CORPORATION OF THE CITY OF KINGSTON
Ontario

By-law Number 2005-100

A By-Law For Prescribing Standards For The Maintenance And Occupancy Of Property Within The City Of Kingston

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(Office Consolidation)

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By-Law Number 2005-100

A By-Law For Prescribing Standards For The Maintenance And Occupancy Of Property Within The City Of Kingston

Passed: May 17, 2005

Whereas there is in effect in the City of Kingston an Official Plan that includes provisions relating to Property Conditions;

And Whereas Section 15.1 (3) of the Building Code Act, 1992, S.O. 1992, c.23, as amended provides that a by-law may be passed by the Council of a municipality prescribing the Standards for the maintenance and occupancy of property within the municipality provided the Official Plan for the municipality includes provisions relating to property conditions;

And Whereas the Council of The Corporation of the City of Kingston desires that a By-law be enacted pursuant to Section 15.1 (3) of the Building Code Act, 1992, S.O. 1992, c. 23 as amended within the limits of the City of Kingston,

And Whereas Sections 35.3 (1) and 45.1 (1) of the Ontario Heritage Act, R.S.O. 1990, c.0.18, as amended provide that a By-Law may be passed by the Council of a municipality prescribing minimum Standards for the Maintenance of the Heritage Attributes of Designated Heritage Properties within the municipality, and requiring that Designated Heritage Properties that do not comply with those Standards be Repaired and Maintained to conform with those Standards;

And Whereas Section 15.6 (1) of the Building Code Act, 1992, S.O. 1992, c. 23 as amended requires that a Bylaw passed under Section 15.1 (3) of the Act shall provide for the establishment of a Property Standards Committee;

And Whereas the Council of The Corporation of the City of Kingston deems it desirable to enact and pass a By-Law for prescribing Standards for the Maintenance and occupancy of Property within the City of Kingston and prohibiting the use of such property that does not conform to the Standards; and for requiring property below the Standards herein to be repaired and maintained to comply with the Standards, or the land thereof to be cleared of all buildings or structures and left in a graded and level condition;

And Whereas the Council of The Corporation of the City of Kingston deems it desirable to enact and pass a By-Law for prescribing the minimum Standards for the Maintenance of the Heritage Attributes of Designated Heritage Properties within the municipality;

And Whereas subsection 15.4.1 (1) of the *Building Code Act, 1992* provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with,

(a) a by-law of the municipality passed under section 15.1; or

(b) an order of an officer under subsection 15.2 (2) as deemed confirmed or modified by the committee or a judge under section 15.3.

The Council of the Corporation of the City of Kingston therefore **Enacts** as follows:

(By-law Number 2005-100; 2015-15; 2023-198)

1. Definitions: In this By-law,

"Accessory Building" means a detached building, out-building or structure, the use of which is incidental to the primary use of the Property;

(By-law Number 2005-100; 2010-146; 2015-15)

"Adequate" means equal or amounting to what is sufficient, fitting, suitable, equal to what is required;

Administrative Penalty" means an administrative penalty imposed pursuant to City of Kingston By-Law Number 2020–69, being "A By-Law to Establish a Process for Administrative Penalties

(By-law Number 2005-100; 2023-198)

"Appeals Committee" means the committee referred to in Section 15.6 of the Building Code Act, 1992, S.O. 1992, c. 23 as amended to hear appeals of Property standards orders issued under this By-Law;

(By-law Number 2005-100; 2015-15)

"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 finished grade;

"Bathroom" means a room containing a bathtub or shower with or without a water closet and wash basin;

"Built Heritage Specialist" means a person with heritage experience and who is a member of the Canadian Association of Heritage Professionals and/or a member of the Royal Architectural Institute of Canada;

(By-law Number 2005-100; 2015-15)

"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 finished grade;

"Character defining element" (Deleted see By-law 2015-15)

"City" means The Corporation of the City of Kingston;

(By-law Number 2005-100; 2015-15)

"Crawl Space" means an enclosed space between the underside of a floor assembly and the ground cover directly below, with a clearance less than 1800 mm in height;

(By-law Number 2005-100; 2015-15)

"Designated Heritage Property" means Property designated under Part IV or Part V under the Ontario Heritage Act, R.S.O. 1990, c.0.18, as amended;

(By-law Number 2005-100; 2010-146; 2015-15)

"Designation By-Law" means a By-Law enacted by City Council pursuant to Section 29 or Section 41 of the Ontario Heritage Act, R.S.O. 1990, c.0.18, as amended that identifies Property and/or a defined area or areas to be of cultural heritage value or interest.

(By-law Number 2005-100; 2015-15)

"Dwelling" means a building or structure or part of a building or structure occupied or capable of being occupied in whole or in part or intended to be used for the purposes of human habitation;

(By-law Number 2005-100; 2015-15)

"Dwelling Unit" means one room or two or more rooms connected together as a separate unit in the same structure and constituting an independent unit for residential occupancy by humans for living and sleeping purposes;

"Farm Buildings" means any buildings or structures used in association with a farm use including any of the structures used in farming operations, which may include buildings to house livestock, machinery and crops, but does not include any residential building;

(By-law Number 2005-100; 2013-86)

"Grade" means the average elevation of the finished surface of the ground around the perimeter of a building excluding localized depressions such as, sunken terraces, stairwells and window wells.

"Habitable Room" means any room in a dwelling unit used or intended to be used for living, sleeping, cooking or eating purposes;

"Heritage Attributes" shall have the meaning set out in the Ontario Heritage Act, R.S.O. 1990, c.0.18, as amended and for greater certainty means:

a) in relation to real Property, and to the buildings and structures on the real Property, the attributes of the Property, buildings and structures that contribute to their cultural heritage value or interest and that are defined, described or that can be reasonably inferred:

   i) in a By-Law designating a Property passed under Section 29 of the *Ontario Heritage Act,* R.S.O. 1990, c.0.18, as amended and identified as heritage attributes, values, reasons for designation or otherwise;

   ii) in a Minister's order made under Section 34.5 of the *Ontario Heritage Act,* R.S.O. 1990, c.0.18, as amended and identified as heritage attributes, values, reasons for designation or otherwise;

   iii) in a By-Law designating a heritage conservation district passed under Section 41 of the *Ontario Heritage Act,* R.S.O. 1990, c.0.18, as amended and identified as heritage attributes, values, reasons for designation or otherwise; or

   iv) in the supporting documentation required for a By-Law designating a heritage conservation district, including but not limited to a heritage conservation district plan, assessment or inventory, and identified as heritage attributes, reasons for designation or otherwise;

b) the elements, features, or building components that support or protect the Heritage Attributes, without which the Heritage Attributes may not be conserved, including but not limited to roofs, walls, floors, retaining walls, foundations and structural systems;

(By-law Number 2005-100; 2015-15)

"Heritage Conservation District" means a geographic district established under Part V of the *Ontario Heritage Act*, R.S.O.1990, c.O.18, as amended;

(By-law Number 2005-100; 2015-15)

"Heritage Conservation District Plan" means a plan adopted by Council under Part V of the *Ontario Heritage Act*, R.S.O.1990, c.O.18, as amended to provide direction in the preservation of the Heritage Attributes of a Heritage Conservation District;

(By-law Number 2005-100; 2015-15)

"Hoarding" means a fence or similar structure used to enclose a property or part thereof which is or intended to be under development, site alteration, or maintenance.

(By-law Number 2005-100; 2010-146; 2013-86)

"Inoperative Condition" means not in working condition;

(By-law Number 2005-100)

"Listed Property" means Property that City Council has determined to be of cultural heritage value or interest;

(By-law Number 2005-100; 2015-15)

"Maintenance" means the act of keeping up, preserving or conserving or paying to keep up, preserve or conserve property.

(By-law Number 2005-100; 2015-15)

"Medical Officer of Health" means the Medical Officer of Health for the Kingston, Frontenac, and Lennox and Addington Health Unit;

“Multiple Dwelling” means a building containing three or more Dwelling Units;

(By-law Number 2005-100; 2015-15)

"Multiple Use Building" means a building containing both a Dwelling Unit and a Non-Residential Property;

(By-law Number 2005-100; 2015-15)

"Non-Habitable Room" means any room in a Dwelling or Dwelling Unit other than a Habitable Room and includes Bathroom, boiler room, laundry, pantry, lobby, communicating corridor, stairway, closet, Basement, boiler room or other space for service and Maintenance of the Dwelling for public use, and for access to and vertical travel between storeys;

(By-law Number 2005-100; 2015-15)

“Non-Residential Property" means a building or structure or part of a building or structure not occupied or capable of being occupied in whole or in part for the purposes of human habitation and includes the land and premises appurtenant thereto and all out-buildings, fences or erections thereon or therein;

(By-law Number 2005-100; 2015-15)

"Occupant" means any person or persons over the age of 18 years who appears to be in possession of the property;

(By-law Number 2005-100; 2015-15)

"Officer" means a Property Standards Officer and/or a Provincial Offences Officer of the City who has been assigned the responsibility of administering and enforcing this By-Law and includes the Chief Building Official or his or her designate;

(By-law Number 2005-100; 2015-15)

"Owner" means any person having control over any portion of the building or Property and includes:

(a) 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 receive the rent if such land and premises were let; and

(b) 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 the Maintenance and Occupancy of Property;

(By-law Number 2005-100; 2015-15)

"**Penalty Notice**" means a notice given pursuant to sections 2.2 and 2.4 of City of Kingston By-Law Number 2020–69, being "A By-Law to Establish a Process for Administrative Penalties";

(By-Law Number 2005-100; 2023-198)

"Person" means an individual, firm, corporation, association or partnership;

(By-law Number 2005-100; 2015-15)

"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, out-buildings, fences and erections thereon whether heretofore or hereafter erected and includes Vacant Property, Listed Property and Designated Heritage Property;

(By-law Number 2005-100; 2015-15)

"Reasonable" means of such an amount, size and or number as is judged to be appropriate or suitable to circumstances or purpose; fit and appropriate to ends in view;

"Repair" includes the provision of such facilities or the taking of any action as may be required so that the Property shall conform to the Standards established in this By-Law, including but not limited to restoring, renovating and mending as a result of decay, dilapidation, or partial destruction (as from fire);

(By-law Number 2005-100; 2015-15)

Definitions continued:

"Residential Property" means any Property that is used or designed for use as a domestic establishment in which one or more persons usually sleep and prepare and serve meals, and includes any land or buildings that are appurtenant to such establishment and all steps, walks, driveways, parking spaces and fences associated with the Property or its Yard;
(By-law Number 2005-100; 2015-15)

"Sewerage System" means the sanitary sewerage system under the control of the Corporation or of a private sewage disposal system company;

"Sign" means any surface upon which there is printed, projected or attached, any announcement, declaration or insignia used for direction, information, identification, advertisement, business promotion or promotion of products, activity or services, and includes a structure, whether in a fixed location or designed to be portable or capable of being relocated, or part thereof specifically designed for the foregoing uses, including but not limited to flags, banners, advertising devices, blimps, balloons and models;
(By-law Number 2005-100; 2015-15)

"Standards" means the standards of physical condition and of occupancy prescribed for Property by this By-Law;
(By-law Number 2005-100; 2015-15)

"Toilet Room" means a room containing a water closet;

"Waterfront Property" means that area of water which is immediately capable of use from the land together with that area of land adjacent to the water which is necessary to allow use of the above area of water;

"Yard" means the land, other than publicly owned land, around or appurtenant to the whole or any part of a Residential or Non-Residential Property and used or intended to be used or capable of being used in connection with the Property and includes a Vacant Lot.
(By-law Number 2005-100; 2015-15)

2. Applicability

2.1 This By-law shall apply to all Property within the limits of the City.

2.2 Notwithstanding Section 2.1, the following Properties are exempt from the requirements of this by-law:

2.2.1 Property owned by the City and;

2.2.2 Farm Buildings and lands which are being used for agricultural and farm purposes and are located within an agricultural zone.

2.3 Notwithstanding Section 2.2, Farm Buildings located on Designated Heritage Properties are subject to the requirements of Part 7 of this By-Law.

(By-law Number 2005-100; 2013-86; 2015-15)

3. Administration

3.1 The Planning, Building and Licensing Department are responsible for the administration and enforcement of this By-Law.

3.2 The imperial measurements contained in this By-Law are given for reference only.

(By-law Number 2005-100; 2015-15)

4. General Standards For All Properties

4.1 General Standards set out in Section 4, the following regulations, shall apply to all Property within limits of the City.

4.2 All work, Repairs and Maintenance of Property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship and shall conform to all other By-Laws of the City, codes and statutes as applicable.

(By-law Number 2005-100; 2015-15)

Accessory Buildings, Fences and Retaining Walls

4.3 Fences, barriers and retaining walls shall be kept in good repair.

4.4 Where fences or retaining walls have been painted or otherwise treated, they shall be maintained so as to be free of peeling paint or other coatings.

4.5 Accessory Buildings shall be kept in good repair.

Accessory Buildings, Fences and Retaining Walls cont'd

4.6 Exteriors of Accessory Buildings shall be weather resistant. Where Accessory Buildings have been painted or otherwise treated, they shall be Maintained so as to be free of peeling paint or other coatings.

4.7 Where an Accessory Building, fence, retaining wall or the land may harbour an infestation of insects or rodents all necessary steps, in accordance with By-Law Number 2008-28, *'A By-Law to Regulate the Use of Pesticides on Lawns Within the City of Kingston',* shall be taken to eliminate the insects or rodents and to prevent their reappearance.

(By-law Number 2005-100; 2015-15)

Appliances

4.8 All appliances, equipment, accessories and installations provided by the Owner shall be installed and Maintained in good repair and working order and used for their intended purposes.

(By-law Number 2005-100; 2015-15)

Doors and Windows

4.9 All exterior openings of buildings shall be fitted with doors or windows or other suitable means to prevent entrance of wind or rain into the building.

4.10 Windows, exterior doors, and basement or cellar hatchways shall be maintained in good repair.

4.11 Rotted or damaged doors, door frames, window frames, sashes and casings, weather-stripping, broken glass and defective door and window hardware shall be repaired and/or replaced, and maintained and protected from the elements and against decay and rust by application of a weather coating material such as paint or other protective materials.

(By-law Number 2005-100; 2013-86; 2015-15)

Electrical Service

4.12 Extension cords which are not part of a fixture shall not be permitted on a semi-permanent or permanent basis.

4.13 The electrical wiring, fixtures, switches and receptacles located or used in a building shall be installed and maintained in good working order.

(By-law Number 2005-100)

Exterior Walls

4.14 Exterior walls of buildings and their components including soffit and fascia shall be Maintained so as to prevent their deterioration due to weather, insects, and vegetative covering, and shall be so Maintained by painting, restoring, or Repairing the walls' coping or flashing and by waterproofing of joints.

4.15 Where walls have been painted or otherwise treated, they shall be maintained so as to be free of peeling paint or other coatings.

(By-law Number 2005-100; 2015-15)

Foundations

4.16 Foundation walls of a building shall be Maintained so as to prevent the entrance of insects, rodents, moisture and roots. Maintenance includes shoring of the walls, installing sub-soil drains at the footings, grouting masonry cracks, parging, damp proofing and waterproofing walls and joints and using other suitable means of Maintenance.

(By-law Number 2005-100; 2015-15)

Graffiti

4.17 Written slogans and graffiti on the exterior of any building, wall, fence or structure shall be prohibited, including painted or chalked titles or messages with the exception of the Street Art Wall that uses the Rideaucrest retaining wall adjacent to Douglas Fluhrer Park as a designated legal wall in conjunction with the City of Kingston's Public Art Policy.

With the exception of murals on private property as approved and sanctioned by the City of Kingston through the established application and review policy as identified in and in conjunction with the City of Kingston's Public Art Policy.

(By-law Number 2005-100; 2020-89; 2023-92)

Guardrails (Interior & Exterior)

4.18 A guard shall be installed and maintained in good repair on the open side of any stairwell or ramp containing more than three (3) risers including the landing or a height of more than 600 mm (2 feet) between adjacent levels. A handrail shall be installed and maintained in good repair on all stairs where there are more than 3 risers or a drop of more than 600mm (2') from the tread.

(By-law Number 2005-100; 2013-86)

4.19 Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

(By-law Number 2005-100)

Landscaping, etc.

4.20 Where landscaping, parking areas, walkways, steps, hedges, trees, fences, curbs or similar changes to a Property have been required by the City as a condition of development or redevelopment, such works shall be undertaken and Maintained so as to ensure continuous compliance with the City requirements.

(By-law Number 2005-100; 2015-15)

Lighting

4.21 Lighting shall not be positioned so as to cause any impairment of the use or enjoyment of neighbouring properties.

(By-law Number 2005-100; 2015-15)

Parking Areas, Walks, Driveways

4.22 All areas used for vehicular traffic and parking shall be covered with asphalt, concrete, crushed stone, paving stones arranged in an open pattern or gravel surfacing and shall be free from dirt or other litter and kept in good repair.

4.23 Entrances and means of access, excluding driveways and designated parking spaces, shall be kept clear of automobiles, trailers, motorcycles and bicycles and unsafe accumulations of ice and snow.

Parking Areas, Walks, Driveways cont'd

4.24 Walls, windows and doors separating Parking Garages from adjoining buildings, and mechanical equipment provided to exhaust fumes shall be maintained so as to prevent the accumulation of toxic fumes and the migration of toxic fumes into a building.

4.25 Steps, walks, driveways, parking spaces and similar areas shall be maintained and adequately lighted so as to afford safe passage under normal use and weather conditions.

4.26 Suitable hard surfaced walks shall be available leading from the main entrance of each dwelling to the street or driveway.

(By-law Number 2005-100; 2015-15)

Pest Prevention

4.27 Buildings shall be kept free of rodents, vermin and insects at all times.

4.28 Basement or cellar windows used or required for ventilation and any other opening in a basement or cellar, including a floor drain, that might permit the entry of rodents, insects and vermin, shall be screened with durable material that will effectively exclude rodents, insects and vermin.

(By-law Number 2005-100; 2015-15)

Roofs

4.29 The roof of every building shall be structurally sound, weatherproof and free of loose or unsecured objects and materials and excessive accumulations of ice and snow.

4.30 Where eaves troughs, roof gutters and/or down pipes are provided they shall be kept in good repair, including being watertight, protected by paint or other preservative and securely fastened to the building.

(By-law Number 2005-100; 2013-86; 2015-15)

Signs

4.31 All signs and billboards shall be maintained in good repair and any signs which are weathered or faded or where the paint has peeled or cracked shall, with their supporting members, be removed or put into a good state of repair.

(By-law Number 2005-100; 2015-15)

Stairs, Porches, Decks and Balconies

4.32 Inside and outside stairs, porches, decks, balconies and landings shall be maintained so as to be free of holes, cracks and other defect.

4.33 Existing stairs, treads or risers that show excessive wear or are broken, warped or loose and supporting structure members that are rotted or deteriorated shall be replaced.

4.34 All stairs, treads or risers and supporting structures shall be protected from the elements by paint or other suitable preservative.

(By-law Number 2005-100; 2013-86; 2015-15)

Structural Soundness

4.35 Every part of a building, structure, pier or wharf shall be maintained in a structurally sound condition so as to be capable of sustaining its own weight and any additional load to which it may be subjected through normal use.

4.36 Walls, roofs, chimneys and other exterior parts of the building shall be free from loose or improperly secured objects or material.

4.37 Improperly secured objects and materials shall be either removed, Repaired or replaced.

4.38 Materials which have been damaged or show evidence of rot or other deterioration shall be Repaired or replaced.

(By-law Number 2005-100; 2015-15)

Walls, Ceilings and Floors

4.39 Every wall, ceiling and floor shall be maintained so as to be free of holes, cracks, loose coverings or other defects.

4.40 The floor of every kitchen or area where food or drink is prepared and every Bathroom floor and every Toilet Room floor, where the toilet is in a separate room, shall be Maintained so as to be impervious to water and so as to permit cleaning.

4.41 All hallways, laundry rooms and common areas shall be maintained in a clean, sanitary condition.

(By-law Number 2005-100; 2015-15)

Property, Lands, Yards and Buildings

4.42 Property, lands, yards and buildings whether vacant or not shall be kept clear and free from:

4.42.1 rubbish and debris;

4.42.2 unsightly weeds and heavy undergrowth;

4.42.3 grass longer than 20 centimeters (8 inches), brush and undergrowth by cutting regularly and removing the cuttings from the lands. This does not apply to agricultural properties;

4.42.4 lawns, hedges and bushes from becoming overgrown and unsightly by keeping trimmed;

4.42.5 dead, or damaged trees and branches thereof by removal;

4.42.6 erosion of the soil by covering the ground and a suitably maintained covering includes but is not limited to grass, gravel, asphalt, ground cover (ivy, periwinkle), cultivated flowers or plants;

4.42.7 deep ruts and holes;

4.42.8 wrecked, discarded, dismantled, or in-operative recreation equipment;

4.42.9 objects or conditions that may create health, fire or accident hazards; and

4.42.10 Vehicles, trailers, boats, barges, or mechanical equipment which are not within a building and which are wrecked, unlicensed, not validated, discarded, dismantled or in an in-operative condition.

4.42.11 dog feces or other animal feces

4.43 Any furniture that is manufactured for interior use shall not be placed outside of a dwelling.

4.44 Furniture outside of a Dwelling that becomes dilapidated shall be disposed of.

4.45 Appliances including refrigerators, stoves and freezers shall not be left in yards, interior stairwells, or hallways and shall not be used as places of storage.

4.46 If a building is vacant, all water and electrical power shall be turned off other than that required for security and Maintenance of the Property.

4.47 The Owner of Vacant Property shall Maintain the Property in accordance with this By-Law or demolish such buildings and the site left in a graded and level condition in compliance with other parts of this By-Law.

Property, Lands, Yards and Buildings continued

4.48 Notwithstanding Section 4.47, Vacant Property that is located on Designated Heritage Property is subject to the requirements of Part 7 of this By-Law.

4.49 Notwithstanding Section 4.47, Vacant Property that is located on Listed Property is subject to the requirements of Section 7.6 of this By-Law.

4.50 All yards and compounds and lands shall be maintained in condition compatible to its intended use.

(By-law Number 2005-100; 2013-86; 2015-15)

Yards, Industrial and Commercial

4.51 The warehousing of any stored material or operative equipment or the storage of garbage in receptacles in the yards or compounds shall be neat and orderly so as not to create a fire or accident hazard or any unsightly condition and shall provide clean and easy access for emergency vehicles.

4.52 Where conditions are such that a neat and orderly fashion is achieved but is still offensive to view, the offensive area shall be properly enclosed on all sides by solid wall or a board or metal fence 1.8 metres (6 feet) high.

(By-law Number 2005-100; 2015-15)

(The following Sections were deleted please refer to By-law 2015-15)

- Properties Protected under the Part IV and Part V of the Ontario Heritage Act
- Altering Designated Heritage Properties
- Repair of Character Defining Elements
- Replacement of Character Defining Elements
- Vacant and Damaged Designated Heritage Properties, and
- Enhanced Standards

5. Residential Standards:

5.1 In addition to all General Standards set out in Part 4 of this By-Law, the following regulations shall apply to all Residential Properties.

(By-law Number 2005-100; 2015-15)

Amenities

5.2 Amenities such as mail boxes and storage facilities shall be properly Maintained.

(By-law Number 2005-100; 2015-15)

Basements, Cellars, and Crawlspaces

5.3 Use of a Crawl Space as a Habitable Room is prohibited.

5.4 Any Basement or Cellar used as a Dwelling Unit shall have the following requirements:

5.4.1 window area for light and ventilation shall be at least 50% above ground. Window wells are permitted if kept free of ice, snow, debris and litter;

5.4.2 floors and walls shall be impervious to water leakage;

5.4.3 Service rooms shall be separated from the remainder of the Dwelling Unit by a suitable fire separation; and

5.4.4 access to each Habitable Room shall be gained without passage through a service room.

(By-law Number 2005-100; 2013-86; 2015-15)

Compost Heaps

5.5 The Occupant of a Residential Property may provide for a compost heap or bin in accordance with the health regulations, provided that the compost pile is no larger than one square metre (10 sq. ft.) and 1.8 metres (6 ft.) in height and is enclosed on all sides by concrete block, or lumber, or in a metal frame building with a concrete floor, or in a commercial plastic enclosed container designed for composting.

5.6 Compost heaps or bins shall not be placed in the front Yard or exterior side Yards.

5.7 Compost heaps or bins shall be constructed to prevent the entry of rodents or other animals, be provided with a tight fitting cover which shall be kept closed at all times except when material is being placed therein, and be maintained in a clean and sanitary condition.

(By-law Number 2005-100; 2015-15)

Disconnected Utilities

5.8 No Owner of residential buildings or any Person or Persons acting on behalf of such Owner shall 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.

(By-law Number 2005-100; 2015-15)

Doors, Windows, and Skylights

5.9 Windows, skylights, doors and basement or Cellar hatchways shall be Maintained in good Repair, weather tight and reasonably draft-free. Maintenance includes painting, replacing damaged doors, door frames and their components, window frames, sashes and casing, replacing non-serviceable hardware, weather-stripping and re-glazing.

5.10 In a Dwelling Unit all windows and skylights 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 without the use of keys or tools.

5.11 Where storm windows and doors are installed in a dwelling that shall be Maintained in good Repair.

5.12 All shutters on windows shall be Maintained in good Repair, including painting, replacing or other suitable means to prevent deterioration due to weather and insects.

5.13 All windows and skylights intended to be opened shall be readily operable under normally applied pressure without jamming or binding so as to perform their intended function.

5.14 All windows and skylights in a Dwelling Unit that are capable of being opened shall be fitted and equipped with screens that are Maintained in good Repair and free from defects and missing components.

5.15 Where an opening is used for illumination or ventilation and is not permanently protected by a window, skylight or door so as to exclude rodents, vermin and insects it shall be adequately screened with wire mesh or other durable material; otherwise protected so as to effectively prevent the entry of rodents, vermin and insects.

5.16 At least one entrance door in every Dwelling Unit shall have hardware so as to be capable of being locked from both inside and outside the Dwelling Unit.

5.17 Solid Core, hollow metal, or insulated steel doors shall be installed and Maintained for the entrances of Dwelling Units and hallways.

(By-law Number 2005-100; 2015-15)

Egress

5.18 Every Dwelling and each Dwelling Unit within it shall have a continuous and unobstructed passage from the interior of the Dwelling Unit and the Dwelling to the outside of the Dwelling at street or grade level.

5.19 When an exterior staircase is used as a second means of egress, it shall be continued to ground level.

5.20 When a second means of egress requires a person or persons to travel across a roof top to reach a fire escape or a second stairwell, then a walkway complete with railing must be installed and Maintained across said roof tops.

(By-law Number 2005-100; 2015-15)

Electrical Service

5.21 Every dwelling unit shall be wired for and provided with electricity.

5.22 Elevators intended for use by tenants shall be properly Maintained and kept in operation.

5.23 In apartment buildings where a voice communication system exists and or where a security locking and release system for the entrance is provided and is controlled from each dwelling unit such systems shall be maintained in good repair.

5.24 Every habitable room in a dwelling shall have at least one electrical duplex outlet for each 11.15 square metres (120 square feet) of floor space, for each additional 10 square metres (100 square feet) of floor space a second duplex outlet shall be provided.

5.25 Every kitchen shall have at least two electrical duplex outlets which shall be on separate circuits.

5.26 All electrical services shall conform to and be Maintained to the regulations set by statute.

(By-law Number 2005-100; 2015-15)

Emergency Contacts and Apartment Identification

5.27 Every Owner shall provide, install, and maintain contact information in a common area in case of an emergency on a 24 hour basis where an authorized person responsible for the Property can be reached.

5.27.1 In buildings having more than one Dwelling Unit, each Dwelling Unit door connected to interior common space, hallways, exits, etc. shall have the unit number posted on or beside the door and be installed in a manner and size that can be easily seen by visitors, service persons and emergency response personnel.

(By-law Number 2005-100; 2013-86; 2015-15)

Garbage Disposal

5.28 Every Dwelling and every Dwelling Unit within the Dwelling shall have such receptacles as may be necessary to contain all garbage and rubbish.

5.29 Receptacles shall be:

5.29.1 constructed of a watertight material;

5.29.2 constructed to prevent the entry of rodents;

5.29.3 provided with a tight fitting cover, which shall be kept closed at all times except when garbage is being placed therein;

5.29.4 maintained in a clean and sanitary condition; and

5.29.5 located in the rear Yard of the building but shall not be placed within 3.05 metres (10') vertically or horizontally of any opening in the structure.

5.30 Multiple Dwellings that do not have interior garbage rooms shall have Maintained and installed a receptacle large enough to contain all garbage and rubbish.

5.31 In no event shall garbage and/or garbage receptacles or recycle boxes be placed in the front yard or porch of any residential dwellings other than for immediate pick-up.

5.32 Tenants shall have daily access to garbage receptacles and garbage rooms.

5.33 Garbage and rubbish shall be stored in receptacles and removed as required by by-law.

5.34 Receptacles shall be acceptable plastic bags or containers made of watertight construction provided with a tight fitting cover and Maintained in a clean state.

5.35 Where Repairs or cleanup require the use of bins, these bins shall be emptied when materials or debris reach the top of the bin or when odours are offensive and may be a health hazard.

5.36 The lids to the bins shall be closed when the bins are not in use.

5.37 Accumulation or storage of garbage or refuse in public halls or stairways shall be prohibited, at all times.

(By-law Number 2005-100; 2015-15)

General Cleanliness

5.38 Every Occupant of a Residential Property shall Maintain the Property or part thereof and the land which they occupy or control, in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis in accordance with municipal by-laws.

General Cleanliness cont'd

5.39 Every Occupant of a Residential Property shall Maintain every floor, wall, ceiling and fixture, under their control, including hallways, entrances, laundry rooms, utility rooms and other common areas, in a clean, sanitary and safe condition.

5.40 Accumulations or storage of garbage, refuse, appliances, or furniture in a means of egress shall not be permitted.

Heating and Heating System

5.41 Every Dwelling Unit shall be provided with a heating system capable of Maintaining a minimum temperature of 21.1°C (70°F).

5.42 All common areas or internal entranceways shall be provided with heating systems capable of Maintaining a minimum temperature of not less than 18 degrees C (65 degrees F).

5.43 Room temperature shall be determined at any point in the room.

5.44 Every building or part of a building which is rented or leased as Dwelling or living accommodation and which, as between the tenant or lessee and the landlord, is normally heated by or at the expense of the landlord shall, between the 15th day of September in each year and the 1st day of June of the following year, be provided with adequate and suitable heat by or at the expense of the landlord; and for the purposes of this by-law, "adequate and suitable heat" means that the minimum temperature of the air in the accommodation which is available to the tenant or lessee is 21.1°C (70°F).

5.45 No residential unit shall be equipped with portable heating equipment as the primary source of heat.

5.46 Only heating equipment approved for use by a recognized standards testing authority shall be provided.

5.47 The heating system shall be Maintained in good working condition so as to be capable of heating the Dwelling safely to the standard required by this By-Law.

5.48 All exposed pipes in habitable rooms shall be kept sufficiently protected so as to prevent a safety hazard.

(By-law Number 2005-100; 2015-15)

Kitchens

5.49 In every room in which meals can be prepared, or are prepared, there shall be installed and Maintained;

5.49.1 a suitable enclosed cupboard or shelving unit for storing food with not less than 0.226 cubic metres (8 cubic feet) of space;

5.49.2 a space provided for cooking and refrigeration appliances, including suitable electrical or gas connections for the cooking appliances;

5.49.3 work surfaces at least 1.2 metres (4 feet) in length x 60 centimeters (2 feet) in width, exclusive of the sink, that are impervious to moisture and grease and easily cleanable so as not to impart any toxic or deleterious effect to food; and

5.49.4 a sink that,

5.49.4.1 is surrounded by surfaces impervious to grease and water including at least the lower 127mm (5 inches) of the adjacent wall; and

5.49.4.2 is served with hot and cold running water.

(By-law Number 2005-100; 2015-15)

Light

5.50 Every Habitable Room except a kitchen shall have a window or windows, skylights, translucent panels or glass area of an outside door that faces directly to outside space and admits as much natural light as would be transmitted through clear glass equal in area to five per cent of the floor area of the room.

5.51 Public halls, common rooms, stairs, exit stairwells, porches and verandas in multiple Dwellings shall be lighted to provide a minimum level of illumination, meaning illumination of at least 50 lux (4.6 foot candle power) at all times of the day and night.

5.52 Full time lighting systems are required except during those hours when daylight suffices adequately to light the public halls.

5.53 Lighting equipment shall be provided installed and Maintained throughout to provide sufficient illumination.

5.54 Every Bathroom, Toilet Room, laundry room, furnace room, Basement, Cellar or non-habitable work room and kitchen shall be provided with a permanent electrical light fixture.

(By-law Number 2005-100; 2015-15)

Occupancy Standards

5.55 The number of Occupants residing on a permanent basis in an individual Dwelling Unit shall not exceed the maximum occupant load as prescribed by the Building Code Act, 1992, S.O. 1992, c. 23 as amended.

5.56 No room shall be used for sleeping purposes unless it has a minimum area of at least 7 square metres (75 square feet), where built in cabinets/closets are not provided, and no less than 6 square meters (65 square feet) where built in cabinets/closets are provided and no less than that required by the Ontario Building Code as amended.

(By-law Number 2005-100; 2013-86; 2015-15)

Plumbing

5.57 All plumbing, including every drain, water pipe, water closet and other plumbing fixtures in a Dwelling and every connecting line to the Sewerage System shall be Maintained in good working order and free from leaks or defects, and all water pipes and appurtenances thereto shall be protected from freezing.

5.58 All plumbing fixtures shall be connected to the Sewerage System through water seal traps.

5.59 Every Dwelling shall be provided with an adequate supply of potable running water from a source approved by the Medical Officer of Health.

5.60 All Dwellings shall have the sanitary facilities connected to a Sewerage System.

5.61 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 cold or hot water, readily accessible for cleansing, and free from blemishes or cracks or other interstices that may harbour germs or impede thorough cleansing.

(By-law Number 2005-100; 2015-15)

Toilet and Bathroom Facilities

5.62 Every wash basin, bathtub and shower shall have an Adequate supply of hot and cold running water and every water closet shall have an Adequate supply of running water.

5.63 Every Dwelling Unit (except as otherwise provided) shall contain toilet and bathroom plumbing fixtures consisting of at least one water closet, one wash basin and one bathtub or shower.

5.64 Hot water shall be so served that it may be drawn from the tap at a temperature of 43*C (110*F).

Toilet and Bathroom Facilities cont'd

5.65 All Bathrooms and Toilet Rooms shall be located within and accessible from within the Dwelling Unit except that the Occupants of two Dwelling Units each containing not more than two Habitable Rooms may share toilet and bathroom facilities provided that access to the said toilet and bathroom facilities can be gained without going through rooms of either or another Dwelling Unit or outside of the building.

5.66 All Bathrooms and Toilet Rooms shall be fully enclosed.

5.67 The wash basin shall be located in the same room as the water closet, or in an immediately adjoining room.

5.68 Every Dwelling shall have at least one sink in addition to a kitchen sink.

5.69 Every Dwelling Unit shall be provided with hot and cold running water.

(By-law Number 2005-100; 2015-15)

Ventilation

5.70 Every Habitable Room except living rooms and dining rooms shall have an opening or openings for ventilation providing an unobstructed free-flow area of at least 0.28 square meters (3 square feet) or an approved system of mechanical ventilation such that the air is changed once every hour.

5.71 All enclosed spaces including Basements, Cellars, attics or roof spaces, and Crawl Spaces shall be Adequately vented.

5.72 Where an opening is used for ventilation and is not permanently protected by a window or door so as to exclude rodents, vermin and insects it shall be:

5.72.1 Adequately screened with durable material; and

5.72.2 otherwise protected so as to effectively prevent the entry of rodents, vermin and insects.

5.73 Any openings for natural ventilation shall be protected with insect screen of corrosion-resistant material.

5.74 Every Bathroom or Toilet Room shall have an opening or openings for ventilation providing an unobstructed free-flow area of at least 0.09 square metres (1 square foot), or an equivalent such as an electric fan and a duct which shall terminate outside, shall be provided, installed and Maintained.

5.75 All mechanical ventilation systems shall be maintained in good working order.

(By-law Number 2005-100; 2015-15)

Walls, Ceilings and Floors

5.76 Every floor, wall and ceiling in a Dwelling shall be Maintained in a clean, sanitary condition.

5.77 Every floor in a Dwelling shall be acceptably level and be Maintained so as to be free of all loose, warped, protruding, broken or rotted boards, and cracks. "Acceptably level" shall be defined as not more than 75 mm (3 inches) slope in 3 metres (10 feet) and not more than 25mm in 610 mm (1 inch in 2 feet).

5.78 Floors above an unheated space or a non-insulated Basement, Cellar, or Crawl Space shall have existing insulation Maintained.

5.79 Where necessary, interior walls shall have baseboards that shall be Maintained in good Repair and tight fitting so as to prevent the accumulation of dust and garbage.

5.80 All Bathroom walls surrounding bathtubs and showers shall be water proof and floors shall be water resistant.

(By-law Number 2005-100; 2013-86; 2015-15)

6. Non-Residential Property Standards

6.1 In addition to all General Standards set out in Section 4, the following regulations shall apply to all Non-Residential Properties.

(By-law Number 2005-100; 2015-15)

Floors

6.2 Every floor shall be smooth and level, unless otherwise designed, and Maintained so as to be free of cracks, holes and protrusions in concrete floors, also free of all loose, warped, protruding broken or rotten boards that might cause an accident or allow dirt to accumulate.

6.3 All defective floor boards shall be replaced and where floor covering has become worn or torn, the floor covering shall be Repaired, replaced or removed.

(By-law Number 2005-100; 2015-15)

Garbage Disposal

6.4 Every building shall be provided with sufficient receptacles to contain all garbage, rubbish, and trade waste.

6.5 Receptacles shall be covered at all times and shall be located in the rear Yard, when space can accommodate them, or otherwise in a side Yard, but in any event, these receptacles shall not be located in a front Yard.

6.6 Receptacles shall be placed as close to the building which they serve as is practicable but shall not be placed within 3 meters (10 feet), either vertically or horizontally, of any opening in the building.

(By-law Number 2005-100; 2015-15)

Garbage Disposal continued

6.7 Receptacles shall be acceptable plastic bag or other containers,

6.7.1 made of watertight construction;

6.7.2 provided with a tight fitting cover; and

6.7.3 maintained in a clean state.

6.8 Where garbage receptacles, as described above, are offensive to view, the area where the receptacles are stored shall be enclosed on all sides by a solid masonry wall, board or metal fence that shall be 1.82 metres (6 feet) in height.

6.8.1 Such wall or fence shall contain an Adequate door or gate to allow for the removal of the garbage; and

6.8.2 All walls and fences and the doors or gates contained therein shall be Maintained in good Repair.

6.8.3 Containers shall be made available for disposal of refuse which may be discarded by customers and the lands and surrounding property shall be kept free of such refuse.

(By-law Number 2005-100; 2015-15)

Plumbing

6.9 All plumbing, drain pipes, water pipes and plumbing fixtures in every building and every connection line to the Sewerage System shall be Maintained in good working order and free from leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.

6.10 All waste pipes shall be connected to the Sewerage System through water seal traps.

(By-law Number 2005-100; 2015-15)

7. Additional Standards For All Designated Heritage Properties

Definitions

7.1 Despite any other provisions of this By-Law, in this Part, **"Maintenance"** means routine, cyclical, non-destructive actions necessary to slow the deterioration of a Designated Heritage Property including the following: periodical inspection; Property cleanup; gardening and repair of landscape features; replacement of broken glass in windows; minor exterior repairs, including replacement of individual asphalt shingles where there is little or no change in colour or design; repainting where there is little or no change in colour; re-pointing areas of wall space under 1.5 square metres; caulking and weatherproofing; and any other work defined as maintenance in a Designation By-Law, a Minister's Order made pursuant to Section 34.5 of the *Ontario Heritage Act,* R.S.O. 1990, c.0.18, as amended, or as otherwise defined in By-Law 2013-141, the Procedural By-Law for Heritage, as amended.

(By-law Number 2005-100; 2015-15)

General

7.2 In addition to the minimum Standards for the Maintenance and occupancy of Property set out elsewhere in this By-Law, the Owner or Occupant of Designated Heritage Property shall:

(a) Maintain, preserve, and protect the Heritage Attributes so as to Maintain the heritage character, visual, and structural integrity of any and all buildings, structures, or constructions located on the Property;

(b) Maintain the Property in a manner that will ensure the protection and preservation of the Heritage Attributes; and

(c) Comply with the provisions of By-Law 2013-141, the Procedural By-Law for Heritage, as amended, including obtaining a heritage permit, if required.

Every Person who contravenes any provision of this By-Law shall, upon issuance of a Penalty Notice in accordance with the Administrative Penalty Process By-Law 2020–69, be liable to pay to the City an Administrative Penalty as set out in Schedule B of the Administrative Penalty Process By-Law.

(By-law Number 2005-100; 2015-15; 2023-198)

Alterations to Designated Heritage Properties

7.3 Despite any other provision of this By-Law or the Building Code Act, 1992, S.O. 1992, c. 23 as amended, no Designated Heritage Property shall be altered except as Maintenance pursuant to this By-Law or pursuant to the approval requirements under the Ontario Heritage Act, R.S.O. 1990, c.0.18, as amended and By-Law 2013-141, the Procedural By-Law for Heritage, as amended.

If a Person is required to pay an Administrative Penalty under section 7.2 in respect of a contravention of this By-Law, the Person shall not be charged with an offence in respect of the same contravention.

(By-law Number 2005-100; 2015-15; 2023-198)

Repair of Heritage Attributes

7.4 Despite any other provision in this By-Law, where a Heritage Attribute of a Designated Heritage Property can be Repaired, the Heritage Attribute shall not be replaced and shall be Repaired:

(a) In a manner that minimizes damage to the Heritage Attribute based upon recognized national and international best practices;

(b) In a manner that Maintains the design, colour, texture, grain, or other distinctive feature of the Heritage Attribute;

(c) Using the same material as the original and in keeping with the design, colour, texture, grain, and any other distinctive features of the original; and

(d) Where the same types of material as the original are no longer available, City-approved alternative materials that replicate the design, colour, texture, grain, or other distinctive feature, and appearance of the original material may be used in accordance with By-Law 2013-141, the Procedural By-Law for Heritage, as amended.

In accordance with subsection 15.4.2 (2) of the Building Code Act, S.O. 1992, c. 23, if an Administrative Penalty imposed under this By-Law is not paid within 15 days after the day that it becomes due and payable, the treasurer of the City may add the Administrative Penalty to the tax roll for any property in the City of Kingston for which all of the registered owners are responsible for paying the Administrative Penalty, and collect it in the same manner as municipal taxes.

(By-law Number 2005-100; 2015-15; 2023-198)

Replacement of Heritage Attributes

7.5 Despite any other provision in this By-Law, where a Built Heritage Specialist determines that a Heritage Attribute of a Designated Heritage Property cannot be repaired the Heritage Attribute shall be replaced:

(a) Using the same types of material as the original;

(b) Where the same types of material as the original are no longer available, City-approved alternative materials that replicate the design, colour, texture, grain, or other distinctive features and appearance of the original material may be used, in accordance with By-Law 2013-141, the Procedural By-Law for Heritage, as amended;

(c) In such a manner as to replicate the design, colour, texture, grain, and other distinctive features and appearance of the Heritage Attribute; and

(d) The removal of the original material shall be documented by photographs, to-scale drawings, and/or any means identified by heritage staff.

(By-law Number 2005-100; 2015-15)

Clearing and Leveling of Designated Heritage Properties

7.6 Despite any other provision of this By-Law or the Building Code Act, 1992, S.O. 1992, c. 23 as amended, no building or structure located on Designated Heritage Property or on Listed Property may be altered, demolished, removed, or relocated except in accordance with the Ontario Heritage Act, R.S.O. 1990, c.0.18, as amended and By-Law 2013-141, the Procedural By-Law for Heritage, as amended.

(By-law Number 2005-100; 2015-15)

Vacant Designated Heritage Properties

7.7 Despite any other provision of this By-Law or the *Building Code Act*, 1992, S.O. 1992, c. 23 as amended, where a Designated Heritage Property is vacant, the Owner shall ensure that appropriate utilities serving the Property are connected, as required, in order to provide, Maintain, and to monitor proper heat and ventilation to prevent damage to the Heritage Attributes.

7.8 The Owner shall protect the Property against risk of fire, storm, inclement weather, neglect, intentional damage, or damage by other causes by effectively preventing entrance to it of all animals and unauthorized persons, and by closing and securing openings to any structures with boarding. The boarding shall be installed in such a way that minimizes damage to any Heritage Attribute, is

reversible, and minimizes visual impact.

7.9 If not already in place, an exterior lighting fixture shall be installed and/or Maintained in the front porch, veranda, or area adjacent to the front entrance of the building or structure, and must be activated by motion sensors, and shall maintain an average level of illumination of at least 50 lux at ground level.

(By-law Number 2005-100; 2015-15)

Conflict

7.10 If there is a conflict between this Part and any other provision of this By-Law or any other City By-Law, the provision that establishes the highest standard for the protection of Heritage Attributes shall prevail.

(By-law Number 2005-100; 2015-15)

8. Property Standards Order

8.1 An Officer who determines that a Property does not confirm with any of the Standards prescribed in this By-law may issue an order pursuant to Section 15.2 of the *Building Code Act*, 1992, S.O. 1992, c. 23 as amended.

8.2 In accordance with Section 15.4 of the *Building Code Act*, 1992, S.O. 1992, c. 23 as amended, if an order made pursuant to Section 8.1 of this By-law is not complied with in accordance with the order as deemed confirmed or as confirmed or modified by the Appeals Committee or a judge, the City may cause the Property to be Repaired or demolished accordingly.

8.3 The remedial work necessary to meet the requirements of this By-law may be undertaken by the City and the Owner will be responsible for the payment of the cost of such work, including an administrative fee as set out in By-law 2005-10, with the cost added to their municipal tax bill."

(By-law Number 2005-100; 2013-86; 2015-15)

9. Procedures

9.1 Administration and Enforcement shall be as provided in the *Building Code Act*, 1992, S.O. 1992, c. 23 as amended

9.2 After the date of passing of this By-Law, the Property Standards Committee, established under Section 5.12 of City of Kingston By-Law 7514 continues as the Appeals Committee, the terms and conditions of which are set out in City of Kingston Committee By-Law 2010-205, as amended from time to time.

9.3 In accordance with the provisions of Section 15.3 of the *Building Code Act*, 1992, S.O. 1992, c. 23 as amended, an Owner or

Occupant who has been served with an order made pursuant to Section 8.1 of this By-Law and who is not satisfied with the terms or conditions of the order may appeal to the Appeals Committee by sending a notice of appeal by registered mail together with the required administrative fee, as set out in By-Law 2005-10, within 14 days after being served with the order."

(By-law Number 2005-100; 2013-86; 2015-15)

10. Offence and Penalty Provisions

10.1 Any Property that does not meet the Standards set out in this By-Law shall be Repaired and Maintained to comply with the Standards of this By-Law.

10.2 Any Person who fails to comply with an order issued under this By-Law is guilty of an offence and upon conviction is subject to a penalty as provided by the *Building Code Act*, 1992, S.O. 1992, c. 23 as amended.

10.3 If this By-Law is contravened and a conviction entered, the Court in which the conviction was entered or any Court of competent jurisdiction may, in addition to any other remedy, and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

(By-law Number 2005-100; 2015-15)

11. Validity

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

11.2 Where a provision of this By-Law conflicts with the provision of another By-Law in force in the City, the provisions that establish the higher Standards to protect the health, safety and welfare of the general public prevails.

(By-law Number 2005-100; 2015-15)

12. Commencement

12.1 This By-Law shall come into force and take effect on the date of its passing.

12.2 After the date of passing of this By-Law, By-Law 8597 continues to apply to Properties in respect of which an order has been issued prior to the date of passing of this By-Law, and then only to

such properties until such time as the work required by such order has been completed or any enforcement proceedings in respect of such order, including demolition and Repair by the City, have been concluded."

(By-law Number 2005-100; 2015-15)