

THE CORPORATION OF THE TOWN OF SIOUX LOOKOUT

BY-LAW NO. 20-98

**A BY-LAW FOR PRESCRIBING STANDARDS FOR THE MAINTENANCE AND
OCCUPANCY OF PROPERTY WITHIN THE MUNICIPALITY**

WHEREAS Section 15.1-(3) of the *Building Code Act, S.O. 1992, C.23* as amended allows councils of municipalities to pass by-laws for prescribing standards for the maintenance and occupancy of property within the municipality;

NOW THEREFORE, the Council of the Corporation of the Town of Sioux Lookout ENACTS AS FOLLOWS:

1. Definitions and Interpretations

- (1) "accessory building" means a detached subordinate building or structure, the use of which is incidental to that of the main building, and which is not used for human habitation.
- (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" or "cellar" includes any room in a structure of which not less than one half of the volume is below the finished grade of the group appurtenant thereto.
- (4) "bathroom" means a room containing a bathtub or shower with or without a toilet and basin.
- (5) "committee" means the Property Standards Committee established pursuant to the provisions of this By-Law.
- (6) "corporation" or "Town" means the Corporation of the Town of Sioux Lookout.
- (7) "Council" means the Council of the Corporation of the Town of Sioux Lookout.
- (8) "Dwellings" includes, but is not limited to:
 - (a) a building or structure or part of a building or structure occupied, designed, or capable of being occupied in whole or in part for human habitation and includes a vacant building or structure that could be occupied for such use except for its state of disrepair; and
 - (b) tents, trailers, mobile dwelling units, cabins, rooming houses, lodging houses, hostels, group homes, emergency shelters and seasonal dwellings.
- (9) "dwelling unit" means one or more rooms connected together as a separate unit in the same dwelling and constituting an independent housekeeping unit for residential occupancy by humans with facilities for persons to sleep and cook.

- (10) "exterior common areas" means the residential/commercial/industrial complex excluding buildings or structures.
- (11) "fire resistance rating" means time in hours or parts thereof that a material, construction, or assembly will withstand fire exposures as determined in a fire test made in conformity with generally-accepted standards, or as determined by extension or interpretation of information derived therefrom.
- (12) "habitable room" means any room in a dwelling unit used or intended to be used for living, sleeping, cooking, or eating purposes.
- (13) "Inoperative Motor Vehicles" includes a motor vehicle which may not be lawfully operated upon a highway pursuant to the Highway Traffic Act (Ontario) and amendments thereto because of any of the following reasons:
 - (i) There is not in existence a currently validated permit for the vehicle; or
 - (ii) There are not displayed on the vehicle, in the prescribed manner, number plates issued in accordance with the Highway Traffic Act (Ontario) showing the number of the permit issued for the vehicle; or
 - (iii) There is not affixed to a number plate displayed on the vehicle evidence of the current validation of the permit;

and shall also include a motor vehicle which is in a wrecked or dismantled condition or has had its source of power removed.
- (14) "Medical Officer of Health" means the Medical Officer of Health serving the Town of Sioux Lookout.
- (15) "multiple dwelling" means a building containing three or more dwelling units.
- (16) "mixed use building" means a building containing dwelling units and other uses not accessory to the dwelling units.
- (17) "non-habitable room" means any room in a dwelling or dwelling unit other than a habitable room, and includes bathroom, toilet room, laundry, pantry, lobby, communicating corridor, stairway, closet, basement, boiler room, or other space used for service or maintenance of the dwelling for public use, and for access to, and vertical travel between storeys.
- (18) "occupant" means any person over the age of 18 years in possession of the property.
- (19) "officer" means the Property Standards Officer of the Corporation, duly appointed by a By-Law of the Corporation to administer and enforce the provisions of this By-Law.
- (20) "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 the person's 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.

- (21) "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 erection thereon whether heretofore or hereafter erected, and includes vacant property, and is divided into:
 - (a) "residential property" means property which is occupied or 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
 - (b) "non-residential property" means a property which is not occupied or capable of being occupied in whole or in part for the purpose of human habitation; and
 - (c) "vacant land" means property on which there are no structures of any kind other than a fence.
- (22) "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 standard established in this By-Law.
- (23) "seasonal dwelling" means a dwelling that has not been designed and built for winter use.
- (24) "sewerage system" means the sanitary sewerage system or storm sewerage of Sioux Lookout, or a private sewage disposal system approved by the Medical Officer of Health.
- (25) "standards" means the standards prescribed in Part I, II, and III of this By-Law.
- (26) "toilet room" means a room containing a toilet and sink.
- (27) "urban area" means the former limits of the Town of Sioux Lookout and the Village Settlement area of Hudson prior to January 1, 1998 as shown on Schedule B and Schedule C attached to and forming part of this By-Law.
- (28) "vehicle" includes a motor vehicle, trailer, boat, motorized snow vehicle, mechanical equipment, and any vehicles drawn, propelled, or driven by any kind of power, excluding muscular power.
- (29) "yard" means the land other than 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.
- (30) References to statutes or regulations in this By-Law are to the statutes and regulations of the Province of Ontario, as amended and revised from time to time, and By-Laws enacted in substitution therefore.

2. Duties

- (1) Every owner shall ensure that his dwelling or property is maintained in accordance with the provisions of this By-Law.
- (2) 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.

PART I -- DWELLING STANDARDS

This part prescribes the standards for every dwelling situated in the
Town of Sioux Lookout.

1. Maintenance Of Yards, Exterior Common Area and Accessory Buildings

(1) Yard

- (a) A yard or exterior common area shall be kept clean and free from:
 - (i) Rubbish or other debris; and
 - (ii) Objects or conditions that may create a health, fire, or accident hazard.
- (b) Heavy undergrowth shall be eliminated from the yard and exterior common area in the Urban areas.
- (c) A yard and exterior common area shall be cultivated or protected by suitable ground cover which prevents the erosion of the soil.
- (d) Lawn, hedges, and bushes in the Urban areas shall:
 - (i) Be kept trimmed; and
 - (ii) Not be overgrown or unsightly.
- (e) No owner shall cause or permit land to be used for the storage of inoperative motor vehicle(s) or parts thereof except in accordance with the following:
 - (a) The vehicle and parts are stored in an enclosed building:
 - (b) The vehicle and parts are fully and completely covered with a canvas or similar opaque, weather resistant tarpaulin in good repair, in which case no more than one (1) such covered vehicle shall be permitted in a yard.

Sentence 1.(1)(e) does not apply to the storage of motor vehicles and parts which are necessary for the conducting of a bone fide business, lawfully conducted on the property.
- (f) The parking spaces, aisles, driveways, and all other surfaces used by motor vehicles, shall be:
 - (i) Maintained in good repair; and

(2) Sewage and Drainage

- (a) Sewage or organic waste shall be discharged into a sewerage system.
- (b) Untreated or inadequately treated sewage shall not be discharged on to the surface of the ground whether into a natural or artificial system or otherwise.
- (c) Roof drainage or surface water shall:
 - (i) Be drained from the lands so as to prevent recurrent ponding or entrance of water into a basement or cellar; and

- (ii) Not be channelled to discharge on sidewalks, stairs, or neighbouring property
- (d) Sub-surface drainage shall be installed where there is recurring excessive ponding caused by surface water.
- (e) Footing and sub-drains that do not connect directly to a storm sewer shall have the water from them disposed of as per Subsection (2)(c).
- (f) No roof drainage, surface water, footing drains, or subsurface drains shall be connected to or channeled towards or into a sanitary sewer.
- (3) Walks
 - (a) There shall be a surfaced walk leading from every entrance of the building or structure to the street, and a surfaced driveway in excess of 2.44m (8') in width may form part of the walk system.
- (4) Safe Passage
 - (a) Steps, walks, driveways, parking spaces, and similar areas of a yard shall be maintained so as to afford safe passage.
- (5) Fences
 - (a) Fences, barriers, and retaining walls shall be kept:
 - (i) In good repair;
 - (ii) Free from health, fire, and accident hazards; and
 - (iii) Protected by paint, preservative, or other weather-resistant material.
- (6) Accessory Buildings
 - (a) An accessory building shall be kept:
 - (i) In good repair;
 - (ii) Free from health, fire, and accident hazards; and
 - (iii) Protected by paint, preservative, or other weather-resistant material.
- (7) Garbage Disposal
 - (a) All garbage, rubbish, and ashes shall be stored and disposed of in accordance with Town of Sioux Lookout By-Law No. 1806.

2. Maintenance of Dwellings and Dwelling Units

- (1) Pest Prevention
 - (a) A dwelling shall be kept free 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 and all regulations enacted pursuant thereto.

- (b) Basement or cellar windows 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 which will effectively exclude rodents.
- (c) During the time of year when insects are likely to enter into a dwelling, each door or window, including a window in a door, or other device that opens to the outside, shall be screened with wire mesh or such other material as will effectively exclude insects.

(2) Basement Floors

- (a) Basement, cellar, or crawl spaces which are not served by a stairway leading from the dwelling or from outside the dwelling may have a dirt floor, provided it is covered with a moisture proof covering.
- (b) Basements or cellars which are served by a stairway leading from the dwelling or from outside the dwelling shall have a concrete or pressure treated wood floor, and a floor drain shall be located at the lowest point of the said floor and connected to a sewerage system.
- (c) A floor in a basement or cellar shall be free from major cracks, breaks, or other defects.

(3) Foundations

- (a) The foundation walls shall be maintained in good repair and structurally sound and, when required, shall be so maintained by shoring of the walls, installing of subsoil drains at the footing, grouting masonry cracks, parging, and waterproofing the walls.
- (b) 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.
- (c) All footings, foundation walls, piers, and slabs-on-grade shall be of masonry or other suitable material in accordance with the Ontario Building Code.
- (d) Subsection (b) and (c) above do not apply to accessory buildings, or seasonal dwellings.

(4) Structural Soundness

- (a) Every part of a dwelling 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.
- (b) Materials or objects which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- (c) All exterior surfaces shall be of materials which provide adequate protection from the weather.

(5) Exterior Walls

- (a) 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:

- (i) Painting, restoring, or repairing of the walls, coping or flashing; or
 - (ii) The waterproofing of joints and of the walls themselves.
- (6) Roof
 - (a) A roof, cornice, and flashing shall be maintained in a watertight condition so as to prevent leakage of water into the dwelling.
- (7) Dampness
 - (a) The interior floors, ceilings, and walls shall be kept from dampness arising from the entrance of moisture through an exterior wall or a roof, or through a cellar, basement, or crawl space floor or any other means of entry.
- (8) Doors and Windows
 - (a) All exterior openings for doors or windows shall be fitted with doors or windows.
 - (b) Windows, exterior doors, and basement or cellar hatchways shall be maintained in good repair so as to prevent the entrance of wind or rain into the dwelling.
 - (c) Doors, door frames, sashes, casings, and weatherstrippings that have been damaged or show evidence of rot or other deterioration shall be painted, repaired, or replaced.
 - (d) Broken glass and missing or defective door and window hardware shall be repaired or replaced.
 - (e) At least one entrance door in every dwelling unit shall have a locking device so as to be capable of being locked from both inside and outside the dwelling unit.
 - (f) All windows intended to be opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise secured from inside the dwelling unit.
- (9) Stairs and Porches
 - (a) An outside stair shall be maintained so as to be free of holes, cracks, and other defects by replacing, repairing, or painting.
 - (b) An inside stair shall be maintained so as to be free of holes, cracks, and other defects by replacing or repairing.
 - (c) Every porch, balcony, and supporting structural member shall be maintained so as to be free of rot, deterioration, or other defects by replacing, repairing, or painting.
- (10) Egress
 - (a) Every dwelling unit shall have a direct access so as to provide a safe continuous and unobstructed exit from the interior of the building to the street or grade level.

- (b) There shall be a secondary means of egress for every dwelling unit located on each floor above the second floor, and for two or more dwelling units located in the basement, so as to provide a safe and convenient means of egress in case of an emergency.
- (c) A secondary means of egress may be required for a dwelling unit, if, in the opinion of an officer, a hazardous condition exists.
- (d) Where there is only one means of egress from a basement containing one dwelling unit, there shall be a one hour fire separation between it and any adjacent dwelling units.

(11) Balustrades and Handrails

- (a) A handrail shall be installed and maintained in good repair on:
 - (i) Every open side of a balcony, porch, landing, and stairwell with a rise of between 76.2cm (2.5') and 1.524m (5'); and
 - (ii) A stairway with a rise of over 76.2cm (2.5').
- (b) A barrier, such as a balustrade, shall be installed and maintained in good repair on every open side of a balcony, porch, landing, stairwell, and stairway with a rise of 1.524m (5') or more.
- (c) Subsection (b) does not apply to a stairway leading to a basement that does not contain a dwelling unit.

(12) Walls And Ceilings

- (a) Every wall and ceiling finish shall be:
 - (i) Maintained so as to be easily cleaned; and
 - (ii) Free of holes, cracks, loose coverings, or other defects which would permit flame, excessive heat, or water to enter the concealed space.
- (b) Where dwelling units are separated vertically, the dividing walls shall:
 - (i) Be continued in the basement from the top of the footings or the floor, to the underside of the finished first floor surface;
 - (ii) Be continued in the attic from the top of the finished ceiling surface to the underside of the finished roof surface;
 - (iii) Consist of two 1.27cm (1/2") layers of gypsum wallboard or material of equivalent fire resistance rating; and
 - (iv) Be tightly sealed with caulking of mineral wool or similar non-combustible material.
- (c) Subsection (b)(iii) hereof does not apply where Subsection (20)(e) applies.

(13) Floors

- (a) Every floor shall be:
 - (i) Smooth and level; and

- (ii) 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.
 - (b) 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.
 - (c) Every bathroom, toilet room, and shower room shall have a floor of water repellent material.
- (14) Cleanliness
- (a) Every floor, wall, ceiling, fixture, and appliance in a dwelling shall be maintained in a clean and sanitary condition.
 - (b) Every dwelling shall be kept free from rubbish, debris, or any condition which constitutes a fire, accident, or health hazard.
- (15) Water
- (a) Every dwelling shall be provided with an adequate supply of drinkable water from a source approved by either the Medical Officer of Health or the Ministry of the Environment & Energy.
- (16) Plumbing
- (a) 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 and free from leaks and defects.
 - (b) All water pipes and appurtenances thereto shall be protected from freezing.
 - (c) All waste pipes shall be connected to the sewerage system through water seal traps.
- (17) Toilet, Kitchen, and Bathroom Facilities
- (a) Every dwelling unit except as provided in Subsection (b) and (c) hereof, shall contain plumbing fixtures consisting of at least:
 - (i) A toilet;
 - (ii) A kitchen sink;
 - (iii) A wash basin; and
 - (iv) A bathtub or shower.
 - (b) The occupants of not more than two dwelling units may share a toilet, wash basin, and bathtub or shower, provided:
 - (i) Not more than a total of eight persons occupy both dwelling units; and
 - (ii) Access to the fixtures can be gained without passing through rooms of another dwelling unit or outside the dwelling.

- c) For seasonal dwelling units and other dwelling units, as approved by the Northwestern Health Unit or the agency having approval authority, these facilities may be located outdoors.

(18) Bathroom and Toilet Room

- (a) All bathrooms and toilet rooms shall be located within and accessible from within the dwelling in all but seasonal dwelling units and other dwelling units, as approved by the Northwestern Health Unit or the agency having approval authority.
- (b) All bathrooms and toilet rooms shall be fully enclosed and with a door capable of being locked so as to provide privacy for the user.
- (c) A wash basin shall be located in the same room as the toilet, and where this is not possible, a wash basin shall be located in a room conveniently adjacent to the room containing the toilet.

(19) Kitchens

- (a) The back splash and counter top around the kitchen sink shall have an impervious surface.
- (b) Every kitchen provided with gas or electrical supply for cooking purposes, shall have the said supply approved by the appropriate authority.
- (c) There shall be at least 60.96cm (2') clear space above any exposed cooking surface of a cooking appliance.

(20) Heating System

- (a) Every dwelling except for seasonal dwellings shall be provided with a heating system capable of maintaining a comfortable temperature in every habitable room, bathroom, and toilet room.
- (b) The heating system required by Subsection (a) shall be maintained in good working condition so as to be capable of heating the dwelling safely to the required standard.
- (c) Auxiliary heaters shall not be used as a primary source of heat.
- (d) A room heater shall not be placed so as to:
 - (i) Cause a fire hazard to walls, curtains, or furniture; or
 - (ii) Impede the free movement of persons within the room where the heater is located.
- (e) A furnace that services two or more dwelling units and is located adjacent to habitable spaces shall be enclosed with walls, ceiling, and door having a fire resistance rating of not less than one hour.
- (f) The enclosure referred to in Subsection (e) shall be provided with sufficient combustion air directly from the outside by ventilation duct.
- (g) 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:
 - (i) Provided and maintained in a convenient location; and
 - (ii) Properly constructed so as to be free from fire or accident hazards.

- (h) Fuel burning equipment shall be vented to a duct by means of rigid connections leading to an approved chimney or a vent flue.
- (i) Every approved chimney, smoke pipe, flue, and vent shall be maintained so as to prevent gases from leaking into the dwelling, and at all time shall be kept in good repair and maintained free from loose bricks and mortar, or any other defects, including prevention of the heating of adjacent combustible materials and structural members to unsafe temperatures.
- (j) Without limiting the generality of Subsection (i) above, the maintenance required thereby includes clearing the flue of obstructions, sealing open joints, repairing masonry, using other suitable means, or where necessary, complete rebuilding.
- (k) Fireplaces and similar construction used or intended to be used for burning fuels in open fires shall be:
 - (i) Connected to an approved chimney; and
 - (ii) Installed so as not to create a fire hazard to a nearby or adjacent combustible material and structural members.

(21) Electrical Service

- (a) Every dwelling unit shall be wired for electricity unless otherwise permitted by the authority having jurisdiction.
- (b) Lighting equipment shall be installed throughout the dwelling unit to provide illumination, unless otherwise permitted by the authority having jurisdiction.
- (c) Every habitable room, except for a kitchen, shall contain:
 - (i) At least one electrical duplex convenience outlet; and
 - (ii) An additional duplex convenience outlet for each 9.29m² (100 sq.ft.) of floor area or part thereof.
- (d) Every kitchen shall have at least two electrical duplex convenience outlets which shall be on separate circuits.
- (e) Fuses or overload devices shall not exceed limits set by Ontario Hydro.
- (f) An electrical light fixture shall be installed in every bathroom, toilet room, laundry room, furnace room, kitchen, hall, and in a stairway which is not otherwise lighted.
- (g) Where a hazardous condition exists, extension cords which are not part of a fixture shall not be permitted on a semi-permanent or permanent basis.
- (h) The electrical wiring and all electrical fixtures located or used in a dwelling shall be installed and maintained in good working order and in conformity with the regulations of Ontario Hydro.
- (i) An adequate supply of electric power shall be available at all times in all parts of every occupied dwelling unit except where the supplier has disconnected the service because of arrears in payment.
- (j) (a)(b)(c)(d)(f) and (i) do not apply to seasonal dwellings.

(22) Light

- (a) Every habitable room, except for a kitchen, shall have a window or windows, or skylights, or translucent panels that face directly to the outside.
- (b) All common halls and stairs in multiple dwellings shall be illuminated at all times so as to provide safe passage.
- (c) In a dwelling, adequate lighting equipment shall be approved and maintained in good working order at all times in every stairway, hall, bathroom, shower room, toilet room, basement or cellar, laundry room, furnace room, similar non-habitable work room, and kitchen.

(23) Ventilation

- (a) Every habitable room except for a living room and a dining room shall be provided with:
 - (i) Natural ventilation which shall:
 - a. Consist of an opening or openings with a minimum aggregate unobstructed free flow area of .2787m² (3 sq. ft.) ; and
 - b. Be located in the exterior walls or through openable parts of skylights; or
 - (ii) Mechanical ventilation which shall change the air once each hour.
- (b) Every bathroom or room containing a toilet 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 .0929m² (1 sq. ft.).
- (c) An opening for natural ventilation may be omitted from a bathroom or toilet room where a system of mechanical ventilation has been provided, such as an exhaust fan with a duct leading to outside the dwelling.
- (d) All systems of mechanical ventilation or air conditioning shall be maintained in good working order.
- (e) 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. A mechanical ventilation system may be used in the absence of natural ventilation.

(24) Occupancy Standards

- (a) No person shall use or permit the use of a non-habitable room in a dwelling for a habitable room purpose.
- (b) The maximum number of occupants in a dwelling unit shall not exceed one person per 9.29m² (100 sq. ft.) of habitable room floor area.
- (c) For the purpose of computing the maximum number of occupants in Subsection (b), any child under 12 years of age shall be deemed to be one half person.

- (d) No room in any dwelling unit shall be used for sleeping purposes unless there is a minimum width of 1.83m (6') and a minimum floor area of 5.574m² (60 sq. ft.)

PART II -- NON-RESIDENTIAL PROPERTY STANDARDS

This part prescribes the standards for non-residential property situated in the Town of Sioux Lookout.

1. Maintenance Of Yards, Exterior Common Areas, and Accessory Buildings

(1) Yard

- (a) Every yard and exterior common areas shall be kept clean and free from:
 - (i) Rubbish or other debris; and
 - (ii) Objects or conditions that may create a health, fire, or accident hazard.
- (b) Heavy undergrowth in the Urban areas shall be eliminated from any yard and exterior common area.
- (c) No vehicle which is in a wrecked, discarded, dismantled, or inoperative condition shall be parked, stored, or left in the yard and exterior common area unless such vehicle is required for business purposes.
- (d) 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 1.22m (4').
- (e) All outdoor salvage yards and exterior common area shall be obscured from surrounding property by screening, which shall be of uniform construction and a minimum height of 1.83m (6').
- (f) The lawns, hedges, and bushes in the Urban areas shall:
 - (i) Be kept trimmed; and
 - (ii) Not be overgrown or unsightly.
- (g) The yard and exterior common area shall be cultivated or protected by suitable ground cover which prevents the erosion of the soil.

(2) Sewage And Drainage

- (a) Sewage or organic waste shall be discharged into a sewerage system.
- (b) Rain water from a roof area of 45.45m² (500 sq. ft.) or more shall be conveyed to a storm sewer, and, if such a storm sewer is not available, the rain water shall be disposed of in such a manner as not to create a nuisance.
- (c) Storm water shall be drained from the yard so as to prevent recurrent ponding or the entrance of water into a basement or cellar.
- (d) Roof drainage or surface water shall:
 - (i) Be drained from the lands so as to prevent recurrent ponding or entrance of water into a basement or cellar; and

- (ii) Not be channelled to discharge on sidewalks, stairs, or neighbouring property.
 - (e) Sub-surface drainage shall be installed where there is recurring excessive ponding caused by surface water.
 - (f) Footing and sub-drains that do not connect directly to a storm sewer shall have the water from them disposed of as per subsection (2)(c).
 - (g) No roof drainage, surface water, footing drains, or subsurface drains shall be connected to or channeled toward a sanitary sewer.
- (3) Safe Passage
- (a) Steps, walks, driveways, parking spaces and similar areas of the yard shall be maintained so as to afford safe passage.
- (4) Accessory Buildings
- (a) An accessory building shall be kept:
 - (i) In good repair;
 - (ii) Free from health, fire and accident hazards; and
 - (iii) Protected by paint, preservative or other weather-resistant material.
- (5) Fences
- (a) A fence or retaining wall shall be:
 - (i) Installed around the parking area of drive-in eating establishments, except at the private approaches; and
 - (ii) Constructed in such a manner to prevent all cartons, wrappers, paper, rubbish and debris from blowing onto adjoining property.
 - (b) All fences around or on non-residential property shall be:
 - (i) Kept in good repair;
 - (ii) Free from accident hazards; and
 - (iii) Protected by paint, preservative or other weather-resistant material.
- (6) Signs
- (a) 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.

2. Maintenance Of Buildings

(1) Garbage Disposal

- (a) All garbage, rubbish, and ashes shall be stored and disposed of in accordance with Town of Sioux Lookout By-Law No. 1806.

(2) Pest Prevention

- (a) The property shall be kept free 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*, and all regulations passed pursuant thereto.
- (b) 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.

(3) Basement Floors

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

(4) Foundations

- (a) The foundation walls shall be maintained in good repair and structurally sound and when required, shall be so maintained by shoring of the walls, installing subsoil drains at the footing, grouting masonry cracks, parging and waterproofing the walls.
- (b) 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.
- (c) All footings, foundation walls, piers, slab-on-grade shall be of masonry or other suitable material in accordance with the Ontario Building Code.
- (d) Subsections (b) and (c) do not apply to accessory buildings, or for seasonal dwelling units.

(5) Structural Soundness

- (a) Every part of a 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.
- (b) Materials or objects which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

- (c) All exterior surfaces shall be of materials which, by themselves or when treated, provide adequate protection from the weather.

(6) Exterior Walls

- (a) 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:
 - (i) Painting, restoring, or repairing of the walls, coping of flashing; or
 - (ii) The waterproofing of joints and of the walls themselves.
- (b) All canopies, marquees, signs, awnings, stairways, fire escapes, stand pipes, exhaust ducts, and similar overhead extensions shall be:
 - (i) Maintained in good repair;
 - (ii) Properly anchored;
 - (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; and
 - (iv) Shall be kept free of snow and ice in accordance with Town By-Law No. 1505.
- (c) 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.
- (d) All air conditioners shall be maintained in a safe mechanical and electrical condition.

(7) Roof

- (a) The roof, cornice and flashing shall be maintained in a watertight condition so as to prevent leakage of water into the building.
- (b) Roofs shall be kept free from dangerous accumulations of ice and snow in accordance with Town By-Law No. 1505.

(8) Dampness

- (a) 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 or any other means of entry.

(9) Doors And Windows

- (a) All exterior openings for doors and windows shall be fitted with doors or windows.
- (b) Windows, exterior doors, and basement or cellar hatchways shall be maintained in good repair so as to prevent the entrance of wind or rain into the building.

- (c) Doors, door frames, sashes, casings and weatherstripping that have been damaged or show evidence of rot or other deterioration shall be painted, repaired or replaced.
- (d) Broken glass and missing or defective door and window hardware shall be repaired or replaced.
- (e) All windows intended to be opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise secured from inside the building.

(10) Stairs, Porches And Balconies

- (a) An outside stair shall be maintained so as to be free of holes, cracks and other defects by replacing, repairing or painting.
- (b) An inside stair shall be maintained so as to be free of holes, cracks and other defects by replacing or repairing.
- (c) Every porch, balcony and supporting structural member shall be maintained so as to be free of rot, deterioration or other defects by replacing, repairing or painting.

(11) Balustrades And Handrails

- (a) A handrail shall be installed and maintained in good repair on:
 - (i) Every open side of a balcony, porch, landing, and stairwell with a rise of between 76.2cm (2.5') and 1.524m (5'); and
 - (ii) A stairway with a rise of over 76.2cm (2.5').
- (b) A barrier, such as a balustrade, shall be installed and maintained in good repair on the open side of a balcony, porch, landing, stairwell, and stairway with a rise of 1.524m (5') or more.
- (c) Subsection (b) does not apply to a stairway leading to a basement that does not contain a dwelling unit.

(12) Walls And Ceilings

- (a) Every wall and ceiling shall be:
 - (i) Maintained so as to be easily cleaned; and
 - (ii) Free of holes, cracks, loose coverings or other defects which would permit flame or excessive heat to enter the concealed space.
- (b) Where occupancies are separated vertically, the dividing walls shall:
 - (i) Be continued in the basement from the top of the footings or the floor to the underside of the finished floor surface;
 - (ii) Be continued in the attic from the top of the finished ceiling surface to the underside of the finished roof surface;
 - (iii) Consist of two 1.27cm (1/2") layers of gypsum wall board or material of equivalent fire resistance rating; and

- (iv) Be tightly sealed with caulking of mineral wool or similar non-combustible material.
- (c) Where the dwelling unit and non-residential occupancy are separated horizontally, there shall be a finished ceiling separating these occupancies, which shall:
 - (i) Consist of two 1.27cm (1/2") layers of gypsum wall board or material of equivalent fire resistance rating; and
 - (ii) Be tightly sealed with caulking or mineral wool or similar non-combustible material.

(13) Floors

- (a) Every floor shall be:
 - (i) Smooth and level; and
 - (ii) 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.
- (b) 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.
- (c) Every toilet room shall have a floor of water repellent construction.

(14) Cleanliness

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

(15) Egress

- (a) There shall be provided two means of egress from every floor area where the existing exits are inadequate for the safety of every person in the building.
- (b) All means of egress shall be:
 - (i) Maintained in good repair;
 - (ii) Free of objects or conditions which constitute an accident or fire hazard.

(16) Heating System

- (a) 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 20 degrees Celsius during normal working hours.

- (b) The heating system required by Subsection (a) shall be maintained in good working condition so as to be capable of heating the building safely to the required standard.
- (c) Auxiliary heaters shall not be used as a primary source of heat.
- (d) A room heater shall not be placed so as to:
 - (i) Cause a fire hazard to walls or any other equipment; or
 - (ii) Impede the free movement of persons within the room where the heater is located.
- (e) 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:
 - (i) Provided and maintained in a convenient location;
 - (ii) Properly constructed so as to be free from fire or accident hazards.
- (f) An adequate supply of fuel shall be available at all times.
- (g) Equipment burning fuels shall be properly vented by a connecting duct or flue pipe leading to an approved chimney or a vent flue.
- (h) Where combustible materials are stored in the basement, the fuel-burning heating system shall be enclosed.
- (i) Every approved chimney, smoke pipe, flue and vent shall be maintained so as to:
 - (i) Prevent gases from leaking into the building or property;
 - (ii) Be free of any defects.
- (j) 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 hour.
- (k) Subsection (j) does not apply where:
 - (i) There is a fire separation between the dwelling unit and the non-residential property having a fire resistance rating of one hour;
 - (ii) The dwelling unit and non-residential property are occupied by the same tenant.
- (l) Where 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 Subsection (j) hereof.
- (m) The enclosure referred to in Subsections (j) and (l) shall be vented to provide sufficient combustion air for the heating equipment directly from the outside air.

(17) Plumbing

- (a) 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 and free from leaks and defects.
- (b) All water pipes and appurtenances thereto shall be protected from freezing.
- (c) All waste pipes shall be connected to the sewerage system through water seal traps.

(18) Toilet Room Facilities

- (a) Buildings where people work shall have a minimum of one toilet and one wash basin supplied with an adequate supply of hot and cold running water located in an enclosed room and accessible from within the building.
- (b) All toilet rooms shall be fully enclosed and with a door capable of being locked so as to provide privacy for the user.
- (c) All toilet facilities and toilet rooms shall be kept clean and neat at all times.
- (d) The toilet room walls and ceiling of every toilet room 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.
- (e) Each toilet room shall be provided with toilet paper, soap and individual towels or other means of drying.
- (f) Every toilet room 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 .0929m² (1 sq. ft.).
- (g) An opening for natural ventilation may be omitted from a toilet room where a system of mechanical ventilation has been provided, such as an exhaust fan with a duct leading to outside of the building.
- (h) Where mechanical ventilation is used, the provisions of Subsection (21)(c) apply.

(19) Electrical Service

- (a) Fuses or overload devices shall not exceed limits set by Ontario Hydro.
- (b) Where a hazardous condition exists, extension cords which are not part of a fixture shall not be permitted on a semi-permanent or permanent basis.
- (c) 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 Ontario Hydro.

(20) Light

- (a) 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.

(21) Ventilation

- (a) Every room where people work shall have an opening or openings for natural ventilation which openings shall:
 - (i) Have a minimum aggregate unobstructed free flow area of .2787m² (3 sq. ft.); and
 - (ii) Be located in the exterior walls or through openable parts of skylights.
- (b) An opening for ventilation may be omitted if mechanical ventilation is provided which changes the air once each hour.
- (c) Where mechanical ventilation is used, the ventilating duct which is on the exterior wall shall be located not less than 1.83m (6') from a window located in an adjoining building.

(22) Basement, Cellar or Unheated Crawl Space

- (a) 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 1% of the floor area for basements and .0929m² (1 sq. ft.) per each 46.45m² (500 sq. ft.) of crawl space area.
- (b) 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.

PART III -- STANDARDS FOR VACANT LANDS

This part prescribes the standards for vacant land situated in the
Town of Sioux Lookout.

1. Vacant land shall be kept clean and free from:
 - (a) Rubbish or other debris; and
 - (b) Objects or conditions that may create a health, fire or accident hazard.
2. Heavy undergrowth shall be eliminated from land in the Urban areas.
3. No vehicle which is in a wrecked, discarded, dismantled or inoperative condition shall be parked, stored, or left on vacant land.
4. The lawns, hedges, and bushes in the Urban areas shall:
 - (a) Be kept trimmed; and
 - (b) Not be overgrown or unsightly.
5. The yard shall be cultivated or protected by suitable ground cover which prevents the erosion of the soil.
6. All vacant land in the Urban areas shall be graded, filled up, or otherwise drained so as to prevent recurrent ponding of storm water.

PART IV -- ENFORCEMENT

This part prescribes the procedure for the enforcement of standards.

1. Administration and Enforcement

- (a) The Corporation may from time to time appoint the officers and such other clerks and staff as may be necessary to carry out the administrative functions of this by-law including the enforcement thereof.
- (b) This By-Law may be cited as the "Property Standards By-Law".

2. Offences:

- (a) Where any person contravenes any of the provisions of this By-Law such contravention shall have reference to enforcement and penalties provided for in the Building Code Act.

3. Certificate

- (a) A fee shall be payable for a certificate issued pursuant to Section 15.4 - (3) of the Building Code Act where it is issued at the request of the owner in the amounts to be prescribed by Schedule "A" of this By-Law.

5. Property Standards Committee

- (a) A Property Standards Committee is hereby established to carry out the duties as prescribed in the Building Code Act.
- (b) The Property Standards Committee shall be comprised of the same members as the Town of Sioux Lookout Committee of Adjustment/Planning advisory Committee.

5. Repeal of Previous By-Laws

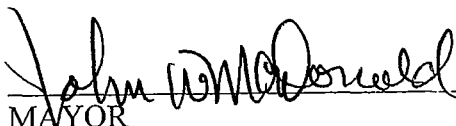
- (1) By-Law No. 1760 is hereby repealed.

6. Effective Date

- (1) That this By-Law shall come into force and take effect on the date of its final passing.

READ A FIRST AND SECOND TIME THIS TWENTY SECOND DAY OF JULY, 1998.

READ A THIRD TIME AND PASSED THIS TWENTY-FIRST DAY OF OCTOBER, 1998.


MAYOR


CLERK

10/22/98

SCHEDULE "A" TO BY-LAW NO. 20-98**Fee Schedule for Issuance of Certificate of Compliance**

<u>Category</u>	<u>Cost</u>
1. Request for proceedings to date of enquiry. Information supplied entirely from files.	\$5.00 per request
2. Request whether dwelling conforms to by-law. Inspection required	RESIDENTIAL PROPERTY Number of dwelling <u>units per building</u> <u>Charge</u> 1-2 units \$38.00 per unit more than 2 - \$20.00 per unit 5 units more than 5 - \$75.00 plus \$5.00 not more than per unit above 15 units 5th unit more than 15 \$125.00 plus units \$1.00 per unit above 15th unit NON-RESIDENTIAL PROPERTY Size of building <u>unit</u> <u>Charge</u> 1st floor maximum \$38.00 per area 185.82m2 building unit (2,000 sq. ft.) 1st floor area The Property more than 185.8m2 Standards Officer (200 sq. ft.) is authorized to set a fee depending upon extent of inspection required Minimum fee - \$38.00

SCHEDULE B TO BYLAW NO. 20-98

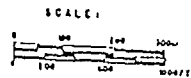
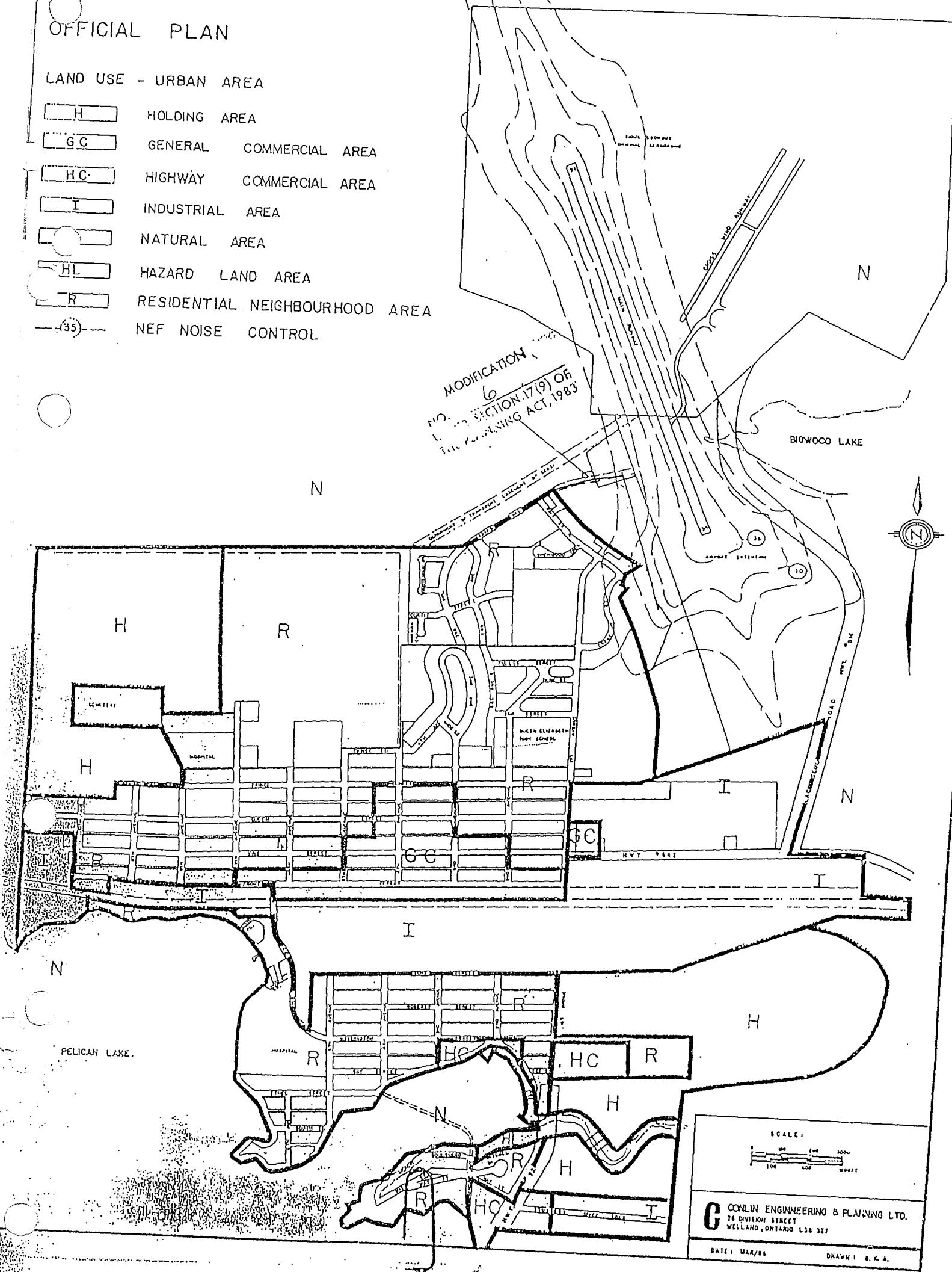
SHIUX LOOKOUT & AREA PLANNING AREA

OFFICIAL PLAN

LAND USE - URBAN AREA

- H HOLDING AREA
- GC GENERAL COMMERCIAL AREA
- HC HIGHWAY COMMERCIAL AREA
- I INDUSTRIAL AREA
- N NATURAL AREA
- HL HAZARD LAND AREA
- R RESIDENTIAL NEIGHBOURHOOD AREA
- (35) NEF NOISE CONTROL

MODIFICATION
NO. 6
SECTION 17(9) OF
THE PLANNING ACT, 1983



C CONLIN ENGINEERING & PLANNING LTD.
76 DIVISION STREET
WELLAND, ONTARIO L3B 3Z7

DATE: MAR/86 DRAWN: B.K.A.

SCHEDULE C
TO BYLAW NO. 20-98

SIoux LOOKOUT & AREA
PLANNING AREA

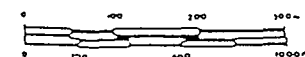
OFFICIAL PLAN

HUDSON TOWNSITE

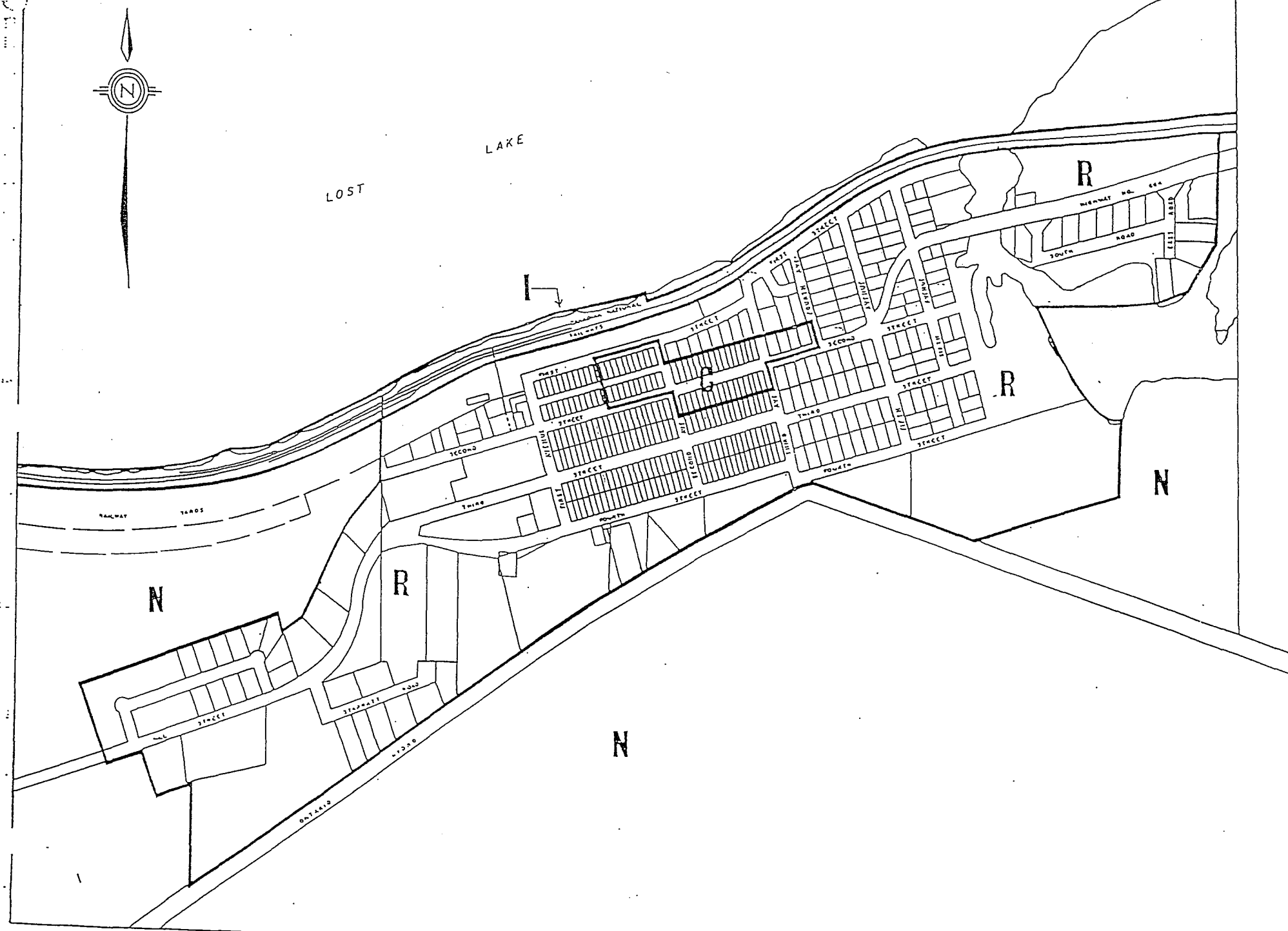
VILLAGE SETTLEMENT
AREA

VILLAGE SETTLEMENT COMMERCIAL	C
VILLAGE SETTLEMENT INDUSTRIAL	I
NATURAL AREA	N
VILLAGE SETTLEMENT RESIDENTIAL	R

SCALE



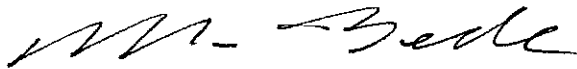
C CONLIN ENGINEERING & PLANNING LTD.
76 DIVISION STREET
WELLAND, ONTARIO L3B 3Z7



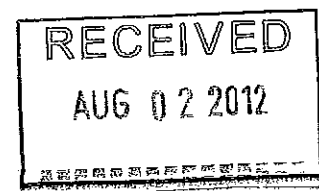
PROVINCIAL OFFENCES ACT

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice that the amount set opposite the offences in the attached schedules of offences under the Provincial Statutes and Regulations thereunder and By-law No. 20-98, Part I, of the Corporation of the Municipality of Sioux Lookout, Kenora District, attached hereto are the set fines for these offences, to take effect July 25th, 2012.

Dated at Thunder Bay this 25th day of July, 2012.



The Honourable Marc L. Bode
Regional Senior Justice
Northwest Region



SET FINE SCHEDULE

THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT

PART I OF THE PROVINCIAL OFFENCES ACT

PURSUANT TO THE

BY-LAW NO. 20-98

FOR PRESCRIBING STANDARDS FOR THE MAINTENANCE AND OCCUPANCY
OF PROPERTY WITHIN THE MUNICIPALITY

Item No.	Column 1 – Short Form Wording	Column 2 – Provision Creating or Defining Offence	Column 3 – Set Fine
1	Fail to maintain land free of rubbish/debris	1.(1)(a)(i)	\$100.00
2	Fail to maintain roof/surface drainage	1.(2)(c)(i)	\$100.00
3	Fail to maintain roof/surface drainage	1.(2)(c)(ii)	\$100.00
4	Fail to maintain fence/retaining wall	1.(5)(a)(i)	\$100.00
5	Fail to maintain accessory buildings in good repair	1.(6)(a)(i)	\$100.00
6	Fail to maintain accessory building free from hazards	1.(6)(a)(ii)	\$100.00
7	Fail to maintain accessory buildings with paint/preservative/weather resistant material	1.(6)(a)(iii)	\$100.00
8	Foundation not maintained	2.(3)(a)	\$100.00
9	Structural components not maintained	2.(4)(a)	\$100.00
10	Structural components not maintained – repaired	2.(4)(b)	\$100.00
11	Exterior walls and their components not maintained	2.(5)(a)(i)	\$100.00
12	Failure to maintain roofing material	2.(6)(a)	\$150.00
13	Doors/Windows not maintained from elements	2.(8)(b)	\$100.00
14	Doors/Windows not maintained – repaired	2.(8)(c)	\$100.00
15	Doors/Windows not maintained – broken glass/hardware	2.(8)(d)	\$100.00

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Item No.	Column 1 – Short Form Wording	Column 2 – Provision Creating or Defining Offence	Column 3 – Set Fine
16	Outside stairways not maintained	2.(9)(a)	\$100.00
17	Inside stairways not maintained	2.(9)(b)	\$100.00
18	Porches/decks not maintained	2.(9)(c)	\$100.00
19	Handrails not maintained	2.(11)(a)	\$100.00
20	Balustrades not maintained	2.(11)(b)	\$100.00
21	Walls/Ceilings not maintained – easily cleaned	2.(12)(a)(i)	\$100.00
22	Walls/Ceilings not maintained – defects	2.(12)(a)(ii)	\$100.00
23	Floors not maintained – smooth and level	2.(13)(a)(i)	\$100.00
24	Floors not maintained – defects	2.(13)(a)(ii)	\$100.00
25	Floors not maintained – repaired	2.(13)(b)	\$100.00
26	Fail to maintain clean/sanitary environment	2.(14)(a)	\$100.00
27	Fail to maintain clean safe sanitary environment	2.(14)(b)	\$100.00
28	Fail to provide adequate potable water supply	2.(15)(a)	\$200.00
29	Fail to provide toilet facilities	2.(17)(a)(i)	\$100.00
30	Fail to provide kitchen sink	2.(17)(a)(ii)	\$100.00
31	Fail to provide wash basin	2.(17)(a)(iii)	\$100.00
32	Fail to provide bathtub/shower	2.(17)(a)(iv)	\$100.00
33	Fail to provide adequate primary heat source	2.(20)(a)	\$150.00
34	Fail to maintain primary heat source	2.(20)(b)	\$150.00
35	Use auxiliary heaters as primary heat source	2.(20)(c)	\$150.00

Note: The penalty provision for the offences indicated above is Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33

