

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

BY-LAW NUMBER 2017-101

Being a by-law to Establish
Property Standards Within
the Township of Mapleton

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

AND WHEREAS the Official Plan for the Corporation Township of Mapleton includes provisions relating to property conditions;

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

AND WHEREAS Section 15.6(1) of the Building Code Act, S.O. 1992, c.23 requires that a By-law passed under Section 15.1(3) of the Building Code Act, S.O. 1992, c.23 shall provide for the establishment of a Property Standards Committee;

NOW THEREFORE the Council of the Corporation of the Township of Mapleton hereby enacts the following:

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PART 1 DEFINITIONS

1.01 In this By-law:

1. **“Accessory Building”** – means a detached building or structure, not used for human habitation that is subordinate to the primary use of the same property.
2. **“Act”** – means an enactment of statute of the Province of Ontario.
3. **“Approved”** – means acceptance by the Property Standards Officer.
4. **“Basement”** – shall mean that portion of a building between two floor levels, which is partly underground and which has at least one-half its height from the finished floor to the underside of the first floor joists above the average finished grade level adjacent to the exterior walls of the building.
5. **“Building”** – means any structure used or intended to be used for supporting or sheltering any use or occupancy.
6. **“Building Code”** – means the Building Code Act and any regulations made under that Act.
7. **“Chief Building Official”** – means the Chief Building Official appointed under Section 3 of the *Building Code Act, 1992 c.23* and having jurisdiction for the enforcement thereof.
8. **“Citation – Property Standard By-law”** - This Chapter may be cited as the “Property Standards By-law”.
9. **“Code”** - means a regulation of the Province of Ontario known;
 - a) with respect to matters relating to building, as the Building Code;
 - b) with respect to matters relating to electricity, as the Electrical Safety Code;
 - c) with respect to matters relating to fire, as the Fire Code;
 - d) with respect to matters relating to plumbing, as the Building Code Div. B Part 7.
10. **“Committee”** – means a Property Standards Committee established under this Chapter.
11. **“Council”** - shall mean the Council of the Corporation of the Township of Mapleton.
12. **“Dwelling”** - means a building, structure, mobile home or recreational vehicle with or without kitchen facilities or apart of such a building or structure, which is, or is intended to be used for the purpose of human habitation, and includes such a building, home or vehicle that would be or intended to be used for such purposes, except for its state of disrepair.

13. **“Dwelling Unit”** - means a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking, eating, sleeping, and sanitary facilities. Dwelling unit is two or more rooms used or designed to be used by one or more individuals as an independent or self-contained domestic unit or housekeeping establishment.
14. **“Exterior property area”** - means the building lot excluding buildings.
15. **“Fence”** - means any structure, wall or barrier, other than a building, erected at grade for the purpose of defining boundaries of property, separating open space, restricting ingress from property, providing security or protection to property or acting as a visual or acoustical screen.
16. **“First Storey”** - means that part of a building having a floor area closest to grade with a ceiling height of more than 1.8 metres (5.91 ft) above grade.
17. **“Ground cover”** - means organic or non-organic material applied to prevent soil erosion such as concrete, flagstone, gravel, asphalt, grass or other landscaping.
18. **“Guard”** – means a protective barrier installed around openings in floor areas or in the open sides of a stairway, a landing, a balcony, a mezzanine, a gallery, a raised walkway, and other locations as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through them.
19. **“Habitable room”** - means any room in a dwelling unit used or designed to be used for the purpose of living, sleeping, eating, cooking or preparation of food and without limiting the foregoing shall include den, library, sunroom or recreational room or any combination thereof.
20. **“Non-habitable space”** - means a bathroom, toilet room, water closet compartment, laundry, pantry, foyer, lobby, hall, corridor, stairway, passageway, closet, storage room, boiler room, furnace room, accessory space for service, maintenance or access within a building or a room or space which does not comply with the minimum standards for residential occupancy.
21. **“Non-Residential Property”** - means a building or structure or part of a building or structure not occupied in whole or in part for the purpose of human habitation, and includes the lands and premises appurtenant to and including all of the outbuildings, fences or erections thereon or therein.
22. **“Occupant”** - means any person or persons over the age of eighteen years in possession of the property.
23. **“Officer”** - means a Property Standards Officer who has been appointed by the Council the responsibility of administering and enforcing the provisions of this By-law.

24. **“Owner”** – includes the owner in trust, a mortgagee in possession, 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 his own account, or as agent or trustee of any other person, or who would receive the rent if the land and premises were left, and shall also include a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of property.
25. **“Person”** – means and includes any person, firm, partnership, corporation, company, association, or organization of any kind.
26. **“Property”** – means a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences, and erections thereon whether heretofore or hereafter erected and includes vacant property.
27. **“Repair”** – includes the provision of such facilities and the making of additions or alterations or the taking of such action as may be required so that the property shall conform to the standards established in this By-law.
28. **“Safe condition”** – means a condition that does not pose or constitute an undue or unreasonable hazard or risk to life, limb or health of any person on or about the property, and includes a structurally sound condition.
29. **“Sewage system”** – means the Township of Mapleton system of storm sewers, sanitary sewers and combined sewers or a private sewage disposal system approved by the Chief Building Official within the Corporation of the Township of Mapleton.
30. **“Sign”** – means any device or notice, including its structure and other component parts, which is used or capable of being used to identify, describe, illustrate, advertise or direct attention to any person, business, service, commodity or use.
31. **“Township”** – means the Corporation of the Township of Mapleton.
32. **“Vehicle”** – includes a motor vehicle, trailer, boat, motorized snow vehicle or other mechanical power-driven equipment.
33. **“Waste”** – means any debris, rubbish, refuse, sewage, effluent, discard, or garbage of any type arising from the residence, belonging to or associated with a house or use of a house or residential property and/or from industrial or commercial operations, or belonging to or associated with industry or commerce or industrial or commercial property, which for greater certainty includes all garbage, discarded material or things, broken or dismantled things, and materials or things exposed to the elements, deteriorating or decaying on a property due to exposure or the weather.

34. “Yard” – means the land other than the publicly owned land around or appurtenant to the whole or any part of a residential or non-residential property and used or capable of being used in connection with the property.

PART 2 GENERAL STANDARDS FOR ALL PROPERTY AND USES

2.01 SCOPE

1. No person, being the owner or occupant of a property, shall fail to maintain the property in conformity with the standards of the By-law.
2. The owner of any property which does not conform to the standards in this By-law shall repair and maintain the property to conform to the standards or shall clear the property of all buildings, structures, garbage, rubbish waste or accumulations of such materials that prevent access to or exit from the property in the case of emergency, or other safety or health hazard and shall leave the property in a graded and level condition.
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.
4. All new construction or extensive repairs shall conform to the Ontario Building Code, where applicable.
5. This By-law does not apply so as to prevent a farm, meeting the definition of “agricultural operation” under the Farming and Food Production Protection Act, 1998, S.O. 1998, c.1, from carrying out a normal farm practice as provided for and defined under that Act.

2.02 YARDS

Shall be kept clean and free of litter, rubbish, waste, salvage, refuse, decaying or damaged trees, branches and limbs, objects or conditions that might create a health, fire, accident hazard or unsightly condition.

1. Every property shall be kept free from garbage, rubbish, waste, or accumulation of such materials that prevent access to or exit from the property.
2. Without restricting the generality of this Section, such maintenance includes the removal of:
 - (a) rubbish, garbage, litter and waste.
 - (b) injurious insects, termites, rodents, vermin and other pests; and any condition which may promote an infestation.
 - (c) trees, bushes and hedges, including any branches or limbs thereof, which are dead, decayed or damaged, and brush.
 - (d) noxious weeds pursuant to the Weed Control Act and any excessive growth of other weeds, grass and bushes.
 - (e) wrecked, dismantled, inoperative, discarded or unlicensed vehicles, trailers, machinery or parts thereof, except in an establishment licensed or authorized to

- conduct salvage, wrecking or repair business and then only if such establishment conforms with any relevant By-laws, Chapters or statutes; and
- (f) dilapidated or collapsed buildings, structures or erections, and the filling in or protecting of any unprotected well.

2.03 OUTDOOR STORAGE OF MATERIALS – NO IMMEDIATE USE

1. No machinery or parts thereof, or other object, or material, not associated with the normal occupancy and use of a property, including among other things, appliances, fixtures, paper, cartons, boxes, or building materials such as lumber, masonry material or glass, other than that intended for immediate use on the property, shall be stored or allowed to remain in an exterior property area.

2.04 GARBAGE RECEPTACLES

Every building shall be provided with sufficient proper receptacles to contain all garbage, ashes or waste, which accumulates on the property and such materials, shall be placed for collection in proper receptacles in compliance with applicable laws and by-laws and not allowed to accumulate for longer than fourteen (14) days.

1. Receptacles for garbage shall be:
 - a) made of watertight construction,
 - b) provided with a tight fitting cover, which may be removed only when the receptacle is empty or is being actively loaded,
 - c) maintained in good condition without holes or spillage; and
 - d) closed, or emptied, rinsed and cleaned when not in use, to prevent the escape of offensive odour or waste.

2.05 UNENCLOSED PORCH – BALCONY

1. Every unenclosed porch or unenclosed balcony, and every exterior and common area shall be kept free of garbage, waste, or appliances.

2.06 GRASS – TREES – BUSHES – HEDGES – LANDSCAPING

1. Grass, trees, bushes, hedges and other landscaping, shall be maintained to prevent an unsightly or unreasonable overgrowth in relation to the neighbouring environment.
2. Grass, trees, bushes, hedges and other landscaping, non-organic ground cover and site facilities shall be provided and maintained in living condition or a safe condition.

2.07 LOT GRADING – DRAINAGE

1. All yards shall be provided and maintained with adequate surface water drainage, including suitable provisions for its disposal, without causing erosion, so as to prevent ponding or the entrance of water into a basement or crawlspace.
2. No roof, sump pump, driveways or other surface drainage, and the drainage of water from swimming pools shall be discharged on an entranceway, walkway, sidewalk, stair, steps or adjacent property, or on to any highway or public roadway in such a manner that it will penetrate or damage a building, structure or property.
3. Every roof drainage system shall be discharged onto the ground at least 1 metre (3.94 inches) from the building or structure, providing that it does not adversely affect adjacent properties, or cause erosion. Lot drainage shall be contained within the limits of the premises from which it originated until absorbed by the soils or drained to an approved swale or ditch.
4. No fill shall be allowed to remain in an unleveled state on any property for longer than fourteen (14) days, unless the property is a construction site for which a building permit is in effect.
5. No fill shall be left in an uncovered state (not covered by sod, seed or agricultural crop) on any property for longer than thirty (30) days unless the property is:
 - a) a construction site for which a building permit is in effect,
 - b) a property being subdivided under subdivision agreement with the Corporation of the Township of Mapleton, or
 - c) a property being actively farmed.

2.08 WALKWAYS AND DRIVEWAYS

1. Surface conditions of walkways, driveways and yards shall be installed and maintained in a safe condition with non-organic ground cover so as to:
 - a) prevent ponding of storm water,
 - b) not exhibit an unsightly appearance,
 - c) be kept free of garbage and waste,
 - d) be kept free of deep ruts and holes,
 - e) provide for the safe passage under normal use and weather conditions, day or night, and not to create a nuisance to other property.

2.09 PARKING LOTS

1. Parking lots, driveways and other similar public access areas of a yard shall be maintained so as to afford safe passage under normal use and weather conditions and be free from health and other hazards.
2. Parking lots, driveways and other similar public access areas of a yard shall be kept clean and free of litter, rubbish, waste, salvage, refuse, decaying or damaged trees, branches and limbs, objects or conditions that might create a health, fire, accident hazard or unsightly condition.

2.10 SNOW DISPOSAL – STORAGE

1. A property owner shall cause any snow storage site on that property to be maintained in such a manner and location on that property so as to prevent a hazard, flooding, erosion, and other damage to neighbouring private or public lands.

2.11 EXTERIOR LIGHTING

1. Every stairway, exterior exit and entrance doorway, cellar, basement entrance or building entrance shall have a permanently installed lighting fixture that shall be maintained in good working order.

2.12 RETAINING WALL

1. All retaining walls, screen walls and ornamental walls shall be constructed of durable material and shall be maintained in a structurally sound condition.

2.13 WELLS – CISTERN – CESSPOOL – PRIVY VAULT – PIT OR EXCAVATION

1. A well, cistern, cesspool, privy vault, pit or excavation shall be permanently sealed or secured by a fence, cover or netting, unless it is in active use, in which event it shall be secured by fencing with warning signs until the use has ceased, where upon they shall be sealed or secured as required above.

2.14 ACCESSORY BUILDINGS

1. The foundations, walls, roofs and all parts of accessory buildings and other structures appurtenant to the main building shall be:
 - a) constructed with suitable materials,
 - b) maintained in good repair,
 - c) protected for deterioration by the application of paint or other suitable protective materials.

2.15 FENCE

1. A fence erected on a property or separating adjoining properties shall be maintained:
 - a) in good repair, free from loose or insufficiently secured, rotten, warped or broken materials;
 - b) in a safe and structurally sound condition so as to be capable of sustaining safely, its own weight together with any load to which it might reasonably be subjected to,
 - c) shall be free of dangerous objects, and
 - d) reasonably plumb, unless specifically designed to be other than vertical.

2.16 SIGNS

1. A sign and any structure connected therewith shall be installed and maintained:
 - a) in good repair without any visible deterioration when viewed from any property other than the property on which the sign is situated,
 - b) in a safe and structurally sound condition, and
 - c) in a reasonably vertical plane unless otherwise approved by the Chief Building Official of the Corporation of the Township of Mapleton. An unused or discarded sign shall be removed from the property.

PART 3 EXTERIOR PROPERTY AREAS

3.01 STRUCTURAL ADEQUACY – CAPACITY

1. All repairs and maintenance of property required by the standards prescribed in this By-law shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose.
2. Every part of a property shall be maintained in good repair and in a structurally sound condition so as:
 - a) to be capable of sustaining safely its own weight, and any additional load to which it may normally be subjected to,
 - b) to be capable of safely accommodating all normal structural movements without damage, decay or deformation,
 - c) to prevent the entry of moisture that would contribute to damage, fungus growth, decay or deterioration, and
 - d) to be capable of safely and adequately performing its function subject to all reasonable serviceability requirements.

3. 02 FOUNDATION WALLS - BASEMENTS

1. All foundation walls and the basement, cellar, or crawl space floors shall be maintained in good repair and structurally sound.
2. Every basement, cellar and crawl space in a property shall be maintained in a reasonably watertight condition so as to prevent the leakage of water into the building.

3.03 EXTERIOR WALLS – SURFACES – CLADDING – MASONRY

All exterior walls and surfaces of every building or structure shall be sound, plumb, and weather-tight, free from loose or unsecured objects and maintained in good repair:

1. In good repair free from cracked or broken masonry units, defective or deteriorated wood or metal siding or trim, cracked, broken or loose stucco, lose or unsecured objects; and
2. Shall be so maintained by the painting, restoring or repairing of the walls, coping or flashing, by the waterproofing of joints and the walls themselves, by the installation of or repairing of weather-tight finishing, or the installation of termite shields, if required.
3. All exterior surfaces that have previously been covered with paint or other protective or decorative materials shall be maintained in good repair and the covering renewed when it becomes damaged or deteriorated.
4. Every part of a building including the exterior shall be maintained in a structurally sound condition and so as to be capable of sustaining safely its own weight and any additional weight that may be put on it through normal use.

3.04 DOORS – WINDOWS – CELLAR HATCHWAYS

1. Windows, skylights, exterior doors and frames, basement or cellar hatchways, attic access doors including storm and screen doors and storm windows shall be maintained in good working order, good repair, in a safe condition and shall be of such construction so as to prevent the entrance of wind, snow, or rain into the building and to minimize heat loss through infiltration.
2. At least one entrance door in every dwelling unit shall have hardware so as to be capable of being locked from the inside and outside the dwelling unit.
3. All windows capable of being opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise secured from the inside.
4. All windows capable of being opened shall be equipped with a screen to prevent the passage of insects and the screen shall be maintained in a good condition.

3.05 CANOPIES – MARQUEES – AWNINGS

1. All canopies, marquees and awnings shall be properly anchored so as to be kept in safe and sound condition and shall be protected from decay and rust by a periodic application of weather-coating material.

3.06 ROOFS

1. Every roof and all of its components shall be maintained in good repair and in a safe and structurally sound condition.
2. Without restricting the generality of this section, such maintenance includes;
 - a) removal of loose, unsecured or rusted objects or materials,
 - b) removal of dangerous accumulations of snow or ice,
 - c) keeping roofs and chimneys in water-tight condition so as to prevent leakage of water into the building, and
 - d) keeping all roof related structures plumb unless specifically designed to be other than vertical.

3.07 EAVESTROUGH SYSTEM – METAL DUCT – FLASHING

1. Eavestrough, roof gutter, rain water pipe, downspout, flashing and all exterior ducts shall be properly secured from loose or unsecured objects, free from obstructions and health hazards, weather-tight, free of holes and maintained in good repair.
2. Every roof drainage system shall be discharged onto the ground at least 1 metre (39.4inches) from the building or structure, when it is physically possible to do so, providing that it does not adversely affect adjacent properties or cause erosion.

3.08 CHIMNEY FLUES

1. Chimney, vent pipes, smoke stacks, flues, ducts and other similar equipment shall be constructed, installed and maintained free from obstruction and shall prevent:
 - a) the entrance of smoke or gases into a building,
 - b) the heating of adjacent combustible materials, wall and structural members to unsafe temperature, and
 - c) fire, health or other hazards.
2. Any fuel burning heating equipment used in a building shall be properly vented to the exterior by means of an approved smoke pipe, vent pipe, or chimney.

3.10 GARAGE – CARPORT

1. The construction between an attached or built-in garage or carport and a dwelling unit shall provide an effective barrier to gas and exhaust fumes.

2. A door between an attached or built-in garage and a dwelling unit shall be tight-fitting and weather-stripped to provide an effective barrier against the passage of gases and exhaust fumes and shall be fitted with a self-closing device.
3. Garages and carports, including floors, shall be maintained in good repair and free from hazards.

PART 4 INTERIOR OF BUILDINGS, STRUCTURES AND DWELLINGS

4.01 INTERIOR STRUCTURE – COLUMNS – BEAMS

1. In every building, all structural components, including but not limited to all joists, beams, studding and roof rafters, shall be of sound material and adequate for the load to which they are subjected.

4.02 WALLS – CEILINGS

1. Every interior surface and finishes of walls and ceilings shall be maintained:
 - a) in good repair, a surface which is reasonably smooth, clean, tight and easily cleaned,
 - b) free of holes, cracks, loose plaster or other material,
 - c) in a safe condition; and
 - d) so as to possess the fire-resistant properties required by the Building and Fire Codes.

4.03 FLOORS

1. Every floor shall be smooth and level and maintained so as to be free of all loose, warped, protruding, broken or rotten boards that may create an unsafe condition or surface. Such defective floors shall be repaired or replaced.
2. Where a floor covering has become worn or torn so that it retains dirt or may create an unsafe condition, the floor covering shall be repaired or replaced.
3. Every bathroom, kitchen, laundry and shower room shall have a floor covering of water resistant material and be capable of being cleaned.

4.04 STAIRS – HANDRAILS – GUARDS

1. Every inside or outside stair and every porch or landing appurtenant to it shall be maintained so as to be free of holes, cracks and other defects which constitute accident hazards.
2. All handrails and balustrades, stairways, fire escapes, balconies, landings and porches and similar appurtenances shall be maintained in good repair:
 - a) so as to be free of holes and other defects which may constitute accident hazards,
 - b) shall be properly anchored so as to be kept in a safe and secured condition,

- c) shall be structurally sound and capable of supporting the loads imposed through their normal use; and
3. Handrails shall be installed and maintained in good repair on all exterior stairs that have more than three (3) risers and on all interior stairs within dwelling units that have more than 2 risers.
 4. Required guards shall be installed and maintained in good repair on all balconies, porches, landings, mezzanines, decks and appurtenances with the requirements of the Building Code.

4.05 ELEVATORS

1. Elevating devices in a building, including all parts, lighting fixtures, lamps, elevator buttons, floor indicators and ventilation fans shall be maintained in good repair and operational.
2. All elevating devices including elevators, dumb-waiters, hoists, escalators, incline lifts and other elevating devices shall be installed and maintained:
 - a) in good working order and good repair; and
 - b) in a safe condition.

4.06 MEANS OF EGRESS

1. Every building, structure or dwelling unit shall have a safe, continuous and unobstructed passage from the interior to an exit or the outside of the building at street or grade level.
2. Exterior stairs and fire escapes shall be maintained in a safe state of repair and kept free of ice and snow.
3. The passage required as egress from one dwelling unit shall not pass through any other dwelling unit.
4. In every multi-residential dwelling where a security locking-and-release system has been provided in the front or rear lobby for the entrance into the multiple dwelling and that system is controlled from each dwelling unit, such system shall be maintained in good repair and in operating condition.
5. Where a non-residential building contains dwelling units located at other than grade level, there shall be a secondary means of continuous and unobstructed egress from such dwellings.
6. All means of egress within a non-residential property shall be maintained free from all obstructions or impediments;
 - a) provided with clear, unobstructed and readily visible exit signs, for every required exit; and

- b) provided with lighting facilities capable of illuminating the means of egress to ensure the safe passage of persons exiting the building.

4.07 HEATING

1. Every residential dwelling shall have a heating system capable of maintain a temperature of 21` Celsius (71` Fahrenheit).
2. It is the responsibility of the owner that all heating and mechanical systems, and their components be installed, operational and maintained in good working order.
3. No rental residential dwelling unit shall be equipped with portable heating equipment as the primary source of heat.
4. Solid fuel burning appliances shall conform to the standards as set out in the Building Code. Fireplaces and similar construction used or capable of being used for burning fuels in open fires shall be connected to approved chimneys and shall be installed so as not to create a fire hazard to nearby or adjacent combustible materials and structural members.
5. If heating equipment burns solid or liquid fuel, a storage place or receptacle for the fuel shall be provided in a safe place and maintained in a safe condition.
6. Fuel-burning equipment shall be vented to a flue by means of rigid connections leading to a chimney or a vent or flue. All flues shall be kept clear of obstructions.
7. Every chimney, smoke pipe and flue shall be maintained so as to prevent gas from leaking into the building.

4.08 ELECTRICAL

1. Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system. An adequate supply of electrical power shall be available in all occupied areas of every dwelling, suite and building.
2. The connection to the building and the system of circuits and outlets distributing the electrical supply within the building shall provide adequate capacity for the use of the building and such connections, circuits, wiring and outlets along with any fuses, circuit breakers and other appurtenances thereto shall be installed and maintained in good working order.
3. Extension cords are not permitted on a permanent basis.

4.09 VENTILATION

1. Ventilation shall be provided to, maintained and operated in all rooms and spaces within a building so as to prevent accumulations of heat, dust, fumes, gases, including carbon monoxide, vapours and other contaminants which may create a fire, explosion, toxic hazard or health hazard.
2. Every ventilation system shall be cleaned and maintained in good working condition and good repair.
4. When an exterior opening is used or required for ventilation and is not required to be protected by a door, window or similar closure, it shall be protected with screens.
4. An opening for natural ventilation may be omitted from a bathroom or toilet room where a system of mechanical ventilation has been provided.
5. Every basement, cellar, unheated crawl space and attic shall be vented and such vents shall be designed and maintained to prevent entry of snow, rain, rodents and insects.

4.10 LIGHTING

1. Every stairway, exterior exit and entrance doorway, bathroom, toilet room, kitchen, hall, cellar, basement, laundry, furnace room and non-habitable work room in a suite, dwelling unit or building shall have a permanently installed lighting fixture that shall be maintained in a safe condition and in good working order.
2. Lighting equipment shall be installed throughout every property to provide adequate illumination for the use of each space so as to provide safe passage.

4.11 PLUMBING

1. All plumbing, waste and vent pipes, water pipes and plumbing fixtures in every building;
 - a) shall be connected to a sewage system through water seal traps,
 - b) shall be maintained in good working order and good repair free from leaks and defects, and
 - c) shall be maintained in a safe condition protected from freezing.
2. Plumbing systems on a property shall be provided, installed and maintained in compliance with the respective requirements of any applicable Act or the Building Code.

4.12 WATER SUPPLY

1. Every dwelling and every building to which water supply is required, potable supply shall be provided through pressurized piping where;
 - a) an adequate hot water supply capable of being delivered to the fixtures at a maximum 49°C Celsius;

- b) the piping for hot and cold water is connected to every kitchen fixture, every washbasin, bathtub, shower, sink and laundry area; and
- c) the piping for cold water is connected to every water closet and hose bib.

4.13 SEWAGE SYSTEM

1. Every plumbing fixture in every building shall discharge the water, liquid or sewage into drainage piping, which shall be connected to a municipal sewage system, or a private sewage system approved by the authority having jurisdiction and in accordance with all applicable law.
2. Sewage or organic waste shall not be discharged to the surface of the ground, but into a sewage system where such system exists. Where a sewage system does not exist, sewage or organic waste shall be disposed of in a manner according to the Ontario Building Code.
3. The land in the vicinity of a sewage system shall be maintained in a condition that will not cause damage to, or impair the functioning of the sewage system.

4.14 VERMIN CONTROL

1. Every property shall be maintained so as to be free from vermin and conditions that may promote an infestation at all times.

PART 5 ADDITIONAL REQUIREMENTS FOR RESIDENTIAL OCCUPANCY

5.01 OCCUPANCY STANDARDS

1. A non-habitable room shall not be used as a habitable room.
2. No kitchen shall be used as a bedroom.
3. No basement or portion thereof shall be used as a dwelling unit, unless it meets the following requirements:
 - a) access to each habitable room shall be gained without passage through a furnace room, boiler room or storage room;
 - b) each habitable room shall comply with all requirements for ingress, egress, light, ventilation and ceiling height set out in this By-law; and
 - c) floors and foundation walls are constructed so as to be impervious to leakage of underground or surface run-off water.

5.02 TOILET AND BATHROOM FACILITIES

1. Every dwelling unit shall contain plumbing fixtures in good repair and in an operative condition, consisting of a minimum of one toilet, one sink, and one bathtub or shower.

2. All bathrooms and toilet rooms shall be located within and accessible from within the dwelling unit.
3. All bathroom and toilet rooms shall be fully enclosed and maintained so as to provide privacy for the occupant.
4. No toilet or urinal shall be located within a bedroom or a room that is used for the preparation, cooking, storing or consumption of food.

PART 6 NON-RESIDENTIAL PROPERTY STANDARDS

6.01 YARDS

1. Every owner and every occupant in that part of non-residential property that is occupied or controlled by the occupant, shall maintain to the standards as described in Part 2 of this By-law and:
 - a) in a sanitary and safe condition, free from litter, refuse and waste including such litter and refuse as may be left by customers or other members of the general public and shall provide containers for the disposal of such litter or refuse;
 - b) free from objects or conditions which are health, fire or safety hazards; and
 - c) free from rodents, insects or vermin.
2. The warehousing or storage of material or operative equipment that is required for the continuing operation of the industrial or commercial aspect of the property shall be maintained in a neat and orderly fashion so as to not create a fire or accident hazard or any unsightly condition and shall provide unobstructed access for emergency vehicles.

6.02 MEANS OF EGRESS

1. All means of egress within a non-residential property shall be;
 - a) maintained free from all obstructions or impediments;
 - b) provided with clear, unobstructed and readily visible exit signs, for every required exit; and
 - c) provided with lighting facilities capable of illuminating the means of egress to ensure the safe passage of persons exiting the building.

6.03 GUARDRAILS

1. A guard shall be installed and maintained in good repair on the open side of any stairway or ramp containing three (3) or more risers including the landing or a height of 600 mm. (24 inches) between adjacent levels. A handrail shall be installed and maintained in good repair in all stairwells. Guardrails shall be installed and maintained in good repair around all landings, porches, balconies and mezzanines.

6.04 SEPARATIONS

1. Every dwelling unit shall be maintained and protected so as to prevent the passage of noxious fumes and gases from a part of the building that is not used for human habitation into other parts of the dwelling unit.

6.05 VENTILATION

1. All non-residential properties shall be adequately ventilated by natural or mechanical means and with regard to the operations carried on therein, to ensure that persons within the property are not exposed to conditions detrimental to their health or safety.
2. Mechanical ventilating equipment and its supports shall be maintained in good repair and in safe mechanical condition.

6.06 LIGHTING

1. All non-residential establishments shall install and maintain sufficient windows, skylights, and light fixtures necessary for the safety of all persons attending the premises.

PART 7 VACANT – DAMAGED – DEMOLITION

7.01 VACANT LAND

1. Vacant land shall be maintained to the standards as described in Part 2, of this By-law.
2. Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent ponding of water.

7.02 VACANT BUILDING

1. If any building is unoccupied, the owner or the agent shall protect every such building against the risk of fire, accident, or other hazard and shall effectively prevent the entrance thereto of all unauthorized persons.
2. The owner or agent of a vacant building shall board up the building to the satisfaction of the Property Standards Officer by covering all openings through which entry may be obtained with at least 12.7 mm. (0.5 inches) weatherproof sheet plywood securely fastened to the building and painted a colour compatible with the surrounding walls.
3. If a building remains vacant for a period of more than **ninety (90) days**, the owner or agent thereof shall ensure that all utilities serving the building are properly disconnected or otherwise and secure the building to prevent accidental or malicious damage to the building or adjacent property, but this provision shall not apply where such utilities are necessary for the safety or security of the building.

7.03 DAMAGE BY FIRE – STORM - OTHER CAUSES

1. In the event of fire or explosion, damaged or partially burned material shall be removed from the premises, except that such material may be temporarily stored within the barricaded, damaged building or structure, provided that such storage does not exceed ninety (90) days duration.
2. Fire damaged buildings or portions thereof, with proper documentation; shall be repaired to their original condition or shall be demolished accordingly.

7.04 DEMOLISH BUILDING

1. Where a building, accessory building, fence or other structure is being demolished, the property shall be cleared of all rubbish, waste, refuse, masonry, lumber, wood and other materials and left in a graded condition.
2. Where a building, accessory building, fence or other structure is being demolished, every precaution shall be taken to protect the adjoining property and members of the public. The precautions to be taken include the erection of fences, barricades, covered walkways for pedestrians and any other means of protection necessary for the protection of the adjoining property and members of the public.

PART 8 ADMINISTRATION AND ENFORCEMENT

8.01 This By-law shall apply to all property within the limits of the Township of Mapleton.

8.02 The imperial measurements contained in this By-law are given for reference only.

8.03 NON-COMPLIANCE

1. The owner of any property which does not conform to the standards as set out in this By-law shall repair and /or maintain said property to comply with the standards or the property shall be cleared of all buildings, structures, waste or refuse and left in a leveled and graded condition.
2. Where any person fails to comply with an order issued, the Township of Mapleton may cause the required work to be done at the cost of the person. The cost of such work may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes as a priority lien.

8.04 ORDERS

1. Every Officer who finds that a property does not conform with any of the standards prescribed in this By-law, may make an order pursuant to the provisions of Section 15 of the Building Code Act.

2. An owner or occupant who has been served with an order made under subsection 15.2(2) and who is not satisfied with the terms or conditions of the order may appeal to the committee by sending a notice of appeal by registered mail to the secretary of the committee within 14 days after being served with the order.
3. Every order shall be deemed confirmed where an appeal has not been filed within the prescribed period.
4. Every person to whom an order is issued shall, where the order has been confirmed, comply with the requirements and/or conditions of the order by the prescribed date.
5. Failure to comply with the requirements of an order shall constitute an offence pursuant to *section 36 of the Building Code Act, S.O. 1992, c.23, as amended*.
6. Where an owner fails to comply with the conditions of an order within the prescribed time period, the Township and its agents may enter upon the property and take the actions necessary for compliance with the order.
7. All costs incurred by the Municipality under Clause (6), may be recovered as taxes upon the property.

8.05 OFFICERS

1. The Council of the Township of Mapleton shall appoint a Property Standards Officer(s) responsible for the administration and enforcement of this by-law.

8.06 APPEAL OF THE ORDER

1. Each person who initiates an appeal of an Order made under Section 15.2(2) of *The Ontario Building Code Act, R.S.O. 1992, c23*, shall submit a Notice of Appeal in the time frame and the manner as prescribed in section 15.3(1) of the *Act*.

8.07 CONFLICTS – BY-LAWS – STANDARDS – REGULATIONS

1. Where a provision of the Chapter conflicts with the provisions of another By-law, Act or Regulation in force within the Township, the provision, which establishes the higher standards to protect the health, safety and welfare of the occupants and the general public, shall prevail.

8.08 VALIDITY

1. If any provision or article of this by-law is for any reason found to be invalid by a court of competent jurisdiction, the provision or article found to be invalid shall be severed from the Chapter and the remaining provision or article shall remain in effect until repealed.

8.09 PENALTY

1. Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the Provincial Offences Act.

8.10 SEVERABILITY

1. It is hereby declared that each and every of the forgoing provisions of this By-law is severable and that, if any provisions of this By-law should, for any reason, be declared invalid by any Court, it is the intention and desire of this Council that each and every of the then remaining provisions hereof shall remain in full force and effect.

8.11 TRANSITIONAL RULES

1. After the date of the passing of this By-law, By-law No. 2002-23 as amended, shall apply only to those properties in which an Order to Comply 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 with respect to such Order, including any demolition, clearance, or repair carried out by the township shall have been concluded.

8.12 TITLE

NOW THEREFORE the Council of the Township of Mapleton enacts as follows;

1. This By-law may be referred to as "The Property Standards By-law".
2. That Schedule A attached to this by-law shall be the Terms of Reference

8.13 APPROVAL OF NEW BY-LAW


1. That this by-law shall come into force and takes effect on the date of its final passing.

8.14 REPEALING OF OLD BY-LAW

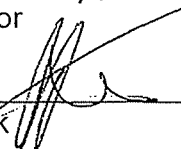
1. That By-law No. 2002-23 is hereby repealed.

By-law Number 2017-101
Property Standards

Read a first and second time this 10th day of October 2017.

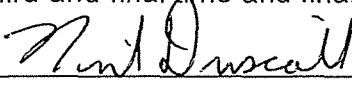


Mayor

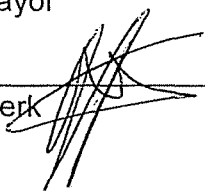


Clerk

Read a third and final time and finally passed this 24th day of October 2017.



Mayor



Clerk

SCHEDULE A

Property Standards Appeal Committee

Terms of Reference

1. MANDATE

- 1.1 The Township of Mapleton Property Standards Appeal Committee (the "Committee") has full delegation of the authority in the Building Code Act (BCA) and the Municipal Act to hear appeals from property owners/occupants who have been served with a Property Standards Order to which they have taken issue with such Order. (Section 15.3(1) BCA)
- 1.2 The Committee shall:
 - a) Hear evidence presented by the Property Standards Officer, the Owner/Occupant of the property, as well as any additional witnesses, having evidence relating to the case.
 - b) Review each appeal on an individual basis. Decision will not be precedent setting.
- 1.3 The Committee may:
 - a) Confirm, modify or rescind the Order to repair or demolish; or
 - b) Extend the time for complying with the Order.

2. REPORTING & FUNCTIONAL RELATIONSHIPS

- 2.1 The Property Standards Officer and/or By-law Enforcement Officer, Chief Building Official, Fire Chief and/or Clerk will act as the staff resource persons for the Committee.

3. COMMITTEE MEMBERSHIP

- 3.1 The Committee shall consist of a minimum of 3 and maximum of 5 public citizens appointed by the Council of the Township of Mapleton.
- 3.2 Three (3) members shall constitute a quorum. Section 1 of "Schedule A1", Rules of Procedure, shall apply if no quorum is present.
- 3.3 Committee members must have the ability to understand and apply the provisions of the Municipal Property Standards By-law and must remain impartial with respect to their ability to fulfill their responsibilities.
- 3.4 The members of the committee shall be paid in accordance with Section 15.6(3) of the BCA.
- 3.5 The Term of the Committee is four years, corresponding with the Term of Council.
- 3.6 A Chair shall be elected by the Committee members and will serve for a one year term. In the absence of the Chair an Acting Chair will be appointed. The Chair will ensure that decorum is maintained at each meeting and that "Schedule A1", Rules of Procedure is observed at all times.

4. VACANCIES

- 4.1 Where a vacancy occurs for any reason, Council shall by resolution fill any vacancy that occurs as per Subsection 15.6(2) BCA.

5. MEETING STRUCTURE

- 5.1 An owner or occupant who has been served with an Order made under Subsection 15.2(2) of the BCA, and who is not satisfied with the terms or conditions of the Order may appeal to the committee by sending a written request via registered mail or in person to the Committee Secretary to begin the appeal process. Appellants have 14 days from the date of service to appeal a Property Standards Order as per Section 15.3 (1) of the BCA.
- 5.2 The Committee will be called to order as required. The date and time of the meetings will be coordinated by the Committee Secretary and communicated directly to the committee members.
- 5.3 The Committee Secretary will be provided for by the Township of Mapleton. An agenda shall be prepared for each Committee meeting and the minutes of each meeting shall outline the general deliberations and specific decisions and actions that result.
- 5.4 The Committee shall provide its decision in writing to all parties.
- 5.5 The Township in which the property is situated or any owner or occupant or person affected by a decision under subsection 15.3(1) of the Building Code Act may appeal the decision of the Committee to the Superior Court of Justice by notifying the clerk of the township in writing and by applying to the court within 14 days after a copy of the decision is sent, Subsection 15.3 (4) of the BCA.

6. MEETING DATES

- 6.1 Appeals are to be held, at a maximum, every three months with the dates to be established at the beginning of the calendar year. This time frame may be altered through the Chair, from time to time based on the need.

7. FAILURE TO ATTEND BY APPELLANT

- 7.1 Where an appellant is properly notified of a hearing or appeal and does not attend at the time and place appointed, the Committee shall determine that the appellant has deemed "not to dispute" the Order and the Committee shall confirm the Order(s) as written, with the appellant being notified of the Committee's decision after the appeal hearing.

8. PUBLIC ACCESS

- 8.1 All appeal hearings shall be fully accessible to the general public and the appeal agenda shall be available at the Clerk's Office the day the Committee members receive their agendas. The Committee shall render its decision on the matter in the presence of the public, the appellant, staff and other interested parties.

9. APPEAL FORMAT

- 9.1 The Chair will explain the role of the Committee and the format of the appeal.
- 9.2 The Property Standards Officer and/or, any additional witnesses acting on behalf of the Township shall present their testimony to the Committee. Should there be a need to clarify information provided through testimony, the Committee may question the Property Standards Officer or the additional witnesses who were acting on behalf of the Township.
- 9.3 At the conclusion of the Committees question period, the appellant may then have an opportunity to question the Property Standards Officer strictly on the information provided through testimony. This is only an opportunity for questions from the appellant, and not for providing statements to the Committee. This process may continue for each witness that will give testimony on behalf of the Township.
- 9.4 The appellant shall then present their testimony to the Committee. Should there be a need for clarification concerning the appellant testimony, the Committee may then question the Appellant.
- 9.5 At the conclusion of the Committee question period, the Property Standards Officer may have the opportunity to question the appellant strictly of the information provided through the appellants testimony. This process may continue for each witness that will give testimony on behalf of the appellant.
- 9.6 At the conclusion of all questioning and presenting testimony, the Committee shall deliberate. Township staff and the appellant will remain present to answer any additional questions raised by any member that requires clarification.
- 9.7 The Chair shall orally notify the appellant of the Committee's decision with regard to the appeal. The Chair shall also notify the appellant that the Committee's decision will be provided to them in writing.
- 9.8 The Chair shall advise any individual or Township staff of further procedural methods under Section 15.3 of the BCA, Appeal to the Court, should there be a disagreement with the Committees findings.

10. EFFECT OF DECISIONS

- 10.1 An order that is deemed to be confirmed under Section 15.3, subsection (2) or that is confirmed or modified by the committee under subsection (3.1), or a judge under subsection (6) as the case may be, shall be final and binding upon the owner and occupant who shall carry out the repair or demolition within the time and in the manner specified in the order.

11. GENERAL

- 11.1 The Committee may, subject to Subsection (9) of *The Building Code Act R.S.O. 1992*, adopt policies and procedures for its operation and any member may administer oaths.

SCHEDULE "A1" - RULES OF PROCEDURES

A. QUORUM

- A.1 A majority of members constitutes a quorum for transacting the committee's business as per Section 15.6(5) BCA
- A.2 If a quorum is not present within 15 minutes after the time appointed for a meeting, the Committee Secretary shall record the names of the members present and the meeting shall stand adjourned until the next meeting is scheduled.
- A.3 Committee members are encouraged to notify the Committee Secretary when the Member is aware that he/she will be absent from any meeting of the Committee.

B. MEETINGS OPEN TO THE PUBLIC

- B.1 All proceedings of the Committee shall be open to the public.

C. CONDUCT OF WITNESSES, APPELLANTS, DELEGATIONS, OR INDIVIDUALS MAKING PRESENTATIONS

- C.1 Witnesses, Appellants, or Individuals making presentation shall:
 - a) speak in a respectful manner to all parties
 - b) refrain from using offensive or derogatory comments
 - c) address only the issue for which they have been asked to comment or respond to by the Chair
 - d) obey the decision of the Chair or Committee
 - e) refrain from entering into a cross debate with other individuals present
- C.2 Every member, appellant, witness, delegate and individual must govern their own behaviour (self-discipline) in accordance with the provisions of these Rules of Procedures. The Chair has a special role to enforce the conduct with the support of the Committee.
- C.3 The owner, occupant or persons affected by the Order desiring to present an appeal to the Committee shall give notice, to the Committee Secretary, in person or by sending registered mail within 14 days after service of the Order with regard to Property Standard Order. Section 15.3(1)
- C.4 Notwithstanding Section C.3 of this document, individuals wishing to provide information pertinent to the appeal, shall advise the Committee Secretary prior to the commencement of the appeal. The Committee Secretary shall advise the Committee Chair, at which time, only with the permission of the Committee, may individuals offer such information.
- C.5 The Chair may limit the number of individuals speaking if he/she believes that the information being provided has already been presented to the Committee or the

individual does not have firsthand knowledge of the matter or incident that is being heard by the Committee.

- C.6 Notwithstanding Section C.5 of this document, an individual, other than a Property Standards Officer, the owner, the occupant or a witness, shall be limited to a speaking time of not more than 10 minutes.

D. RULES OF CONDUCT & DEBATE

It shall be the duty of the Chair to:

- D.1 call the Meeting to order;
- D.2 ensure that a quorum is established and is maintained throughout the course of the Meeting;
- D.3 The Chair shall ask each side to summarize their respective positions, starting with the Property Standards Officer.
- D.4 put to a vote all motions that arise in the course of the proceedings and announce the result of each vote;
- D.5 decline to put to vote motions that infringe upon the rules under this by- law;
- D.6 uphold on all occasions the rules and the observance of order and decorum amongst the Members and attendees in accordance with this by-law;
- D.7 rule on Points of Privilege and Points of Order and decide all questions relating to the orderly procedure of the Meeting;
- D.8 adjourn the Meeting without question or suspend the Meeting to a time to be named by the Chair, if considered necessary because of grave disorder;
- D.9 adjourn the Meeting at the earlier of when the business is concluded, or at the designated time.

A Member shall not:

- D.10 disobey the rules of procedure;
- D.11 disturb the other members by any disruptive or distracting conduct, including private conversations or electronic communications among Members during a Meeting;
- D.12 display any behaviour which may be considered disruptive, inconsiderate or disrespectful, or use profane or offensive words or insulting expressions;
- D.13 leave their seat or make any noise or disturbance while a vote is being taken;

- D.14 speak until recognized by the Chair;
- D.15 interrupt a Member who is speaking, except to raise a Point of Order or a Point of Privilege;
- D.16 leave the Meeting at any time without advising the Chair;
- D.17 speak more than once on an item until every Member who desires to speak has spoken;
- D.18 comment or question on matters other than those directly pertaining to the subject application before him or her;
- D.19 use their status on the Committee for personal or political gain.
- D.20 In the event that a member persists in a breach of section 8.2 above, after having been called to order by the Chair, the chair shall without debate call the question "Shall the Member be ordered to leave his or her seat for the duration of the Meeting?", and this question shall not be debatable.
- D.21 If the Committee decides the question set out above in the affirmative by a majority vote of the members present, the Chair shall order the Member to leave his or her seat for the duration of the meeting.
- D.22 If the Member apologizes, the Committee may permit the member to resume his or her seat.
- D.23 If the member does not apologize or does not leave his or her seat after being ordered to do so, then the Chair will direct the Committee Secretary to seek the appropriate assistance from the Ontario Provincial Police.
- D.24 In the event that a Member misses three consecutive meetings or more than 50 percent of all Meetings in a calendar year, Council may remove said Member from the Committee.
- D.25 In the event that a Member engages in grave misconduct in the course of their duties as a Member, including the violation of any Corporate Policy, Council may remove said member from the Committee.
- D.26 Attendees at a meeting shall maintain order and quiet and shall not display signs or placards, applaud, heckle or engage in telephone or other conversation or any behaviour which may be considered disruptive, inconsiderate, disrespectful or intimidating to others.
- D.27 Any person who disrupts a meeting shall be asked by the Chair to stop the disruptive behaviour and if the person persists they shall be asked to leave the meeting.
- D.28 If a person refuses to leave the meeting upon being requested to do so by the Chair, the Chair may recess the meeting and may direct the Committee Secretary to seek the appropriate assistance of the Ontario Provincial Police.

- D.29 All cell phones and electronic devices, except those in use to record or otherwise facilitate the meeting, shall be turned off or otherwise set so as to not emit any audible sound during a meeting.

F. ORDER OF BUSINESS

Agenda

- F.1 The Committee Secretary shall prepare and cause to be circulated for the use of the Committee members at the regular meetings of Committee, an agenda listing the Order of Business, as follows:
- a) Call to Order
 - b) Pecuniary interests/conflict of interest
 - b) Minutes
 - c) Public Meeting / Appeals
 - d) Other / New Business
 - e) Adjournment
- F.2 All business shall be taken up in the order in which it appears on the agenda unless otherwise decided by general consent of the Committee members present.
- F.3 The agenda will be delivered to each Committee member no later than the 48 hours preceding the Committee meeting.

Call to Order

- F.4 If quorum is present, the Chair shall call the meeting to order.
- F.5 If the Chair does not attend a meeting of Committee within five minutes after the time appointed, the Committee Secretary shall call the Committee members to order and the Acting Chair shall be appointed and preside until the arrival of the Chair.

Pecuniary Interest

- F.6 Any member of the committee who may have a pecuniary interest, interests that have a direct or indirect financial impact or as defined under the current Municipal Conflict of Interest Act as amended from time to time, shall declare such pecuniary interest and remove themselves from the proceedings.

Minutes

- F.7 The Committee Secretary shall cause minutes to be taken at each meeting of Committee, which shall include:
- a) the place, date and time of the meeting;

b) the attendance of members; should a member enter after the a meeting commences or leave prior to adjournment, the time shall be noted;

c) the decision of the appeal

F.8 Minutes of the last regular meeting of Committee and of all Special Committee meetings held subsequent to the last regular meeting, shall be included in the agenda and may be adopted by Committee.

Appeals

F.9 The Chair will coordinate the hearing of the Appeals as they are listed on the meeting Agenda. The Appeal format is outlined in Section 6 of the Terms of Reference.

F.10 The Chair has the ability to deviate from the Order of Appeals and the format as he/she deems necessary, but shall always strive to have it maintained as written.

Other / New Business

F.11 Items of business requiring the direction of Committee will appear under this section of the agenda. These matters shall generally pertain to information items only.

G. VOTING

G.1 The meeting for a vote shall be closed as per Section 239 (6)(b) of the *Municipal Act*

G.2 Every Committee Member present at a meeting, when a question is put, shall vote thereon; unless disqualified to vote on the question. All votes shall be by show of hands, except where a recorded vote is requested by any Committee Member.

G.3 If a Committee Member does not vote when a question is put, he or she shall be deemed to have voted in the negative, except where the Committee Member is disqualified from voting.

G.4 Immediately preceding the taking of the vote, the Chair shall state the question in the form introduced.

G.5 The Chair shall publicly announce the result of every vote.

Recorded Vote

G.6 When a recorded vote is requested by a Committee Member, or is otherwise required, the Committee Secretary shall record the name and vote of every Committee Member, on the question commencing with the Member who made the request and then all other Committee Members, randomly, until all Committee Members have voted. The order shall be in ascending alphabetical order unless otherwise requested by the committee member.

G.7 The Chair shall vote last.

Tied Vote

- G.8 Any question on which there is an equal number of votes shall be deemed to have been decided in the negative.

H. EFFECT OF DECISIONS

- H.1 An order that is deemed to be confirmed under Section 15.3, subsection (2) or that is confirmed or modified by the committee under subsection (3.1), or a judge under subsection (6) as the case may be, shall be final and binding upon the owner and occupant who shall carry out the repair or demolition within the time and in the manner specified in the order.

