

MINIMUM HOUSING AND MAINTENANCE STANDARDS BY-LAW

PART 1: TITLE

This by-law may be cited as the, "Minimum Standards By-Law" of the Municipality of the County of Victoria.

PART 2: DEFINITIONS

In this By-law the word "shall" is mandatory and not permissive. Words used in the present tense shall include the future. Words used in the singular number shall include the plural, and words used in the plural number shall include the singular. All other words shall carry their customary meaning except those defined hereinafter.

- 2.1 "accessory building" means a subordinate building or structure on the same lot as the main building and devoted exclusively to an accessory use, but does not include a building attached in any way to the main building.
- 2.2 "alteration" means any change to the structural component of a building or any increase in the volume of a building.
- 2.3 "building" includes any structure placed on, over or under land, and every part of the same, and any external chimney, stairway, porch or other material used in connection with a building whether affixed to the realty or not.
- 2.4 "building inspector" means the building inspector of the Municipality.
- 2.5 "dwelling unit" means a suite operated as a housekeeping unit, used or intended to be used as a domicile by 1 or more persons and usually containing cooking, sleeping and sanitary facilities.
- 2.6 "exclusive possession" means the occupancy of a dwelling by other than the owner by virtue of a written lease or by virtue of the consent of the owner.
- 2.7 "habitable room" means any room in a dwelling unit used or intended to be used for living, sleeping, cooking or eating purposes.
- 2.8 "non-habitable room" means an area of a building other than a habitable room in a dwelling unit and includes the following:
 - (i) a bathroom or shower room;
 - (ii) a toilet room;
 - (iii) a laundry room;
 - (iv) a boiler or furnace room;
 - (v) a pantry;
 - (vi) a closet;

- (vii) a corridor or hall;
- (viii) a foyer;
- (ix) a stairway;
- (x) a lobby;
- (xi) a recreation room used as a common room for all tenants in a building, or other space used for access, service or maintenance of the dwelling;

- 2.9 "occupant" means any person in exclusive possession of the property.
- 2.11 "repair" includes the taking of such action to bring any property under the jurisdiction of this by-law up to the standards set by this by-law;
- 2.12 "yard" means any unoccupied space on the same lot as a building, extending along the length of the street, rear lot or side lot lines.

PART 3: APPLICATION

The provisions of this by-law shall apply to all dwellings and to all family dwelling units in the Municipality of Victoria County whether heretofore or hereafter erected or converted to dwelling purposes and whether occupied by the owner or by a tenant or tenants or partly by both.

3.4 Where the provisions of this By-law conflict with those of any other municipal or provincial regulations, by-laws, or codes, the higher or more stringent requirements shall apply.

PART 5: STANDARDS FOR YARDS AND ACCESSORY BUILDINGS

5.1 YARDS

Yards shall be kept clean and free from garbage and debris.

5.2 ACCESSORY BUILDINGS

Accessory buildings shall be maintained in good repair and free from structural hazards or conditions which may affect health or cause fire or accidents.

PART 6: STANDARDS FOR BUILDINGS

6.1 FOUNDATIONS

Foundations shall be:

- (a) constructed of masonry, concrete or other acceptable material;
- (b) designed to adequately support the loads imposed on them;

6.2 BASEMENTS AND UNHEATED CRAWL SPACES

Every basement, cellar, crawl space and similar space shall be adequately drained .

6.3 STRUCTURAL SOUNDNESS

Structural components of a building shall be;

- (a) free from serious deterioration, loose jointing, sagging or bulging;
- (b) capable of sustaining safely the weight of the dwelling unit and any load to which it may be normally subjected.

6.4 ENCLOSED SPACE ACCESS - ACCESS AND VENTING

- (a) An access opening of at least one foot eight inches (1'8") by two feet four inches (2'4") shall be provided, to attics, crawl spaces and other enclosed spaces;
- (b) Where mechanical equipment is enclosed the access opening shall be sufficiently large to permit the removal and replacement of equipment;
- (c) Enclosed attic, roof and crawl spaces shall be vented to the exterior.

6.5 FLOORS

Every floor shall be reasonably level and smooth and maintained in good condition.

6.6 EXTERIOR WALLS

- (a) Exterior walls and their components shall be adequate to support the loads imposed upon them and shall be maintained to prevent their deterioration due to the weather or insects;
- (b) All exterior walls shall have a cladding or covering, free of holes, cracks, or excessively worn surfaces, to prevent the entry of moisture into the structure and provide reasonable durability.

6.7 INTERIOR WALLS AND CEILINGS

- (a) Every interior wall and ceiling shall be maintained in a clean condition free from holes, loose coverings or other materials or defects which may increase the spread of fire;

- (b) Where required fire resistant walls exist between separate dwelling units, they shall be maintained in a condition which retains their fire resistant quality;
- (c) Load bearing walls or columns shall be adequate to support the loads imposed upon them.

6.8 ROOFS

- (a) All roof construction components shall provide adequate support for all probable loads, and form a suitable base for the roof covering;
- (b) A roof including the fascia board, soffit, cornice and flashing shall be maintained in a watertight condition so as to prevent leakage of water into the dwelling.

6.9 DOORS

- (a) Doors and doorframes shall be in sound condition and operate satisfactorily;
- (b) Entrance or exterior doors in dwelling units shall be capable of being locked from both inside and outside.

6.10 WINDOWS

- (a) All windows, window sashes, and window frames shall be maintained in sound condition with no loose glass, defective putty or defective hardware.

6.11 PORCHES, STAIRS AND BALCONIES

- (a) Every porch, stairway or balcony in or appurtenant to a building shall be maintained in good repair, free from holes, cracks, excessive wear and defects which constitute a safety hazard;
- (b) Stairs and balconies shall have handrails or safety rails at least three feet high.

6.12 EGRESS

Every dwelling unit within a building shall have a safe, continuous, and unobstructed passage from the interior of the dwelling unit to the exterior and shall not pass through a room contained in another dwelling unit.

7.2 FIRE PROTECTION

- (a) All construction materials in renovations, alterations, or repairs shall satisfy the requirements of the National Building Code currently in force in the Municipality, in order to retard the spread of fire and prevent the passage of flame, smoke, and hot gasses through open or concealed spaces with the building.
- (b) Sufficient exits from the building shall be provided to assure safe egress in case of fire.

PART 8: OCCUPANTS STANDARDS

- 8.1 All parts of a building which are occupied by a person other than the owner as defined herein and which are in exclusive possession of the occupant as defined herein, shall be kept free from rubbish, garbage and other debris, objects and conditions that are health, fire or accident hazards;
- 8.2 The occupant of a dwelling unit shall maintain a safe, continuous and undisturbed passage from the interior of the dwelling unit to the exterior of the dwelling unit.
- 8.3 Cooking, heating and domestic hot water equipment owned and installed by the occupant shall be maintained in good working order and repair.
- 8.4 The occupant shall not use any area of the dwelling unit under his care or control for sleeping purposes which is a non-habitable room.
- 8.5 The occupant shall not prepare or store food in a room containing a urinal or water closet.

PART 9: ENFORCEMENT

- 9.1 Whenever the building inspector determines that there are reasonable grounds to believe that there has been a violation of any of the provisions of this by-law, the inspector shall give written notice of such alleged violation to the owner or occupant of the property containing such violation. Such notice shall:
 - (a) contain a statement of the point or points of non-compliance with this by-law
 - (b) fix a period of time in which such owner or occupant must complete whatever remedial action is necessary to eliminate the point or points of non-compliance with this by-law and if the remedial action is completed within the required time, then the non-compliance with this by-law shall not be an offense; and
- 9.2 If the repairs ordered pursuant to subsection 9.1 are not made within the time provided for by the order of the Building Inspector under subsection 9.1 the Municipality may do, or cause to be done, the repairs necessary to make the building comply with the order at the expense of the owner.

- or airwell;
 - (iii) by means of a separate duct or noncombustible material not less than twelve square inches in cross-section, which extends independently of any duct used for other purposes, to and through the roof; or
 - (iv) by a ventilating sky light; or
 - (v) by such other approved means of mechanical ventilation as designed and constructed in accordance with the National Building Code.
- (c) The aggregate area of glass in windows required in all rooms shall not be less than five percent of the floor area of the building.
- (d) All windows required by this By-Law for purposes of ventilation shall be capable of being opened to an extent of at least thirty percent of the glass area required for such windows. Nothing in this clause, however, shall be deemed to require double windows or storm windows to be installed so as to permit them to be open as herein provided, unless such ventilation is required in accordance with the National Building Code.

6.18 BEDROOMS

- (a) No part of a dwelling unit except a habitable room shall be used for sleeping purposes;
- (b) No room used for sleeping purposes shall have a floor area of less than 60 square feet;
- (c) No room used for sleeping purposes shall have a floor area of less than 40 square feet per person using the room for such purposes.

6.19 PESTS

All buildings shall be kept free of rodents, vermin, and other insects and appropriate extermination measures shall be taken as necessary.

PART 7: GENERAL

7.1 SHARED FACILITIES

Where a building contains more than one dwelling unit in which heating, storage, refuse disposal and/or other facilities are shared, renovations, alterations and repairs shall satisfy the requirements of the National Building Code currently in force in the Municipality.

6.13 HEATING

- (a) Every dwelling unit shall be equipped with a suitable heating system capable of maintaining an indoor temperature of 20°C.
- (b) The heating system shall be maintained in good working condition so as to be capable of heating the dwelling unit safely to the required standard.
- (c) Where a heating system or part thereof or any auxiliary heating system or unit burns solid or liquid fuel, a place or receptacle for storage of the fuel shall be provided and maintained in a convenient and safe location free from fire and accident hazards.
- (d) Fuel fired heating appliances shall be located in areas and locations so as not to create a fire or accident hazard or obstruct an egress from a dwelling or dwelling unit.
- (e) Chimneys, smoke pipes, and connections shall be maintained in good working order and be capable of conveying spent gases to the exterior of the building safely.

6.14 ELECTRICAL SERVICES

- (a) All electrical wire and electrical equipment shall be maintained in safe condition.

6.15 PLUMBING

- (a) All plumbing, pipes and related fixtures, shall be maintained in sound condition.
- (b) All water pipes and appurtenances thereto shall be protected from freezing.

6.16 LIGHT AND VENTILATION

- (a) Every habitable room shall be provided with one or more windows facing directly on a street, yard or court, or a system of mechanical ventilation designed and constructed in accordance with the National Building Code.
- (b) Every bathroom or room containing a toilet or urinal shall be provided with ventilation by means of:
 - (i) one or more windows facing upon a street or court or yard or airwell, or
 - (ii) by means of one or more windows opening into a vent, shaft which extends to and through the roof or into a court, yard

If the repairs ordered are not made within the time provided for by the order of the Building Inspector the Municipality may do, or cause to be done the repairs necessary to make the building comply with this By-Law at the expense of the occupant.

The Municipality may recover the expense incurred in making such repairs with costs by action in any court of competent jurisdiction.

THIS IS TO CERTIFY that the by-law of which the foregoing is a true copy was duly passed at a duly called meeting of the Municipal Council of Victoria County held on the 11 day of August A.D., 1986.

GIVEN under the hand of the Municipal Clerk and under the corporate seal of the Municipality of Victoria this 15th day of September A.D., 1986.

Michael Michael O'Brien
MUNICIPAL CLERK

DEPARTMENT OF MUNICIPAL AFFAIRS	
Recommended for APPROVAL BY THE COUNCIL	
<i>[Signature]</i>	
APPROVED this 3 rd day of October 1986	
<i>David Wantez</i> Minister of Municipal Affairs	