

THE CORPORATION OF THE TOWN OF TECUMSEH**BY-LAW 2002-37**

Being a by-law prescribing the standards for the maintenance and occupancy of property within the municipality.

WHEREAS pursuant to section 15.1(3) of the *Building Code Act*, S.O. 1992, c.23, as amended, 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 that an official plan that includes provisions relating to property conditions is in effect in the municipality;

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

AND WHEREAS the Council of the Corporation of the Town of Tecumseh is desirous of passing a by-law under Section 15.1(3) of the *Building Code Act*, S.O. 1992, c.23;

NOW THEREFORE the Council of the Corporation of the Town of Tecumseh hereby enacts as follows:

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SECTION 1 - DEFINITIONS

1.1 In this By-law,

- (a) "Accessory Building" means a detached building or structure that is incidental and subordinate to the primary use of the same property.
- (b) "Approved" means approval by the Property Standards Officer where another approval authority is not specified or does not have jurisdiction.
- (c) "Basement" means that space of a building that is partly below grade, which has half or more of its height, measured from floor to ceiling above the average exterior finished grade.
- (d) "Building" includes any building or structure used for or intended to be used for the supporting or sheltering of any use or occupancy;
- (e) "Cellar" means that space of a building that is partly or entirely below grade, which has more than half of its height, measured from floor to ceiling below the average exterior finished grade.
- (f) "Certificate of Compliance" means a Certificate of Compliance pursuant to the *Building Code Act*, S.O. 1992, c.23 .
- (g) "Committee" means the Property Standards Committee.
- (h) "Council" means Council of the Corporation of the Town of Tecumseh.
- (i) "Dwelling Unit" means a room or series of rooms of complementary use, operated under a single tenancy or ownership and includes single unit residential buildings, individual guest rooms in motels, hotels, boarding houses, rooming houses, group homes and dormitories, operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping, laundry and sanitary facilities.
- (j) "Farm Building" has the same meaning as it has in the Ontario Building Code.
- (k) "Farm Operations" means operations connected with the cultivating of lands, raising of animals, or any other activity that is similar in nature, and in conformity with the Agricultural Zone Provisions of a Town of Tecumseh Zoning By-law.

- (l) "Guard" has the same meaning as it has in the Ontario Building Code.
- (m) "Habitable Room" means any room in a residential building used for or capable of being used for living, cooking, sleeping or eating purposes.
- (n) "Means of Egress" means a continuous, unobstructed path of travel provided by a doorway, hallway, corridor, exterior passage way, balcony, lobby, stair, ramp, or other exit facility used for the escape of persons from any point within a building, a floor area, a room, or a contained open space to a public thoroughfare or an approved area of refuge usually located outside the building.
- (o) "Non-Habitable Room" means any room in a residential building other than a habitable room and includes a bathroom, a toilet room, laundry, pantry, lobby, corridor, stairway, closet, boiler room, or other space for service and maintenance of the dwelling for public use, and for access to and vertical travel between storeys, and basement or part thereof which does not comply with the standards of fitness for occupancy set out in this By-Law.
- (p) "Ontario Building Code" means the Ontario Building Code in effect on the date of inspection of a property.
- (q) "Owner" has the same meaning as found in the *Building Code Act*.
- (r) "Person" means an individual, firm, corporation, association or partnership.
- (s) "Property" includes the land buildings and structures occupying the whole of a lot or of lots under contiguous ownership.
- (t) "Residential Building" means a building or the part of a building containing or servicing a dwelling unit or units, under single or multiple tenancy or ownership, and includes but is not limited to, single dwelling units, multiple dwelling units, duplexes, triplexes, townhouses, rowhouses, and apartment buildings.
- (u) "Standards" means the standards prescribed by this By-Law.
- (v) "Suite" has the same meaning as it does in the Ontario Building Code.
- (w) "Toilet Room" means a room containing a water closet and a wash basin.
- (x) "Town" means the Corporation of the Town of Tecumseh.
- (y) "Yard" means the whole of "property" excluding the area occupied by a building or structure.

SECTION 2 - GENERAL

- 2.1 This By-law may be referred to variously as the "Property Standards By-law" or the "By-law".
- 2.2 The provisions of this By-law shall apply to all property within the boundaries of the Town as are now or hereafter legally constituted.
- 2.3 Notwithstanding subsection 2.2 the provisions of this By-law shall not apply to farm buildings or structures or farm operations on land zoned agricultural in a Town of Tecumseh Zoning By-law.
- 2.4 Notwithstanding subsection 2.2 the provisions of this By-law shall not apply to federal, provincial or municipally owned property.

- 2.5 Nothing in this By-law shall serve to relieve any person from the obligation to comply with all other applicable law.
- 2.6 If any court of competent jurisdiction finds that any provision of this By-law is invalid or is ultra vires of the jurisdiction of the Town, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of this By-law.
- 2.7 Where a provision of this By-Law conflicts with the provision of another By-law in force within the Town, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.
- 2.8 By-law 2230 of the former Corporation of the Town of Tecumseh and By-law 1118 of the former Village of St. Clair Beach and all By-laws inconsistent with this By-law are hereby repealed.
- 2.9 This By-law shall come into force and effect on the day when it is finally passed.
- 2.10 All schedules affixed to this Bylaw are included and form part of this Bylaw by reference.
- 2.11 The standards for maintenance and occupancy of property set out in this By-law are prescribed as the minimum standards.
- 2.12 Imperial measurements, provided in brackets, are shown for convenience only and do not form part of this By-law.

SECTION 3 - ADMINISTRATION AND ENFORCEMENT

- 3.1 The provisions of this By-law shall be administered by the Town's duly appointed Chief Building Official and Building Inspectors. The Town's Chief Building Official and Building Inspectors are hereby designated as Officers for the purposes of this By-law.
- 3.2 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 this By-law.
- 3.3 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 shall clear the property of all buildings, structures, debris or refuse and leave it in a graded and levelled condition.
- 3.4 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction thereof is liable to a fine in the maximum amount provided for by the *Provincial Offences Act*, R.S.O. 1990, C.P.33 as may be amended from time to time.
- 3.5 A Property Standards Committee is hereby established for a term and under such conditions as established in Appendix A.
- 3.6 The fee for a Certificate of Compliance shall be as established in Appendix A.

SECTION 4 - OCCUPANCY AND MAINTENANCE STANDARDS FOR ALL PROPERTY

PART I - GENERAL

- 4.1 The provisions of this section shall apply to all property.
- 4.2 Every owner, tenant, occupant or lessee of a property shall maintain the property or part thereof which they occupy or control, in a clean, sanitary and safe condition.

- 4.3 All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned. All new construction or repairs shall conform to the Ontario Building Code, Ontario Fire Code and the *Fire Prevention and Protection Act* where applicable.

PART II - YARDS

GENERAL

- 4.4 Every yard shall be kept clean and free from:

- (a) rubbish or debris and objects or conditions that may create a health, fire, or accident hazard;
- (b) wrecked, dismantled, discarded or abandoned machinery, vehicles, trailers or boats, unless it is necessary for the operation of a business enterprise lawfully situated on the property;
- (c) long grass greater than 20 centimetres (8") in length, brush and undergrowth;
- (d) dilapidated, collapsed or partially constructed structures which are not currently under construction;
- (e) injurious insects, termites, rodents, vermin or other pests; and
- (f) dead, decayed or damaged trees.

- 4.5 Every yard shall:

- (a) be graded, filled or otherwise drained so as to prevent recurrent ponding of water;
- (b) be graded to prevent instability or erosion of soil;
- (c) be graded to prevent surface water run-off from entering basements;
- (d) not exhibit an unsightly appearance;
- (e) be kept free of garbage and refuse;
- (f) be kept free of deep ruts and holes;
- (g) afford safe passage under normal use and weather conditions;
- (h) not to create a nuisance to other property.

- 4.6 The warehousing or storage of material or equipment that is required for the continuing operation of that aspect of a property zoned Industrial, Commercial or Business Park in a Zoning By-law of the Town shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard or any unsightly condition and shall provide unobstructed access for emergency vehicles.

DRAINAGE

- 4.7 Roof or storm drainage shall not be discharged onto sidewalks, stairs, or adjacent property.
- 4.8 Pool drains shall not discharge onto adjacent property.

PARKING AREAS, WALKS AND DRIVEWAYS

- 4.9 All areas used for vehicular traffic and parking shall have a surface covering of asphalt, brick pavers, concrete, or compacted stone or gravel or other approved material and shall be kept in good repair free of dirt and litter. Where gravel driveways or parking is provided dust control measures adequate to control the creation of dust shall be maintained.
- 4.10 All areas used for vehicular traffic, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions.
- 4.11 Steps, walks, driveways, parking spaces and other similar areas shall be maintained so as to afford safe passage under normal use and weather conditions.

ACCESSORY BUILDINGS, FENCES, AND OTHER STRUCTURES

- 4.12 Accessory buildings, fences and other structures appurtenant to the property shall be maintained in a structurally sound condition and in good repair.
- 4.13 Accessory buildings, fences, and other structures shall be protected from deterioration by the application of appropriate weather resistant materials including paint or other suitable preservative.

GARBAGE DISPOSAL

- 4.14 Every owner, tenant, occupant or lessee shall maintain on a property a sufficient number of suitable receptacles to contain all garbage and refuse that may accumulate on the property between the regularly designated collection days. Suitable receptacles are limited to containers that are constructed of watertight material, provided with a tight fitting cover, and maintained in a clean and odour free condition. Additionally, the outside storage of plastic bags is only permitted on the day immediately preceding the day of the regularly scheduled garbage pick-up for a property.
- 4.15 All garbage and refuse shall be promptly placed in a suitable container and made available for removal in accordance with the garbage collection schedule of the Town.
- 4.16 Garbage storage areas shall be screened from public view.
- 4.17 Accumulations or storage of garbage, refuse, appliances, or furniture in a means of egress shall not be permitted.

COMPOSTING

- 4.18 Composting shall take place only by an owner, tenant, occupant or lessee on the property of which they are the owner, tenant, occupant or lessee.
- 4.19 Composting shall take place behind the building line and no closer than 0.6 metres (2 feet) to the property line. The composter or compost pile shall be of a size no greater than 3 metres by 1.5 metres by 1 metre or 4.5 cubic metres (10 feet by 5 feet by 3 feet or 150 cubic feet).
- 4.20 Food waste in the composter shall be covered by yard waste, soil or compost.
- 4.21 There shall be no bones, meat, dairy or other fat or fat products added to or contained in the composting materials.
- 4.22 The compost shall emit no offensive odor or attract or harbor any rodents or vermin.

PEST PREVENTION

- 4.23 Buildings shall be kept free of rodents, vermin and insects at all times. Methods used for exterminating such pests shall be in accordance with the provisions of the *Pesticides Act*.
- 4.24 Openings, including windows, that might permit the entry of rodents, insects, vermin or other pests shall be appropriately screened or sealed.

PART – III - BUILDINGS**GENERAL**

- 4.25 Every owner, tenant, occupant or lessee of a building shall maintain every floor, wall, ceiling and fixture, under their control, including hallways, entrances, laundry rooms, bathrooms, kitchens, utility rooms, and other common areas, in a clean, sanitary and safe condition.
- 4.26 Every owner, tenant, occupant or lessee shall keep a building free of excessive levels of mold.

STRUCTURAL SOUNDNESS

- 4.27 Every part of a building structure shall be maintained in a sound condition so as to be capable of safely sustaining its own weight load and any additional load to which it may be subjected through normal use and having a level of safety as required by the Ontario Building Code. Structural members or materials that have been damaged or indicate evidence of deterioration shall be repaired or replaced.
- 4.28 Walls, roofs, and other exterior parts of a building or structure shall be free from loose or improperly secured objects or materials.

FOUNDATIONS

- 4.29 Foundation walls shall be maintained so as to prevent the entrance of insects, rodents and excessive moisture. Maintenance includes the shoring of the walls to prevent settling, installing sub soil drains, where necessary, at the footings, grouting masonry cracks, dampproofing and waterproofing walls, joints, and floors.
- 4.30 Every building, except for slab on grade construction, shall be supported by foundation walls or piers, which extend below the frost line, or to solid rock.

EXTERIOR WALLS

- 4.31 Exterior walls of a building and their components, including soffits and fascia, shall be maintained in good repair free from cracked, broken or loose masonry units, stucco, and other defective cladding, or trim. Paint or some other suitable preservative or coating must be applied and maintained so as to prevent deterioration due to weather conditions, insects or other damage.
- 4.32 Exterior walls of a building and their components shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.

WINDOWS AND DOORS

- 4.33 Windows, doors, skylights, and basement or cellar hatchways shall be maintained in good repair, weather tight and reasonably draught-free, to prevent heat loss and infiltration by the elements. Maintenance includes painting, replacing damaged doors, frames and other components, window frames, sashes and casings, replacement of non-serviceable hardware, maintaining operation where operable and re-glazing where necessary. Where screening is provided on windows and doors it shall also be maintained in good repair.

- 4.34 In a building where there is a voice communication unit working in conjunction with a security locking and release system controlling a particular entrance door, the said system shall be maintained in good working order at all times.

ROOFS

- 4.35 Roofs of buildings and their components shall be maintained in a weather tight condition, free from loose or unsecured objects or materials.
- 4.36 The roofs of buildings shall be kept clear of excessive accumulations of ice or snow or both.
- 4.37 Where eavestroughing or roof gutters, are provided they shall be kept in good repair, free from obstructions and properly secured to the building.

WALLS, CEILINGS AND FLOORS

- 4.38 Every wall, ceiling and floor shall be maintained so as to provide a continuous surface free of holes, cracks, loose coverings or other defects.
- 4.39 Every floor shall be reasonably smooth and level and maintained so as to be free of all loose, warped, protruding, broken, or rotted boards or other material that might cause an accident or allow the entrance of rodents and other vermin or insects.
- 4.40 Walls and floors surrounding showers and bathtubs shall be impervious to water.
- 4.41 Every floor in a bathroom, toilet room, kitchen, shower room, and laundry room shall be maintained so as to be impervious to water and readily cleaned.

STAIRS, PORCHES AND BALCONIES

- 4.42 Inside and outside stairs, porches, balconies and landings shall be maintained so as to be free of holes, cracks, and other defects, which may constitute accident hazards. Existing stair treads or risers that show excessive wear or are broken, warped or loose and any supporting structural members that are rotted or deteriorated shall be repaired or replaced.

GUARDS AND HANDRAILS

- 4.43 Guards, handrails, pickets and balustrades shall be installed, constructed and maintained in existing buildings in accordance with the requirements of the Ontario Building Code for new construction.

SEWAGE

- 4.44 Sanitary sewage shall be discharged into an approved sewage system.
- 4.45 Sanitary sewage of any kind shall not be discharged onto the surface of the ground, whether into a natural or artificial surface drainage system or otherwise.

PLUMBING

- 4.46 Plumbing fixtures required by the Ontario Building Code for new construction are required by this By-law for existing buildings. All plumbing fixtures shall be installed and connected to the drainage and supply systems in accordance with the Ontario Building Code.
- 4.47 Where fixtures required by article 4.46 are required to be supplied with hot water. Hot water shall be supplied at a temperature of not less than 43 degrees Celsius (110° F).

- 4.48 All plumbing, including drains, water supply pipes, water closets and other plumbing fixtures shall be maintained in good working condition free of leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.
- 4.49 Every fixture shall be of such materials, construction and design as will ensure that the exposed surface of all parts are hard, smooth, impervious to hot and cold water, readily accessible for cleansing and free from blemishes, cracks, stains, or other defects that may harbour germs or impede thorough cleansing.

HEATING

- 4.50 Every occupied building shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 18 degrees Celsius (64° F.) in the occupied portion of the building. The heating system shall be maintained in good working condition.

FIRE ESCAPES, ALARMS AND DETECTORS

- 4.51 Where a fire alarm and detection system is required by the Ontario Building Code for new construction the requirements shall extend to existing buildings. All fire alarms and detection systems shall be installed and maintained in accordance with the Ontario Building Code.
- 4.52 Buildings using an existing fire escape as a secondary means of egress shall have the escape in good condition, free from obstructions and easily reached through an open window or door.

MEANS OF EGRESS

- 4.53 Means of Egress required by the Ontario Building Code for new construction are required by this By-law for existing buildings. All means of egress shall remain clear and unobstructed.

LIGHTING

- 4.54 Lighting levels required by the Ontario Building Code for new construction are required by this By-law for existing buildings. All lighting fixtures and switches shall be maintained in good working order.

ELECTRICAL

- 4.55 Electrical wiring, fixtures, switches, receptacles, and appliances located in buildings shall be installed and maintained in good working order so as not to cause fire or electrical shock hazards. All electrical services shall conform to the regulations established by the *Power Corporations Act*, as amended.

VENTILATION

- 4.56 All systems of mechanical ventilation including air conditioners shall be maintained in good working order.
- 4.57 All enclosed areas including basements, cellars, crawl spaces and attics or roof spaces shall be adequately ventilated.

ELEVATING DEVICES

- 4.58 Elevators and other elevating devices including all mechanical and electrical equipment, lighting fixtures, lamps, control buttons, floor indicators, ventilation fans, and emergency communication systems shall be operational, maintained in good condition and in accordance with the *Elevating Devices Act*.

VACANT BUILDINGS

- 4.59 Vacant buildings shall be kept cleared of all garbage, rubbish and debris and shall have all water, electrical and gas services turned off except for those services that are required for the security and maintenance of the property.
- 4.60 The owner or agent of a vacant building shall board up the building in an approved manner.

SECTION 5 - ADDITIONAL PROPERTY STANDARDS FOR RESIDENTIAL BUILDINGS AND DWELLING UNITS**GENERAL**

- 5.1 This Section applies to Residential Buildings and Dwelling units.
- 5.2 The requirements of Section 4 apply in addition to the requirements of this Section.

WINDOWS AND DOORS

- 5.3 All windows that are intended to be opened, and all exterior doors shall have suitable hardware so as to allow locking or otherwise securing from inside. All entrance doors shall have suitable hardware to permit locking or securing. At least one entrance door shall have suitable hardware to permit locking from either inside or outside.
- 5.4 Every entrance door shall be resistant to forced entry in accordance with the requirements of the Ontario Building Code for new construction.
- 5.5 Every operable window located above a suite shall be protected by a guard or mechanism in accordance with the Ontario Building Code requirements for new construction.
- 5.6 Every operable window that is located above a suite shall be protected in accordance with the requirements of the Ontario Building Code.

KITCHENS

- 5.7 Other than in individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories, every dwelling unit shall contain a kitchen area equipped with:
- (a) a sink that is served with hot and cold running water and is surrounded by surfaces impervious to grease and water;
 - (b) suitable storage area of not less than 0.23 cubic metres (8 cubic feet);
 - (c) a counter or work area at least 610 mm (2 ft) in width by 1,220 mm (4 ft) in length, exclusive of the sink, and covered with a material that is impervious to moisture and grease and is easily cleanable;
 - (d) a space provided for cooking and refrigeration appliances including the suitable electrical or gas connections.

LAUNDRY

- 5.8 Laundry facilities or a space for laundry facilities shall be provided in every dwelling unit or grouped elsewhere in the residential building in a location conveniently accessible to occupants of every dwelling unit.

TOILET AND BATHROOM FACILITIES

- 5.9 Other than in boarding houses, rooming houses and dormitories every dwelling unit shall contain a bathroom consisting of at least one fully operational water closet, washbasin, and a bathtub or suitable shower unit. Every washbasin and bathtub or shower shall have an adequate supply of hot and cold running water. Every water closet shall have a suitable supply of running water.
- 5.10 Every Residential Building shall contain a sufficient number of bathroom facilities consisting of at least one fully operational water closet, washbasin, and a bathtub or suitable shower unit to service all dwelling units not required to contain a bathroom.
- 5.11 Other than in boarding houses, rooming houses and dormitories, every bathroom or toilet room shall be accessible from within the dwelling unit and shall be fully enclosed and provided with a door capable of being locked .
- 5.12 Where toilet or bathroom facilities are shared by occupants of a residential building an appropriate entrance shall be provided from a common passageway, hallway, corridor or other common space to the room or rooms containing the said facilities.

PLUMBING

- 5.13 Other than in boarding houses, rooming houses and dormitories every dwelling unit shall be provided with an adequate supply of potable running water from a source approved by the Medical Officer of Health.

ELECTRICAL

- 5.14 Every residential building shall be wired for electricity and shall be connected to an approved electrical supply system
- 5.15 Every habitable room shall have a minimum of one electrical duplex outlet for each 11.1 square metres (120 sq. ft.) of floor space; for each additional 9.3 square metres (100 sq. ft.) of floor area, a second duplex outlet shall be provided. Extension cords shall not be used on a permanent basis.
- 5.16 Every common area in a residential building, and every hallway, bathroom, toilet room, kitchen, laundry room, furnace room, basement, cellar and non-habitable work or storage room shall be provided with a permanent light fixture.
- 5.17 Lighting fixtures and appliances installed throughout a residential building shall provide sufficient illumination so as to avoid accident hazards in normal use.

HEATING, HEATING SYSTEMS, CHIMNEYS AND VENTS

- 5.18 Every residential building shall be provided with suitable heating facilities capable of maintaining an indoor ambient temperature of 22 degrees Celsius (72° F.) in the occupied dwelling units and all common areas. The heating system shall be maintained in good working condition so as to be capable of safely heating the individual dwelling unit to the required standard.
- 5.19 All fuel burning appliances, equipment, and accessories in a residential building shall be installed and maintained to the standards provided by the *Energy Act*, as amended or other applicable legislation.
- 5.20 Where a heating system or part thereof requires solid or liquid fuel to operate, a place or receptacle for such fuel shall be provided and maintained in a safe condition and in a convenient location so as to be free from fire or accident hazard.

- 5.21 Every residential building shall be so constructed or otherwise separated to prevent the passage of smoke, fumes, and gases from that part of the building which is not used, designed or intended to be used for human habitation into other parts of the building used for habitation. Such separations shall conform to the Ontario Building Code.
- 5.22 All fuel burning appliances, equipment, and accessories shall be properly vented to the outside air by means of a smoke-pipe, vent pipe, chimney flue or other approved method.
- 5.23 Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good repair so as to prevent the escape of smoke, fumes or gases from entering a dwelling unit. Maintenance includes the removal of all obstructions, sealing open joints, and the repair of loose or broken masonry units.
- 5.24 Every chimney, smoke-pipe, flue and vent shall be installed and maintained in good condition so as to prevent the heating of adjacent combustible material or structural members to unsafe temperatures.

DISCONNECTED UTILITIES

- 5.25 An Owner or person or persons acting on behalf of such owner shall not disconnect or cause to be disconnected any service or utility supplying heat, electricity, gas, refrigeration or water to a dwelling unit occupied by a tenant or lessee, except for such reasonable period of time as may be necessary for the purpose of repairing, replacing, or otherwise altering said service or utility.

SMOKE ALARMS

- 5.26 Smoke alarms shall be installed, maintained and tested in every dwelling unit and in each sleeping room not in a dwelling unit in accordance with the requirements of the Ontario Building Code for new construction.

MEANS OF EGRESS

- 5.27 Every residential building and each dwelling unit contained therein shall have a safe, continuous and unobstructed passage from the interior of the building and the dwelling unit to the outside at street or grade level.
- 5.28 The means of egress for each residential building and each dwelling unit shall conform to the requirements of the Ontario Building Code.

NATURAL LIGHT

- 5.29 Every habitable room except a kitchen, bathroom or toilet room shall have a window or windows, skylights or translucent panels facing directly or indirectly to an outside space and admits as much natural light equal to not less than ten percent of the floor area for living and dining rooms and five percent of the floor area for bedrooms and other finished rooms.

VENTILATION

- 5.30 Every habitable room, including kitchens, bathroom or toilet rooms, shall have openings for ventilation providing an unobstructed free flow of air of at least 0.28 square metres (3 sq. ft), or be provided with an approved system of mechanical ventilation capable of providing hourly air exchanges.

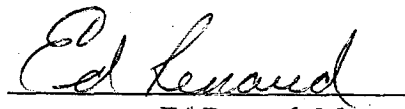
OCCUPANCY STANDARDS

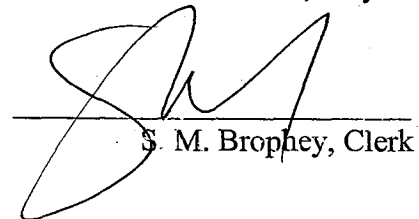
- 5.31 The number of occupants, residing on a permanent basis in an individual dwelling unit, shall not exceed one person for every nine square metres (97 sq. ft), of habitable floor area. For the purpose of computing habitable floor area, any area with the minimum ceiling height less than 2.1 metres (7 ft.) shall not be considered.

5.32 No room shall be used for sleeping purposes unless it has a minimum width of two metres (6.6 ft.), and a minimum floor area of seven square metres (75 sq. ft.). A room used for sleeping purposes by two or more persons shall have a minimum floor area of four square metres (43 sq. ft.) per person.

- (a) Any basement, or portion thereof, used as a dwelling unit shall conform to the following requirements: each habitable room shall comply with all the requirements set out in this By-Law;
- (b) floors and walls shall be constructed so as to be damp proof and impervious to water leakage;
- (c) each habitable room shall be separated from service rooms in accordance with the Ontario Building Code;
- (d) primary access to each habitable room shall be gained without passage through a service room.

READ a first, second and third time and finally passed this 23rd day of April, 2002.


Ed Renaud, Mayor


S. M. Brophy, Clerk

SCHEDULE "A"

BY-LAW NO. 2002-37

CORPORATION OF THE TOWN OF TECUMSEH

PROPERTY STANDARDS COMMITTEE

- (1) The Committee shall be comprised of the members of the Committee of Adjustments.
- (2) The terms of office for the members of the Committee shall run concurrently with their terms as members of the Committee of Adjustments.
- (3) The meetings of the Property Standards Committee shall be held immediately prior to or subsequent to a meeting of the Committee of Adjustments and the members shall not be entitled to any additional remuneration.

CERTIFICATE OF COMPLIANCE

The fee for the issuance of a certificate of compliance shall be \$300.00.