ventilating duct which is on the exterior wall shall be located not less than six (6) feet from a window located in an adjoining building.
- (4) All systems of mechanical ventilation or air conditioning shall be maintained in good working order.

87. Basement, Cellar or Unheated Crawl Space

- (1) Every basement, cellar or 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, the area of which shall not be less than one (1) percent of the floor area for basements and one (1) square foot per five hundred (500) square feet of crawl space area.

- (2) An opening for natural ventilation may be omitted from the basement or unheated crawl space where a system of mechanical ventilation has been provided which changes the air once each hour.

88. Underground Parking Garages

- (1) Underground parking garages shall be maintained in a clean and safe condition.
- (2) Lighting in underground parking garages shall be considered to be adequate if the number and arrangement of light fixtures is such as to provide an average level of illumination of at least five foot-candles at floor level over the entire floor area with a minimum level of one foot-candle at any location on the floor.
- (3) Lighting fixtures in all underground parking garages shall be protected from accidental or malicious damage by the provision of wire screens or by other suitable means.
- (4) The walls, ceilings and columns of all underground parking garages shall be luminous white and shall be suitable for application to the material of which the walls, ceilings and columns are formed and be washable and shall be washed or renewed as often as is necessary to maintain their original reflective value.
- (5) No machinery, boats, vehicles including trailers, or parts thereof which are in an unusable, wrecked, discarded or abandoned condition shall be stored or allowed to remain in an underground parking garage.
- (6) Mechanical ventilation for underground parking garages shall conform with the requirements of the Ontario Building Code.

89. Elevators, Hoists, Lifts, Moving Stairs and Walkways

Elevators, hoists, lifts and moving stairs and walkways shall be installed and maintained in good working order and in an operative condition; free of hazards that could cause an accident, and in accordance with the requirements of the Ontario Building Code.

PART V

RURAL RESIDENTIAL PROPERTY STANDARDS

This part prescribes the standards for every residential property situated in the Non-urban Area of the City of Brampton.

90. Yard

- (1) A yard shall be kept clean and free from rubbish or other debris, including holes and excavations, that are health, fire or accident hazards and/or may attract or harbour rodents.
- (2) Every yard shall be kept clean and free from dead, decayed or damaged trees or other natural growth and the branches and limbs thereof which may fall and cause an accident.
- (3) No vehicle which is in wrecked, discarded, dismantled or inoperative condition shall be parked, stored, or left in the yard unless such vehicle is required for farming purposes and then only in an arrangement such as to prevent an unsafe condition or unsightly condition.

91. Sewage and Drainage

All sewage shall be discharged into an approved sewer system which is in compliance with the applicable By-law.

92. Fences

All fences around or on a property shall be kept in good repair, free from accident hazards, and where required, protected by paint, preservative or other weather resistant material unless the characteristics of the fence, screen or enclosure are designed to be enhanced by the lack of such material and be constructed in such a manner as to prevent all cartons, wrappers, paper, rubbish and debris from blowing onto adjoining property.

93. Garbage Disposal

- (1) Garbage, rubbish and ashes shall be promptly stored in receptacles.
- (2) Receptacles shall be acceptable plastic bags or other containers that are made of watertight construction provided with a tight fitting cover and maintained in a clean state.
- (3) Notwithstanding subsections (1) and (2) compost heaps are allowed.

94. Antennae

Craneways, lighting arrestors, television and radio antennae and structures of similar character shall be maintained in good repair and free of fire and accident hazards and properly anchored and plumb, unless specifically designed to be other than vertical.

95. Pest Prevention

(1) Property shall be kept free of infestation by rodents, vermin, and insects at all times and methods used for exterminating rodents or insects or both shall be in accordance with the provisions of The Pesticides Act R.S.O. 1970, Chapter 346, as amended.

(2) A basement or cellar window used or required for ventilation, and any other opening in a basement or cellar that might permit the entry of rodents, shall be screened with wire mesh, metal grill or other durable material as will effectively exclude rodents.

96. Basement Floors

(1) Basement, cellar or crawl spaces which are not served by a stairway may have a dirt floor provided it is covered with a moisture proof covering.

(2) Basements or cellars which are served by a stairway shall have a concrete floor with a floor drain located at the lowest point of the said floor and connected to a sewerage system or to an acceptable system of disposal.

(3) A concrete floor in a basement or cellar shall be free from major cracks, breaks, or such as to create a hazardous condition.

(4) Where a basement or cellar is served by an outside stairwell, the floor of the stairwell shall have a floor drain connected to a sewerage system.

97. Foundations

(1) The foundation walls and the basement, cellar or crawl space floor shall be maintained in good repair so that it may effectively support all loads imposed upon it and where necessary shall be so maintained by shoring of the walls, installing of subsoil drains at the footing, grouting masonry cracks, parging and waterproofing the walls or floors.

- (2) Every dwelling unless of the slab-on-grade type shall be supported by foundation walls or piers which extend below the frost line or to solid rock and all footings, foundation walls, piers, slab-on-grade shall be of concrete or other suitable material.
- (3) Subsection (2) does not apply to accessory buildings.

98. Structurally Sound

- (1) Every part of a building, including an accessory building, shall be maintained in a structurally sound condition as to be capable of sustaining safely its own weight and any load to which it may be subject. Materials which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- (2) The exterior walls, roofs 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.
- (3) All exterior surfaces shall be of materials which provided adequate protection from the weather.

99. Exterior Walls

The exterior walls and their components shall be maintained so as to prevent their deterioration due to weather and insects, and shall be so maintained by the painting, restoring or repairing of the walls, coping or flashing, by the waterproofing of joints and of the walls themselves by the installing or repairing of termite shields and by the treating of the soil with poison, in accordance with The Pesticides Act, R.S.O. 1970, Chapter 346, as amended.

100. Roof

A roof shall be maintained in a watertight condition so as to prevent leakage of water into the dwelling. The attic shall be ventilated in conformance with the Ontario Building Code.

101. 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.

102. Doors and Windows

- (1) Windows, exterior doors, and basement or cellar hatchways shall be maintained in good repair so as to prevent the entrance of wind and rain into the dwelling.
- (2) Rotted or damaged doors, door frames, window frames; sashes and casings weather stripping, broken glass, and defective door and window hardware shall be repaired or replaced.
- (3) All windows intended to be opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise secured.
- (4) In a dwelling with three or more stories all windows intended to be opened and all balcony doors shall have safety devices to prevent risk of accidents to children. Such safety devices shall be in conformity with the Ontario Building Code in force.

103. Stairs and Porches

An inside or outside stair and any porch appurtenant to it shall be maintained so as to be free of defects which may constitute possible accident hazards and all treads or risers that show excessive wear or are broken, warped or loose and all supporting structural members that are rotted or deteriorated shall be repaired or replaced.

104. Egress

- (1) There shall be provided means of egress from every floor area for the safety of every person in the building in accordance with the Ontario Building Code.
- (2) All means of egress shall be maintained in good repair and free of objects or conditions which constitute an accident or fire hazard.
- (3) Every dwelling unit shall have a separate access so as to provide a safe, continuous and unobstructed exit from the interior of the building to the exterior at street or grade level.

105. Balustrades and Handrails

- (1) A handrail shall be installed and maintained in good repair on every open side of a balcony, porch, landing and stairwell, with three or more risers and a stairway with three or more risers.
- (2) A barrier, such as a balustrade shall be installed and maintained in good repair on the open side of a balcony, porch, landing and stairwell with a difference of five (5) feet more in elevation.

106. Walls and Ceilings

Every wall and ceiling shall be free of holes, cracks, loose coverings or other defects which would permit flame or excessive heat to enter the concealed space.

107. Floors

(1) Every floor shall be smooth and be maintained so as to be free of all loose, warped, protruding broken or rotted boards that might cause an accident or allow dirt to accumulate and all defective floor boards shall be repaired.

(2) Where floor boards have been covered with linoleum or some other covering that has become worn or torn so that it retains dirt or might cause an accident, the linoleum or other covering shall be repaired, replaced or removed.

108. Cleanliness

Every floor, wall, ceiling, and fixture in a dwelling shall be maintained in a clean and sanitary condition and the dwelling shall be kept free from rubbish or other debris.

109. Water

Every dwelling shall be provided with an adequate supply of potable water.

110. Plumbing

All plumbing, drain pipes, water pipes and plumbing fixtures and every connecting line to the sewerage system shall be maintained in good working order in accordance with the Plumbing Regulations, R.R.O. 1970, Chapter 647, as amended, and free from leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

III. Kitchen and Bathroom Facilities

(I) Every dwelling unit except as otherwise provided in subsection (2) shall contain plumbing fixtures consisting of at least:

- (a) a water closet
- (b) a kitchen sink
- (c) a washbasin
- (d) a bathtub or shower.

- (2) The occupants of not more than two dwelling units may share a water closet, washbasin and bathtub or shower, provided:
 - (a) not more than a total of eight persons occupy both dwelling units;
 - (b) access to the fixtures can be gained without going through rooms of another dwelling unit or outside the dwelling.

112. Bathroom

All bathrooms shall be fully enclosed and shall have a door so as to provide privacy for the user.

113. Cooking Space

All combustible materials immediately underneath or within one foot of any cooking apparatus shall be fire retarded or covered with fire resistive material, except where such apparatus is installed in accordance with the requirements of the applicable codes. There shall always be at least thirty (30) inches clear space above any exposed cooking surface of such apparatus.

114. Heating System

- (1) Every dwelling shall be provided with a heating system capable of maintaining a room temperature of not less than sixty-eight (68) degrees fahrenheit at five feet above floor level and three feet from exterior walls in all habitable rooms and bathrooms.
- (2) The heating system shall be maintained in good working condition.
- (3) No room heater shall be placed so as to cause a fire hazard to walls, curtains, and furniture, nor to impede the free movement of persons within the room where the heater is located.
- (4) All connections between heating equipment, cooking equipment that burns or is designed or intended to burn liquid or gaseous fuel and the source of liquid or gaseous fuel shall be maintained in good repair.
- (5) All fuel shall be stored in a safe manner.
- (6) Every chimney, smoke or vent stack and other roof structures shall be maintained plumb and in good repair so as to be free from:
 - (a) loose bricks, mortar and loose or broken capping,
 - (b) loose or rusted stanchions, braces and attachments,
 - (c) fire or accident hazard.

115. Electrical Service

- (1) The electrical wiring and all equipment and appliances located or used in a dwelling shall be installed and maintained in good working order in accordance with the Hydro Electric Power Commission Regulations so as not to overload the designed size of the service so as not to cause a fire or electrical shock hazard.
- (2) No fuse or overload device shall exceed the capacity indicated on the fuse panel.

116. Light

- (1) Adequate artificial light shall be available at all times in all rooms and in every stairway, hall, cellar and basement in a dwelling.
- (2) Sufficient windows, skylights and electrical lighting fixtures shall be provided and maintained in order to furnish illumination in all passageways and stairways whenever the building is in use, and in all stairways provided for use in case of fire or other emergency.

117. Ventilation

- (1) Every habitable room and every bathroom shall be ventilated in conformance with the Ontario Building Code.
- (2) Where an aperture such as a window, skylight, or louver is used for ventilation the aperture shall be maintained so as to be easily opened, kept open and closed.
- (3) All systems of mechanical ventilation or air conditioning shall be maintained in good working order.

118. Basement, Cellar or Unheated Crawl Space

- (1) Every basement, cellar or 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, the area of which shall not be less than one (1) percent of the floor area for basements and one (1) square foot per five hundred (500) square feet of crawl space area.
- (2) An opening for natural ventilation may be omitted from the basement or unheated crawl space when a system of mechanical ventilation has been provided which changes the air once each hour.

119. Occupancy Standards

- (1) The maximum number of occupants in a dwelling unit shall not exceed one person for each one hundred and fifty (150) square feet of the total floor area of all the habitable rooms within the dwelling unit. A bedroom shall be a habitable room and no kitchen, bathroom or hallway shall be used as a bedroom. For the purpose of this Section any child under twelve (12) years of age shall be deemed to be one-half (1/2) person.
- (2) No room shall be used for sleeping purposes unless it has a minimum width of six (6) feet and a floor area of at least sixty (60) square feet and further, a room used for sleeping purposes by two or more persons shall have a floor area of at least forty (40) square feet for each person so using the room.

120. Elevators, Hoists, Lifts, Moving Stairs and Walkways

Elevators, hoists, lifts and moving stairs and walkways shall be installed and maintained in good working order and in an operative condition free of hazards that could cause an accident, and in accordance with the requirements of the Ontario Building Code.

PART VI

FARM PROPERTY STANDARDS

This part prescribes the standards for every farm property in the of the City of Brampton.

121. Yard

- (1) A yard shall be kept clean and free from rubbish or other debris, including holes and excavations, that are health, fire or accident hazards or may attract or harbour rodents.
- (2) Every yard shall be kept clean and free from dead, decayed or damaged trees or other natural growth and the branches and limbs thereof which may fall and cause an accident.
- (3) No vehicle which is in a wrecked, discarded, dismantled or inoperative condition shall be parked, stored, or left in the yard unless such vehicle is required for business purposes or farming purposes.
- (4) Where a business requires outdoor storage for any purpose, the area shall be defined and enclosed with a fence which has a minimum height of eight (8) feet. The provisions and maintenance of a surrounding fence shall be appropriate to the nature of the adjacent uses, to minimize the visual impact of nuisances to persons at grade adjacent to the property.
- (5) All areas used for vehicular traffic, parking and facilities for loading and unloading, including loading spaces or bays shall be:
 - (a) kept free from refuse,
 - (b) maintained in good repair, and
 - (c) properly drained.

122. Sewage

All sewage shall be discharged into an approved sewerage system which is in compliance with the applicable By-law.

123. Fences

All fences shall be kept in good repair, free from accident hazards, and where required, protected by paint, preservative or other weather resistant material unless the characteristics of the fence, screen or enclosure are designed to be enhanced by the lack of such material and be constructed in such a manner as to prevent all cartons, wrappers, paper, rubbish and debris from blowing onto adjoining property.

124. Garbage Disposal

- (1) Garbage, rubbish and ashes shall be promptly stored in appropriate receptacles.
- (2) Receptacles shall be acceptable plastic bags or other containers that are made of watertight construction, provided with a tight fitting cover and maintained in a clean state.
- (3) Containers shall be made available for the disposal of refuse which may be discarded by customers and the yard shall be kept free of such refuse.
- (4) Every building shall be provided with rodent-proof storage for garbage and trade waste.

125. Antennae

Craneways, lightning arrestors, television and radio antennae and structures of similar character shall be maintained in good repair and free of fire and accident hazards and properly anchored and plumb, unless specifically designed to be other than vertical.

126. Pest Prevention

- (1) Property shall be kept free of infestation of rodents, vermin and insects at all times and methods used for exterminating rodents or insects or both shall be in accordance with the provisions of The Pesticides Act, R.S.O. 1970, Chapter 346, as amended.
- (2) A basement or cellar window used or required for ventilation and any other opening in a basement or cellar, including a floor drain that may permit the entry of rodents, shall be screened with wire mesh, metal grill or other durable material as will effectively exclude rodents.

127. Foundations

- (1) The foundation walls and the basement, cellar or crawl space floor shall be maintained in good repair so that it may effectively support all loads imposed upon it and where necessary shall be so maintained by shoring of the walls, installing of subsoil drains at the footing, grouting masonry cracks, parging and water proofing the walls or floors.

- (2) Every building unless of the slab-on-grade type shall be supported by foundation walls or piers which extend below the frost line or to solid rock and all footings, foundation walls, piers, slab-on-grade shall be of concrete or other suitable material.
- (3) Subsection (2) does not apply to accessory buildings.

128. Structurally Sound

- (1) Every part of a building, including an accessory building, 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.
- (2) Materials or objects which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- (3) All exterior surfaces shall be of materials that provide adequate protection from the weather.

129. Exterior Walls

- (1) The exterior walls and their components shall be maintained so as to prevent their deterioration due to weather or insects, and shall be so maintained by painting, restoring, or repairing of the walls, coping or flashing, by the waterproofing of joints and of the walls themselves by the installing or repairing of termite shields and by the treating of the soil with poison in accordance with The Pesticides Act, R.S.O. 1970, Chapter 346, as amended.
- (2) All canopies, marquees, signs, awnings, stairways, fire escapes, stand pipes, exhaust ducts, air conditioners and similar overhang extensions shall be;
 - (i) maintained in good repair,
 - (ii) properly anchored, and
 - (iii) protected from the elements and against decay and rust by the periodic application of a weather coating material such as paint or other protective treatment.

130. Roof

A roof shall be maintained in a watertight condition so as to prevent leakage of water into the building.

131. 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.

132. Doors and Windows in Other Than Accessory Buildings

- (1) Windows, exterior doors, and basement or cellar hatchways shall be maintained in good repair so as to prevent the entrance of wind and rain into the building.
- (2) Rotted or damaged doors, door frames, window frames, sashes and casings, weather stripping, broken glass, and missing or defective door and window hardware shall be repaired or replaced.
- (3) All windows intended to be opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise secured.

133. Stairs and Porches

An inside or outside stair and any porch appurtenant to it shall be maintained so as to be free of defects which may constitute possible accident hazards and all treads or risers that show excessive wear or are broken, warped or loose and all supporting structure members that are rotted or deteriorated shall be repaired or replaced.

134. Balustrades and Handrails

- (1) A handrail shall be installed and maintained in good repair on every open side of a balcony, porch, landing and stairwell, with three or more risers and a stairway with three or more risers.
- (2) A barrier, such as a balustrade shall be installed and maintained in good repair on the open side of a balcony, porch, landing and stairwell with a difference of five (5) feet or more in elevation.

135. Walls and Ceilings

- (1) Every wall and ceiling shall be free of holes, cracks, loose coverings or other defects which would permit flame or excessive heat to enter the concealed space.

- (2) Where occupancies are separated vertically, the dividing walls shall:
 - (a) be continued in the basement from the top of the footings or the floor to the underside of the finished floor surface,
 - (b) be continued in the attic from the top of the finished ceiling surface to the underside of the finished roof surface,
 - (c) consist of at least two (2) one-half inch layers of gypsum wallboard or material of equivalent fire resistance rating, and
 - (d) be tightly sealed with caulking of mineral wool or similar non-combustible material.

- (3) Where a dwelling unit and a non-residential occupancy are separated horizontally, there shall be a finished ceiling separating these occupancies, which shall;
 - (a) consist of at least two (2) one-half inch layers of gypsum wallboard or material of equivalent fire resistance rating, and
 - (b) be tightly sealed with caulking or mineral wool or similar non-combustible material.

136. Floors

- (1) Every floor shall be smooth, and maintained in good repair so as to be free of all loose, warped, protruding, broken or rotted boards that may cause an accident or allow dirt to accumulate and all defective floor boards shall be repaired.

- (2) Where floor boards have been covered with linoleum or some other covering that has become worn or torn so that it retains dirt or may cause an accident, the linoleum or other covering shall be repaired, replaced or removed.

137. Cleanliness

- (1) Every floor, wall, ceiling, fixture, appliance and equipment shall be maintained in a clean and sanitary condition as is appropriate to the use which is being made of the building.

- (2) The building shall be kept free from rubbish, debris or any condition which constitutes a fire, health or accident hazard.

138. Egress

- (1) There shall be provided means of egress from every floor area for the safety of every person in the building in accordance with the Ontario Building Code.
- (2) All means of egress shall be maintained in good repair and free of objects or conditions which constitutes an accident or fire hazard.

139. Heating System

- (1) Where persons are employed in duties and operations in an enclosed space or room within a building and not engaged in physical activity, the heating equipment shall be capable of providing sufficient heat in such spaces or rooms to maintain a temperature of not less than sixty-eight (68) degrees fahrenheit during the normal working hours.
- (2) The heating system shall be maintained in good working condition.
- (3) Auxiliary heaters shall not be used as a primary source of heat. No room heater shall not be placed so as to cause a fire hazard to walls or any other equipment, or impede the free movement of persons within the room where the heater is located.
- (4) Where a heating system or part of it or any auxiliary heating system burns solid or liquid fuel, a place or receptacle for the storage of the fuel shall be provided and maintained in a convenient location, and properly constructed so as to be free from fire or accident hazards.
- (5) An adequate supply of fuel shall be available at all times.
- (6) Equipment burning fuel shall be properly vented by a connecting duct or flue pipe leading to a chimney or a vent flue.
- (7) Where combustible materials are stored in the basement, the fuel-burning heating system shall be enclosed.
- (8) Where in the opinion of a Standards Officer there exists a hazardous condition due to storage in or use of a space adjacent to a heating system, the furnace shall be enclosed.

140. Plumbing

All plumbing, drain pipes, water pipes and plumbing fixtures and every connecting line to the sewerage system shall be maintained in good working order in accordance with the Plumbing Regulations, R.R.O. 1970, Chapter 647, as amended, and free from leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

141. Bathroom Facilities

- (1) Buildings where people work shall have sanitary facilities as required by the Ontario Building Code.
- (2) Every bathroom shall have a floor of water repellent construction.
- (3) All bathroom facilities and bathrooms shall be kept clean and neat at all times.
- (4) The bathroom walls and ceiling of every bathroom shall be provided with a smooth surface and where paint is used as the surface coating it shall be maintained and painted as is necessary for cleanliness.
- (5) Each bathroom shall be provided with toilet paper, soap and individual towels or other means of drying.
- (6) Every bathroom shall be provided with an opening or openings for natural ventilation located in an exterior wall or through openable parts of skylights and all such openings shall have a minimum aggregate unobstructed free flow area on one (1) square foot.
- (7) An opening for natural ventilation may be omitted from a bathroom where a system of mechanical ventilation has been provided, such as an exhaust fan with a duct leading to outside the building.

142. Electrical Service

- (1) Fuses or overload devices shall not exceed limits set by the Hydro Electric Power Commission of Ontario.
- (2) Extension cords which are not part of a fixture shall not be permitted on a semi-permanent or permanent basis where, in the opinion of the Standards Officer a hazardous condition exists.

- (3) The electrical wiring and all electrical fixtures, located or used in a building shall be installed and maintained in good working order and in conformity with the regulations of the Hydro Electric Power Commission of Ontario.

143. Light

Sufficient windows, skylights and electrical lighting fixtures shall be provided and maintained in order to furnish illumination in all passageways and stairways whenever the building is in use, and in all stairways provided for use in case of fire or other emergency.

144. Ventilation

- (1) Every room where people work shall have an opening or openings for natural ventilation which openings shall be located in the exterior walls or through openable parts of skylights and shall have a minimum aggregate unobstructed free flow area of one (1) percent of the floor area of the room.
- (2) An opening for ventilation may be omitted if mechanical ventilation is provided which changes the air two times each hour.
- (3) Where mechanical ventilation is used, the ventilating duct which is on the exterior wall shall be located not less than six (6) feet from a window located in an adjoining building.
- (4) All systems of mechanical ventilation or air conditioning shall be maintained in good working order.

145. Basement, Cellar or Unheated Crawl Space

- (1) Every basement, cellar or 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, the area of which not be less than one (1) percent of the floor area for basements and one (1) square foot per five hundred (500) square feet of crawl space area.
- (2) An opening for natural ventilation may be omitted from the basement or unheated crawl space where a system of mechanical ventilation has been provided with changes the air once each hour.

146. Elevators, Hoists, Lifts, Moving Stairs and Walkways

Elevators, hoists, lifts and moving stairs and walkways shall be installed and maintained in good working order and in an operative condition free of hazards that could cause an accident, and in accordance with the requirements of the Ontario Building Code.

PART VII

VACANT LAND

This part prescribes the standards for all vacant property situated in the City of Brampton.

147. (1) Vacant land shall be kept clean and free from rubbish or other debris, and from objects or conditions that may create a health, fire or accident hazard.
- (2) Ground vegetation and grass shall be kept in a reasonable and neat appearance.
148. Within the urban area vacant land shall be graded, filled up, or otherwise drained so as to prevent recurrent ponding of storm water except on land used for agricultural purposes.

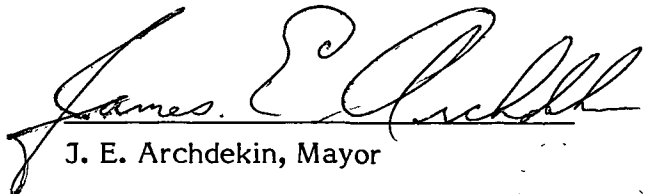
PART VIII

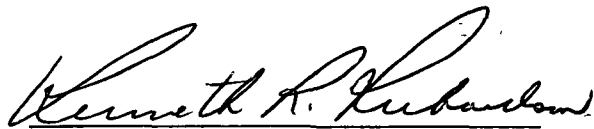
DATE OF EFFECT

149. This By-law shall come into force and take effect on July 1st, 1977.

Read a First, Second and Third Time and Passed in Open Council

this 25th day of April 1977.


J. E. Archdekin, Mayor


K. R. Richardson, Clerk

SCHEDULE 'A'
THE
CORPORATION OF THE CITY OF BRAMPTON
TAKE NOTICE THAT
SUB-STANDARD PROPERTY

This property described in the attached notice or order has been found not to be in conformity with the standards established by Property Standards By-law Number _____. The attached notice or order is a true copy of the notice or order issued under the said by-law. Any person who pulls down or defaces this placard is liable to a penalty not exceeding \$500.00.

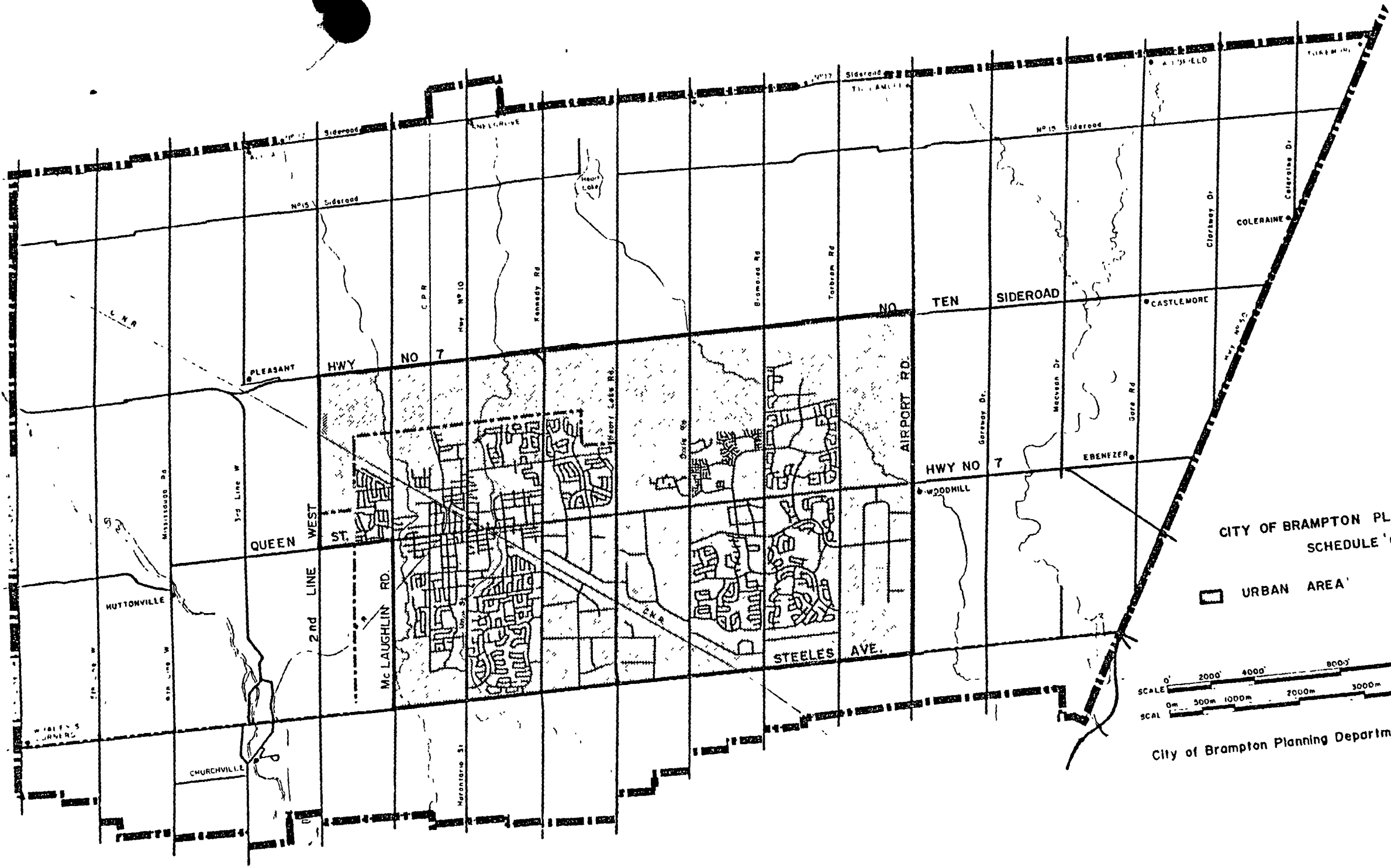
DATED AT BRAMPTON this _____ day of _____, 197 .

PROPERTY STANDARDS OFFICER

SCHEDULE 'B'

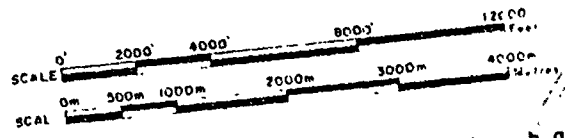
Fee Schedule for Issuance of Certificate of Compliance

Category	Cost	
Residential property, Multiple Commercial and Industrial buildings	Number of Units per Building	
	Charge	
	1 - 2 units	\$20.00 per unit
	More than 2 - not more than 5 units	\$15.00 per unit
More than 5 - not more than 15 units	\$75.00 plus \$5.00 per unit above 5th unit	
More than 15 units	\$125.00 plus \$1.00 per unit above 15th unit	
Free Standing Industrial and Commercial Buildings - Single Occupancy	Charge	
	\$1.00 per 1,000 square feet, minimum \$50.00	
Vacant Property	\$20.00	



CITY OF BRAMPTON PLANNING DEPT
 SCHEDULE 'C'

URBAN AREA



City of Brampton Planning Department

b 9
 10/12/75