

CORPORATION OF THE TOWN OF PRESCOTT

BY-LAW NO. 23-2000 - A

Being a by-law to prescribe the standards of maintenance and occupancy for all properties within the Town of Prescott

WHEREAS under subsection 15.1(3) of the *Building Code Act*, S.O. 1992, c. 23, a by-law may be passed by the Council of a municipality prescribing the standards for the maintenance and occupancy of property within the municipality provided the official plan for the municipality includes provisions relating to property conditions;

AND WHEREAS the Official Plan for The Corporation of the Town of Prescott includes provisions relating to property conditions;

AND WHEREAS the Council of The Corporation of the Town of Prescott is desirous of passing a by-law under subsection 15.1(3) of the *Building Code Act*;

AND WHEREAS subsection 15.6(1) of the *Building Code Act* requires that a by-law passed under subsection 15.1(3) of the *Building Code Act* shall provide for the establishment of a Property Standards Committee;

NOW THEREFORE the Council of The Corporation of the Town of Prescott hereby ENACTS as follows:

1. **SHORT TITLE**

This By-law may be referred to as the "Property Standards By-Law".

2. **DEFINITIONS**

In this by-law,

"accessory building" means a subordinate building or structure on the same lot as the main building, or a part of the main building and devoted exclusively to a use that is naturally and normally incidental, subordinate, and exclusively devoted to the principal use of the man building on the lot;

"Town" means The Corporation of the Town of Prescott

"compost" means a mixture of decaying organic matter used or intended to be used as fertilizer;

"Council" means the Council of the Corporation of the Town of Prescott;

“demolish” means doing of anything to effect the removal of a building or structure or part thereof;

“derelict vehicle” means a vehicle that is not a new and unused vehicle, and if

- (a) it is not in operating condition;
- (b) it does not have attached thereto, and exposed thereon, one or more number plates issued under the Highway Traffic Act for the current registration year under that Act;
- (c) it is kept in the open; and
- (d) the owner thereof either
 - i) has abandoned it, or
 - ii) is keeping it primarily for the purposes of salvaging or selling parts therefrom, or for the eventual sale thereof as scrap metal

and a derelict vehicle also includes the body or chassis of a used motor vehicle all or some of the parts of which have been removed, and which clauses (b), (c) and (d) applies

“dwelling unit” means one or more habitable rooms designed, occupied or intended to be occupied as living quarters;

“Fire Code” means the regulations made under section 12 of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended;

“graffiti” means one or more letters, symbols or marks, howsoever made, that disfigure or deface a property or object, but does not include the sign pursuant to the Town’s sign by-laws or a mural which has been authorized by the Town;

“habitable room” means any room in a dwelling unit used or intended to be used for living, sleeping, cooking or eating purposes;

“hoarding” means a temporary fence or structure or material used to enclose a property, cover doors or windows or part thereof which is or intended to be under development;

“multiple occupancy residential building” means a building containing more than two dwelling units;

“noise attenuation wall” means a wall which is intended to be used for the purpose of abating noise and which has a minimum density of four pounds per square foot or twenty kilograms per square metre;

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

“Ontario Building Code” means the regulations made under section 34 of the *Building Code Act*, S.O. 1992, c. 23, as amended;

“Ontario Electrical Safety Code” means the regulations made under section 111 of the *Power Corporation Act*, R.S.O. 1990, c. P. 18, as amended;

“parking garage” means a building or part thereof used or intended for the storage or parking of motor vehicles, boats, trailers, bicycles or other machinery and which contains no facilities for the repair or servicing of vehicles as authorized in accordance with municipal by-laws;

“residential property” means a property that is used or designed for use as a dwelling unit;

“rooming house” means a residential building in which lodging is provided with or without meals, for hire or gain, where the occupants, in addition to their private accommodations, may or may not have access to a common washroom, kitchen or laundry facilities;

“standards” means the standards of physical condition and occupancy of property set out in this by-law;

“yard” means any open, uncovered, unoccupied space appurtenant to a building.

3. **SCOPE**

This by-law shall apply to all property in the Town.

4. **STANDARDS**

The standards for maintenance and occupancy of property set out in this by-law are prescribed as the minimum standards for the Town.

5. **PROHIBITION**

- (1) No person shall use or occupy, or permit the use or occupancy of any property that does not conform to the standards set out in Sections 7 and 8 of this by-law.
- (2) The owner of any property which does not conform to the standards in this by-law shall repair and maintain the property to conform to the standards or the property shall be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition.

6. **ADMINISTRATON**

(1) **Property Standards Committee**

- (a) Council shall appoint at large, by a Resolution of Council, three (3) citizens to the Property Standards Committee for a term of office concurrent with Council.
- (b) Every person wishing to appeal an Order made under subsection 15.2(2) of the *Building Code Act*, S.O. 1992, c.23, shall submit a notice of appeal in the manner and within the time frame as prescribed in subsection 15.3(1) of the *Building Code Act*. All notices of appeal shall be accompanied by a non-refundable payment of one hundred dollars (\$100.00).

(2) **Property Standards Officer**

- (a) The Council may from time to time appoint officers to carry out the administrative functions of this by-law including the enforcement thereof.
- (b) Any building or plumbing inspector, fire prevention officer, or by-law enforcement officer of the Town is hereby authorized and directed to act from time to time as an assistant to the officer.

7. **STRUCTURAL CAPACITY**

Every building or structure or part of a building or structure shall be structurally sound and maintained in that condition so that it has sufficient structural capacity to resist safely and effectively all loads and the effects of loads and influences that may reasonably be expected, having regard to its expected use and service life.

8. **FOUNDATIONS AND FOUNDATION WALLS**

The foundations and the foundation walls of every building or structure or part of a building or structure shall be structurally sound and maintained in that condition so that all masonry cracks are grouted, walls, joists, beams or other exposed wood members are waterproofed, and so that there is adequate subsoil drains at footing levels and that jacking, underpinning or shoring is done where necessary.

9. **EXTERIOR WALLS**

- (1) The exterior walls of every building or structure or part of a building or structure must be structurally sound, weather proof and free of loose and unsecured objects and materials. Improperly secured objects and materials shall be removed, repaired or replaced.
- (2) All brick and stonework, cornices, entablatures, belt courses, parapet walls, corbels, terra-cotta trim, wall facings and similar decorative features shall be maintained in good repair and safe condition with proper anchorage.
- (3) The exterior wall of every building and structure shall be properly painted or otherwise treated.
- (4) The cladding on the exterior walls of all buildings or structures shall consist of masonry stucco, wood, finished plywood, metal or other similar materials that are of equivalent strength, durability and fire resistance.

10. **ROOFS**

- (1) The roof of every building or structure shall be structurally sound, weatherproof and free of loose or unsecured objects and materials and excessive accumulations of ice and snow. Improperly secured objects and materials shall be removed, repaired or replaced.
- (2) All roof flashing, gutters, valleys, eaves troughs and down pipes shall be secured, free of rust and maintained in a serviceable condition.
- (3) All soffit and fascia components of a building shall be secured and maintained in good repair and properly painted or otherwise treated

11. **EXTERIOR DOORS, WINDOWS AND EXTERIOR TRIM**

- (1) The exterior doors, windows and exterior trim of every building or structure or part of a building or structure, shall be maintained in a good state of repair, properly fitted to prevent the entrance of the elements, windows and doors properly fitted with glass (unbroken) or other similar material, and the building or structure painted or otherwise treated to provide protection against decay and rust.
- (2) The owner shall provide and install a safety device on any window with a movable sash, and on any balcony door, so as to ensure that a child of

tender years will be unable to open such windows or doors to a width greater than four (4) inches (10 centimetres).

- (3) The owner of an apartment building shall provide and install in a secure manner, screens on all exterior door and window openings in each apartment unit.
- (4) Where windows in exit stairways of buildings greater than three storeys in height extend to less than 42 inches (107 centimetres) above the landing, they shall be protected by a guard not less than 42 inches (107 centimetres) in height.
- (5) No window referred to in subsection (2) shall be equipped with a safety device that makes it incapable of being opened by an adult in an emergency without the use of tools.

12. **BALCONIES**

- (1) Balconies shall be structurally sound and shall not allow the ponding of water. All balconies shall be enclosed by a sound; safe, clean railing that is firmly fastened to the main structure.
- (2) All balconies shall be kept clear of accumulations of unsightly material or object.
- (3) All metal railings shall be sound, rust free, properly treated or painted.

13. **EXTERIOR STAIRS AND PORCHES**

- (1) All exterior stairs, stairways, porches, awnings, canopies, fire escapes and other related structures shall be structurally sound, properly painted or otherwise treated, and free of loose and unsecured objects and materials.
- (2) Where there is a difference in elevation between adjacent levels of 24 inches or more, a guard shall be installed and maintained in accordance with the Ontario Building Code.

14. **UNFINISHED BUILDINGS OR STRUCTURES**

- (1) All buildings or structures, or parts thereof that are unfinished shall be finished in an acceptable manner within a six months and, where applicable, in accordance with all relevant legislation.
- (2) The worksite on which unfinished buildings or structures exist shall be maintained in a safe and healthy manner.

15. **GRAFFITI**

All property, including but not limited to, buildings, structures, fences or other objects shall be kept clean of graffiti at all times.

16. **INTERIOR HALLWAYS, STAIRWELLS, AND FLOORS**

The interior stairs, stairways, stairwells, hallways, landings, of every building or structure shall be in a safe and clean and sanitary condition, shall be properly painted or otherwise treated, and;

- (1) excessively worn, broken, warped or loose boards, floors and floor coverings must be replaced or repaired in a good workmanlike manner;
- (2) handrails must be securely installed and maintained around any open area;
- (3) all interior doors, doorframes and required hardware must be provided and maintained in good condition and properly functioning and closing.
- (4) ensure adequate lighting at all time and replace any non-working lights within forty-eight (48) hours from the time that the owner is made aware of the failure
- (5) ensure that heating in all interior hallways and stairwells is maintained at a minimum of fifteen degrees Celsius (60 degrees Fahrenheit)

17. **MAIL COLLECTION AREAS**

All mail collection areas, including mailboxes, where supplied in any building, shall be maintained in good repair, clean and absent of debris.

18. **LIGHTING**

- (1) Lighting fixtures shall be installed and maintained in all areas inside and outside every building or structure or part thereof so that work, use or occupation normally carried out in such areas can be undertaken safely.
- (2) Any non-working lighting fixture shall be repaired or replaced within forty-eight (48) hours of notice to the owner or landlord.
- (3) All fixtures and all connections thereto shall be kept in a safe working condition.
- (4) Exterior lighting fixtures shall be installed and maintained so as to prevent the light source from shining directly into a dwelling unit.

19. **INTERIOR CEILINGS AND WALLS**

- (1) The interior ceilings and walls of every building and structure shall be maintained in a safe and sound condition and in a good state of repair, free of loose plaster.
- (2) All paint, or other wall covering, which is stained or deteriorated shall be repainted and repaired, missing or loose ceiling or wall tiles shall be repaired or replaced.
- (3) Repairs made to interior walls and ceilings shall be completed in a workmanlike manner and each repair shall be finished to match the existing wall or ceiling.

20. **GARBAGE AND REFUSE**

- (1) On-site storage of garbage and refuse shall be temporary only from the time the garbage or refuse is generated on-site until the next scheduled garbage collection day.
- (2) All on-site storage facilities for garbage and refuse shall be in a secured container or storage bin.
- (3) Fire doors shall be installed and maintained on all garbage and refuse storage rooms.
- (4) All garbage and refuse storage facilities, disposal rooms, refuse chutes where provided, and containers and receptacles shall be maintained in a safe, operable, clean and sanitary, odour free and tidy condition.
- (5) All exterior refuse storage areas, including containers and receptacles, shall be screened from the view of adjacent residential properties where possible and the screening shall be maintained in good repair.

21. **LAUNDRY ROOMS, STORAGE ROOMS, RECREATION ROOMS AND CHILDREN'S PLAY AREAS CONTAINED WITHIN MULTIPLE OCCUPANCY RESIDENTIAL BUILDINGS AS COMMON AREAS**

- (1) Laundry and recreational equipment contained within multiple occupancy residential buildings shall be maintained in a safe working state of repair.
- (2) All rooms used for storage, laundry or recreational purposes shall be kept clean and free from health, fire and accident hazards.

- (3) Every area of a property set aside as a children's play area shall be kept in a clean, safe and operable condition including all equipment placed therein.

22. **CHIMNEYS**

Every chimney, smoke pipe, vent, flue or similar apparatus serving a heating device or system shall be:

- (1) installed and maintained so as to prevent the escape of smoke or gases into the building;
- (2) clear of obstructions;
- (3) free from open joints;
- (4) free from broken and loose masonry;
- (5) in good repair, securely anchored and plumb.

23. **SWIMMING POOLS**

- (1) All swimming pools, wading pools and ponds and any appurtenances thereto shall be maintained in good repair, free from leaks, and free from health and safety hazards.
- (2) All swimming pools, wading pools and ponds shall be kept clean of stagnant water and any such areas that are unkept or unused shall be drained of all water found therein.

24. **LANDSCAPING**

Whenever landscaping, hedges, trees, fences, curbs, retaining walls or similar changes to property have been required by the Town as a condition of development or redevelopment, such works shall be undertaken and maintained so as to ensure continuous compliance with the Town requirements.

25. **VEHICLES, RECREATIONAL VEHICLES, BOATS & TRAILERS**

- (1) No recreational vehicles, boats and trailers shall be stored in the front yard of any residential property, save and except for in an approved driveway.
- (2) No derelict or inoperable vehicles, recreational vehicles, boats or trailers shall be kept in any residential property unless properly housed in a garage.

- (3) No person shall perform repairs or work on vehicles, including recreational vehicles, boats and trailers, in a residential zone, except in the case of work on a vehicle for personal use only and that it shall be completed within a reasonable time frame.
- (4) No storage of such vehicles, boats or trailers shall infringe on the neighbour's enjoyment of their property.

26. **TREES**

- (1) All trees on a property shall be maintained in a manner that will eliminate a condition, which is a source of danger.
- (2) All trees planted on a property shall be planted on the owner's property, not encroach on any neighbouring property, or cause any damage to neighbouring property or persons.
- (3) Where the dangerous condition cannot be eliminated by maintenance practices, the tree shall be removed.
- (4) The Town of Prescott encourages property owners to plant trees away from underground services and overhead utility wires, and that the type of tree is suitable for the environment.

27. **TELEVISION AND RADIO ANTENNAE/DISHES**

Television and radio antennae/dishes and other similar structures must be securely anchored and maintained in a safe and good condition.

28. **LAND**

All exterior property areas, including vacant land, shall be maintained in a clean and reasonable condition so as to prevent fire, accidents or hazards to health, and more particularly:

- (1) No wrecked, dismantled, inoperative, discarded, unused or unlicensed vehicles, trailers, machinery or objects or parts thereof shall be placed, stored or left on land, but this does not apply where such articles are required and used for business purposes permitted under the Town's land use by-laws and where such articles are placed, stored or left in a manner which avoids an unsafe or unsightly condition deleterious to the neighbouring environment.
- (2) Any part of a yard that is low lying or has been excavated so that it accumulates water, shall be drained, filled and graded so that water

drains to a storm sewer or ditch. Swimming pools, ornamental pools and agricultural ponds shall not be included in this requirement.

- (3) Every hard surfaced walkway, driveway, parking area or laneway shall be evenly graded and maintained free of potholes or uneven sections.
- (4) Dilapidated, collapsed or unfinished structures and all accumulations of material, wood, debris or other objects that create an unsafe or unsightly condition, deleterious to the neighbouring environment, shall be removed.
- (5) All grassed and landscaped areas abutting buildings or structures or on vacant lots in developed residential, commercial and industrial areas shall be cut and maintained in a reasonable condition in relation to the neighbouring environment.
- (6) All exterior property areas, including vacant land, shall be maintained to prevent accumulations of dust or dirt from spreading to neighbouring properties.

29. **HOARDING**

All hoarding shall be maintained in a structurally secure manner, neatly painted or otherwise treated and kept free of signs and posters unless the Town authorizes such signs and posters.

30. **ICE AND SNOW REMOVAL**

The following subsections apply to all private property containing multiple occupancy residential buildings, and all areas of commercial, industrial and institutional property that the general public has access to:

- (1) All ramps and access routes leading to garages shall be kept free from ice and snow.
- (2) Mechanical de-icing equipment for ramps and access routes, where provided, shall be maintained in a usable condition.
- (3) All walkways and access routes to and from buildings shall be kept free from ice and snow and hazards at all times.
- (4) All exterior parking areas, including laneways, shall be kept free from accumulations of ice and snow at all times.

- (5) All roofs, overhangs and overhead structures shall be kept free from accumulations of ice and snow at all time.

31. **ACCESSORY BUILDINGS**

Accessory buildings shall be kept:

- (1) protected by paint, preservative or other weather-resistant material;
- (2) in a structurally sound condition and plumb, unless specifically designed to be other than vertical;
- (3) in good repair and free of accident hazards;
- (4) in good condition and repair to prevent any access by nuisance animals; and
- (5) so as not to present an unsightly appearance.

32. **SIGNS**

Exterior signs on any land, building or structure that are unused or not cared for or discarded shall be removed from the property or shall be stored within a building on the property.

33. **HEATING, VENTILATION, AIR CONDITIONING AND MECHANICAL SYSTEMS**

All heating, ventilation, air conditioning and mechanical systems shall be provided, maintained and operated:

- (1) in accordance with the requirements of the *Building Code Act* and the *Energy Act*, R.S.O. 1990, c.E.16, as amended;
- (2) ensure no excessive noise that disturbs neighbours
- (3) free of hazards that could cause an accident; and
- (4) all duct work used for heating and ventilation purposes shall be kept clean and sanitary.

34. **ELEVATING DEVICES**

Elevating devices in multiple occupancy residential buildings, including all parts thereof, shall be maintained in good repair in accordance with the *Elevating Devices Act*, R.S.O. 1990, c.E.8, as amended, and shall be operational, except

for such reasonable period of time as may be required for the purpose of repairing such elevating devices.

35. **PARKING GARAGES**

- (1) Lighting fixtures in all parking garages shall be maintained in good working condition.
- (2) All ventilation systems within parking garages shall be maintained in good working order at all times.
- (3) **Exits**
 - (a) All means of egress, including doors, in parking garages shall be maintained in good repair and free from all obstructions.
 - (b) All exit signs shall be provided and maintained in good repair in accordance with the requirements of the Ontario Building Code and Fire Code and shall be unobstructed and readily visible.
- (4) All floor drains in such garages shall be in good working order and free from obstructions.
- (5) Every floor, wall, ceiling and stairwell of a parking garage shall be kept clean and free from debris, objects or other conditions that might create a hazard, obstruction or unsightly condition.
- (6) All parking garages shall be kept clear of any machinery, vehicles, boats, trailers or parts thereof, which are in an unusable, wrecked, unlicensed, discarded or abandoned condition.

36. **ELECTRICAL SYSTEMS**

- (1) All buildings, where required by the Ontario Building Code, Ontario Fire Code or the Ontario Electrical Safety Code, shall be connected to an electrical supply system and shall be wired to receive electricity.
- (2) The capacity of the connection to the building and system of circuits and electrical outlets distributing the electrical supply within the building shall be adequate for the use of intended use and shall be maintained in good working order, free from fire and accident hazards, and in compliance with the Ontario Hydro Electrical Safety Code.

37. **DRAINAGE AND PLUMBING SYSTEMS**

- (1) Drainage and plumbing systems on the property shall be provided, installed and maintained in good working order and shall be:
 - (a) in compliance with the requirements of the Ontario Building Code, the *Ontario Water Resources Act*, R.S.O. 1990, c.O.40, as amended, and their respective Regulations, as amended for time to time; and
 - (b) free from leaks, defective or dripping taps and other defects.
- (2) Water run-off from roof surfaces shall discharge into an eaves trough or gutter and thence to a down pipe, discharging into a storm sewer and all eaves troughs and drainpipes shall be maintained:
 - (a) watertight and free from leaks; and
 - (b) in working order and free from health hazards.
- (3) Down pipes need not be connected to a storm sewer when arranged to discharge water run-off at least three feet from the building and contained on the property.
- (4) Eaves troughs, gutters, down pipes and storm sewer connections are not required when the roof is designed to prevent water run-off causing deterioration to the building or creating a nuisance to persons on or adjacent to the property.

38. **SEWAGE DISPOSAL**

- (1) When a sanitary sewer is installed on a street or road, all sewage from the abutting property shall be discharged in to the sanitary sewer.
- (2) When a sanitary sewer has not been installed on a street or road, all sewage from each abutting property shall be discharged into private sewage disposal systems on the subject property and each such system shall be approved by and maintained in accordance with the Ontario Building Code.

39. **COMPOST**

All compost shall be stored and kept on a property in a reasonable manner so as not to allow offensive odours to effect the surrounding neighbourhood or attract rodents, vermin, pests or other nuisance animals to the property.

40. **PEST PREVENTION**

All dwelling units, including the exterior portions of residential buildings, shall be kept free of pests such as rodents, vermin, birds, termites, insects, garbage and refuse at all times and methods used for exterminating rodents, termites and insects shall be in accordance with the provisions of the *Pesticides Act*, R.S.O. 1990, c.P.11, as amended and all regulations passes pursuant thereto.

41. **HUMAN HABITATION**

- (1) Non-habitable space shall not be used for human habitation.
- (2) No portion of a dwelling unit shall be used for human habitation unless:
 - (a) the floors, walls and ceilings and openings in the exterior walls or roof are watertight, free from dampness and reasonably free from drafts at all times:
 - (b) every habitable room except a kitchen, contains one or more windows or skylights that
 - (i) open directly to the outside, and
 - (ii) have a total light transmitting openable ventilation area of not less that that required by the Ontario Building Code.
 - (c) all windows and skylights are:
 - (i) glazed or fitted with an approved substitute;
 - (ii) provided with hardware and locking devices;
 - (iii) maintained in good repair; and
 - (d) if required for ventilating purposes, capable of being easily opened and closed at all times; and
 - (e) a heating system is provided which is capable of maintaining adequate and suitable heat
 - (f) the heating system maintains, between the 15th day of September and the 15th day of June in the following year, a temperature of not less than 20° Celsius between the hours of six o'clock in the morning and eleven o'clock in the evening, and a temperature of not less than 18° Celsius between the hours of eleven o'clock in the evening and six o'clock in the morning of the following day

- (g) for the purpose of subsection 42.(3)(e), room temperature shall be determined at a point five feet above floor level and three feet from exterior walls.
- (3) Every habitable room shall have a minimum ceiling height in accordance with the Ontario Building Code.
- (4) Buildings used or to be used for human habitation shall be insulated to minimize heat loss, air infiltration and moisture condensation on the interior surfaces of walls, ceilings and floors as required by the Ontario Building Code.
- (5) Anything employed in providing water or any energy source serving light, heat, refrigeration or cooking facilities in a dwelling unit occupied by a tenant shall not be disconnected, except for such reasonable period of time as may be required for the purpose of repairing, replacing or altering such service or utility.
- (6) Where there is fuel burning equipment in any occupied dwelling unit not occupied by the owner and the owner is required by the lease or agreement providing for the occupancy to provide fuel, an adequate supply of fuel, in a convenient and safe location, shall be available at all times for the equipment.
- (7) Each kitchen in a dwelling unit shall be:
 - (a) equipped with a refrigerator and stove in good repair and in good working condition;
 - (b) provided with cupboards having a capacity of not less than four cubic feet multiplied by the total number of persons occupying the unit; and
 - (c) all counter-tops, drawers and cupboards shall be maintained in good condition;
- (8) Interior and exterior barrier-free access facilities for persons with disabilities where installed or required by the Ontario Building Code or as a condition of development or redevelopment shall be maintained in a good state of repair, operational suitable and available for use by persons with disabilities.
- (9) Every occupant of a dwelling unit shall maintain the dwelling unit and all supplied facilities and equipment therein in a clean and sanitary condition and shall co-operate with the landlord in complying with requirements of this by-law.

42. **SECURITY**

- (1) Doors which allow access to or egress from a dwelling unit shall be equipped with a lock that:
 - (a) complies with the Ontario Building Code and Fire Code; and
 - (b) is maintained in good repair and in an operative condition.
- (2) Exterior security locking and release, and voice communication systems, when provided, shall be maintained in good repair and operative condition, and in compliance with the requirements of the Ontario Building Code.

43. **EGRESS**

Every means of egress from a dwelling unit, building or structure shall be safe and unobstructed and comply with the Ontario Building Code and Fire Code.

44. **TOILET AND BATHROOM FACILITIES**

- (1) every dwelling unit, except as provided in subsection 45(2), shall contain plumbing fixtures consisting of at least:
 - (a) a water closet;
 - (b) a sink; and
 - (c) a bathtub or shower.
- (2) In a rooming house there shall be a water closet, sink and bathtub or shower for every eight persons or portion thereof and the facilities shall be located on the same storey as, or on the next storey up or down from the storey on which the room or dwelling unit is located.
- (3) Every commercial, institutional and industrial building shall contain plumbing fixtures in accordance with the appropriate Provincial legislation.
- (4) All bathrooms and toilet rooms shall be located within and be accessible from within the building, which it serves.
- (5) All bathrooms and toilet rooms shall be fully enclosed and have a door capable of being locked so as to provide privacy for the occupant.
- (6) Where practical a washbasin shall be located in the same room as the water closet.

45. **HOT AND COLD RUNNING WATER**

Every dwelling unit shall be connected to and supplied with hot and cold running water of adequate water pressure and the hot water shall be at least 43 degrees Celsius measured at the tap with the water running for at least 30 seconds.

46. **TELEPHONE WIRING**

All internal wiring for telephone use within a dwelling unit shall be maintained in good working order.

47. **PROVINCIAL STANDARDS**

All properties in Prescott shall meet the standards set out above, as well as all provincial minimum standards.

48. **PENALTY**

An owner who fails to comply with an order that is final and binding under this by-law is guilty of an offence under of Section 36(1) of the *Building Code Act*, S.O. 1992, c.23, and is liable to a penalty or penalties as set out in section 36 of that Act.

49. **VALIDITY**

If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law to be invalid, or to be of no force and effect, it is the intention of the Council in enacting this by-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

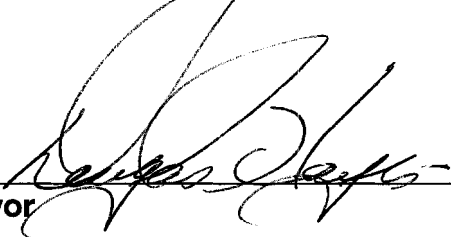
50. **TRANSITIONAL RULES**

After the date of passing of this by-law, By-law 1917, applies only to properties in respect of which an Order has been issued prior to the date of passing of this by-law, and then only to such properties until such time as the work required by such Order has been completed or any enforcement proceedings in respect of such Order, including demolition and repair by the town, have been concluded.

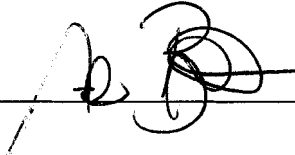
51. **REPEAL**

Except for the purpose as set out in section 50 of this By-law, By-law 1917 is hereby repealed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY
PASSED THIS 18th DAY OF SEPTEMBER, 2000**



Mayor



Clerk