



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 192-86

To amend By-law 224-80,
(licensing, regulating and
governing lodging houses)

The council of The Corporation of the City of Brampton ENACTS as follows:

1. By-law 224-80, as amended, is hereby further amended:

(1) by deleting therefrom section 3, and substituting therefor the following:

"3. Any person who contravenes any of the provisions of this by-law

1) may have any licence issued hereunder suspended or revoked, and

2) shall, upon conviction, be liable to a penalty of not more than two thousand dollars (\$2,000.00), exclusive of costs, in respect of each offence."

(2) by deleting therefrom section 5, and substituting therefor the following:

"5. A person shall not keep or operate a lodging house which does not comply with the applicable standards, requirements and regulations set out in Schedules B and C to this by-law."

(3) by adding to section 7 thereof the following as section 7(m):

"(m) in respect of an application for a licence to operate a rest home or retirement home,

(i) a certificate from Ontario Hydro that the rest home or retirement home complies with the Ontario Electric Safety Code,

(ii) a certificate from the City of Brampton Fire Chief that the rest home or retirement home complies with the Ontario Fire Code, and

(iii) a certificate from the Regional Commissioner of Health that the rest home or retirement home complies with all guidelines of the Ministry of Health."

(4) by adding to section 9 (3) thereof, between the words "the" and "standards", the word "applicable";

(5) by deleting therefrom section 12, and substituting therefor the following:

"12. The operator of a lodging house shall post, and keep posted, in a conspicuous place in the entrance hallway, the main hall or the office of the licensed premises

(a) the licence or a copy of the licence;

(b) a statement setting out the maximum number of occupants permitted in the lodging house, and

(c) a notice giving the operator's name and telephone number and the name and telephone number of the manager of the lodging house."

(6) by renumbering sections 14 and 15 thereof as sections 15 and 16;

(7) by adding thereto the following, as section 14:

"14. The operator of a rest home shall keep and maintain, on the premises of the lodging house, the records set out in Schedule D to this by-law."

(8) by adding to section 16 thereof the following:

"16. "ACTIVITIES OF DAILY LIVING" shall mean those activities of a person which are undertaken to ensure that person has sufficient nutrition, warmth, rest and hygiene.

"REST HOME" shall mean a class of lodging house

(1) which accomodates not less than 3 lodgers,

(2) where the lodgers are given guidance and assistance in the activities of daily living by the operator or employees of the rest home, and

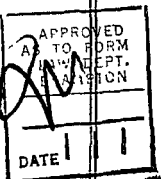
- (3) there is available to the lodgers, for 24 hours every day, an adult person employed by the operator and qualified to furnish guidance and assistance to the lodgers in the activities of daily living.

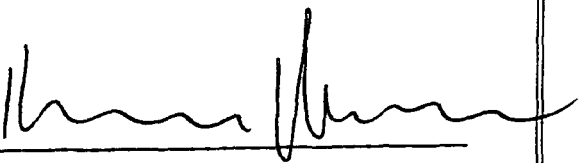
"RETIREMENT HOME" shall mean a class of lodging house

- (1) which accommodates not less than 9 lodgers,
 - (2) where the lodgers are given guidance and assistance in the activities of daily living by the operator or employees of the retirement home, and
 - (3) there is available to the lodgers, for 24 hours every day, an adult person employed by the operator and qualified to furnish guidance and assistance to the lodgers in the activities of daily living."
- (9) by deleting Schedule A thereto, and substituting therefor Schedule A to this by-law.
 - (10) by adding thereto, as Schedules C, D, E, and F, Schedules B, C, D, and E to this by-law.

READ a FIRST, SECOND and THIRD TIME, and PASSED, in OPEN COUNCIL,

this 14th day of July, 1986.




KENNETH G. WHILLANS - MAYOR


LEONARD J. MIKULICH - CLERK

Schedule A to By-law 224-80

(Schedule A to By-law 192-86)

Initial licence fee: \$150.00

Renewal licence fee:

- rest or retirement home \$150.00

- other lodging house 25.00

1. Every rest home and retirement home shall comply with all aspects of the most current and up-to-date version of the Ministry of Health's "Guidelines for Rest Homes, Lodging Houses, Group Homes" (December 1980).
2. That, 24 hours a day, at least the operator or one adult employee of the operator is on duty in the rest home or retirement home, and able to furnish guidance in the activities of daily living.
3. Where the physical or mental condition of a person is such that, in the opinion of a medical doctor, the person cannot be properly cared for in a rest home or retirement home, the persons shall not be admitted or remain as a resident.
4. A person shall not be admitted as a resident without,
 - (a) his written consent; or
 - (b) the consent in writing of his next of kin or legal representative, as the case may be, when the person has been declared mentally or physically incapable of giving consent.
5. The operator is required to produce the written consent upon request.
6. The operator shall ensure that each resident is given a tuberculin test or chest x-ray within one week of admission, and thereafter as required by the Medical Officer of Health.
7. The obligation is on the operator not to admit a resident until a physician has been retained to attend the Resident and provide him with emergency medical care.
8. The Operator shall make arrangements for a physician, or substitute physician, to be on call to provide emergency services.
9. The Operator shall ensure that all prescription drugs:
 - (a) are kept in one or more locked drug cabinets;
 - (b) are made available only to those residents for whom they have been prescribed, as directed by the physician.

10. Every room shall be adequately ventilated by natural or natural or mechanical means and shall be so designed and installed that it meets with the requirements of section 6.2 and 9.33 of the Ontario Building Code. Such ventilation shall be installed only after plans have been approved and a building permit issued, by the Chief Building Official.
11. A rest home or retirement home shall be free from hazards to the safety of residents, staff or visitors.
12. A person shall not be licensed to operate a rest home or retirement home unless he/she meets the qualifications as set out in Schedule E.
13. A person shall not be employed in a rest home or retirement home unless he/she meets the qualifications as set out in Schedule F."

Maintenance of Records

1. The operator shall maintain:
 - (a) An up-to-date, alphabetical list of Residents showing, for each Resident, his name, sex, age and date of admission.
 - (b) A separate file for each Resident, showing at least his name, sex, age; a brief medical history before admission; date of admission and discharge or death; name, address and telephone number of nearest relation; brief medical history; particulars of each accident suffered by the Resident.
2.
 - (a) A record, in Form 1, shall be made of every occurrence of injury; shall be placed in the Resident's file; and kept available for inspection by the Medical Officer of Health.
 - (b) A record, in Form 1, shall be made of every occurrence of communicable disease and of death resulting from accident or an undetermined cause, shall be sent or delivered forthwith to the Medical Officer of Health; and a copy shall be placed in the Resident's file.
 - (c) A report, in Form 2, shall be made of every fire; shall be sent or delivered forthwith to the Chief Fire Prevention Officer; and a copy shall be kept on file in the rest home or retirement home.
3.
 - (a) The Medical Officer of Health, the Building Commissioner, the Chief Fire Prevention Officer, the Chief of Police and the Commissioner of Licensing (or their respective representatives), may, at all reasonable times, inspect any rest home or retirement home and the List of Residents required by section 1 (a).
 - (b) The Medical Officer of Health (or his representative) may, at all times, inspect the file of any Resident required by section 1(b) above, and may make copies of the contents thereof.

Form I

City of Brampton
Rest Homes and Retirement Homes

OCCURENCE REPORT

1. Name of Rest Home or Retirement Home
2. Address.....
3. Date of Occurence.....
- (i) Time of Occurence..... a.m.....p.m.
4. Name of Resident.....
- Year of Birth.....Male.....Female.....
- Date of commencement of residency.....
5. Brief description of occurence.....
.....
.....
.....
.....
.....
.....
6. Name of person who discovered or observed occurence.....
7. Was Resident sent to hospital?
- yes () no()
8. Name of hospital.....

9. Time when physician was notified.....a.m..... p.m.
10. Name of physician notified.....
11. Physician notified by.....
12. Attending physician's diagnosis and treatment.....
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.....
.....
.....
.....
.....
13. Signature of attending physician.....
14. Was coroner notified?
- yes () no ()
15. Name of coroner.....
16. Were relatives or friends of Resident notified?
- yes () no ()
17. Date of report.....
18. Signature.....

NOTE:

1. In case of communicable disease, or death resulting from accident or an undetermined cause, send or deliver this report to:
- The Medical Officer of Health
Region of Peel
10 Peel Centre Drive
Brampton, Ontario
L6T 4B9
2. Place a copy of this report in the Resident's file.

FORM 2

City of Brampton
Rest Homes and Retirement Homes

FIRE REPORT

Fire Prevention Bureau
Number.....

1. Name of Home.....Floor.....Room.....

Address.....

a.m.

Discovered: Date.....19....Time.....p.m.

2. Persons involved: (Give Full Name and Address)

.....

3. Details of Fire:

a) Cause.....

.....

b) How extinguished and by whom.....

.....

c) Action taken to prevent recurrence.....

d) Comments.....

(continue on back if necessary)

.....

e) Any observed weakness in prevention methods for this type of fire:

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.....

- 4. Date of Report.....
- 5. Signature.....

NOTE: send or deliver this Report to:

The Chief Fire Prevention Officer
Fire Department
8 Rutherford Road South
Brampton, Ontario
L6W 3J1

Qualifications of Employees

1. A person shall not be employed in a rest or retirement home unless;
 - (a) he is eighteen years of age or over;
 - (b) (i) he produces evidence that he had completed Grade 10 in an Ontario Secondary School, or evidence of equivalent standing, or

(ii) he produces evidence, satisfactory to the Medical Officer of Health of employment experience in similar work.
 - (c) he had a pre-employment examination by a physician not more than thirty days before his employment is to commence;
 - (d) he obtains a certificate from the examining physician certifying that he is free from infectious disease and fit to work in a rest home or retirement home; and
 - (e) he produces a certificate that he has had a tuberculin test or chest x-ray within one year before his employment is to commence.
2. Every employee in a rest home or retirement home shall undergo at any time such examination or tests, as may be required by the Medical Officer of Health, as to his continuing fitness to work in a rest home or retirement home.
3. A person who is a carrier of, or has, a communicable disease shall not continue to work or be employed in a rest home or retirement home as required by the Medical Officer of Health under The Public Health Act and Regulations.

Qualifications of Operator

1. A person shall not be licensed to operate a rest home or retirement home unless:
 - (a) he is eighteen years of age or over;
 - (b)
 - (i) he produces an Ontario Secondary School Graduation Diploma or evidence of equivalent standing as determined by the Minister of Education, or
 - (ii) he produces evidence satisfactory to the Medical Officer of Health of employment experience in work comparable to the administration of the rest home or retirement home which he proposes to operate.
 - (c) he had a pre-employment examination by a physician not more than thirty days before his employment is to commence;
 - (d) he obtains a certificate from the examining physician certifying that he is free from infectious disease and fit to work in a rest home or retirement home; and
 - (e) he produces a certificate that he has had a tuberculin test or chest x-ray within one year before his employment is to commence.
2. Every employee in a rest home or retirement home shall undergo at any time such examination or tests, as may be required by the Medical Officer of Health, as to his continuing fitness to work in a rest home or retirement home.
3. The operator shall not permit a person who is a carrier of, or has, a communicable disease to continue to work or be employed in a rest home or retirement home as required by the Medical Officer of Health under The Public Health Act and Regulations.