

THE CORPORATION OF THE TOWN OF GEORGINA

AMENDED BY:
IN THE

REGIONAL MUNICIPALITY OF YORK BY-LAW NO. 2000-040 (.....)

DATE 2000/04/03 (.....)

BY-LAW No. 98- 106 (BU-1)

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

RECITALS

WHEREAS Section 15.1 of the Building Code Act, R.S.O. 1990, c.B.13, as amended, authorizes the passing of a by-law prescribing standards for the maintenance and occupancy of property within the municipality;

AND WHEREAS the Official Plan for the Town of Georgina includes provisions relating to conditions of maintenance and occupancy of property.

NOW THEREFORE the Council of the Corporation of the Town of Georgina enacts as follows:

SECTION 1: Interpretation

1.1 Short Title: This By-law may be cited as the "*Property Standards By-law*".

1.2 Definitions: In this By-law, unless stated otherwise, certain terms shall be defined as indicated in the lettered paragraphs of this section. When the words appear capitalized, the meanings prescribed in this section shall apply. When the words appear in lower case letters, they should be read as having their ordinary dictionary meaning.

- A) "APPLIANCES" shall include refrigerators, stoves, clothes washers, clothes dryers, dishwashers and hot water tanks;
- B) "APPROVED CONTAINER" means a container as defined in Town of Georgina By-law No. 96-119 (PWO-1).
- C) "BUILDING CODE ACT" means the Building Code Act, S.O. 1992, as amended;
- D) "COUNCIL" means the elected Council of the Town of Georgina;
- E) "DWELLING UNIT" means one or more rooms used, or intended for use as a single housekeeping unit, which may contain facilities for one or more of the following elements:
 - i) Cooking;
 - ii) Eating;
 - iii) Sleeping;
 - iv) Living; and/or
 - v) Sanitary Facilities.
- F) "EXTERIOR COMMON AREAS" includes roads, pathways, parking areas, garbage storage areas, yards and playground areas.
- G) "EXTERIOR WALL" includes all window components and trim, fascia, and soffits.
- H) "FIRE CODE" means the Fire Prevention and Protection Act, 1997;
- I) "GUARD" means a barrier, that may or may not have openings through it to prevent people from accidental falls;
- J) "HABITABLE SPACE" means a room or area used or intended to be

- used for living, sleeping, cooking or eating purposes and includes a washroom;
- K) "INTERIOR COMMON AREAS" includes laundry rooms, garbage rooms, corridors, boiler rooms, parking garages, storage areas and recreation rooms;
 - L) "LAND LEASE COMMUNITY" means a residential complex containing a series of individual DWELLING UNITS which are permanent structures;
 - M) "ORDER" means an order issued pursuant to section 15.2(2) or 15.7(1) of the BUILDING CODE ACT;
 - N) "OWNER" includes any PERSON who acts on behalf of the owner in the leasing, renting, or maintaining of a PROPERTY. "OWN", "OWNS", and "OWNED" shall have corresponding meanings;
 - O) "PERSON" includes an individual, a sole proprietorship, a partnership, an unincorporated association, a trust, a body corporate, and a natural person. "PERSONS", shall have a corresponding meaning.
 - P) "PROPERTY" means property as defined in section 15.1(1) of the BUILDING CODE ACT.
 - Q) "SEWAGE SYSTEM" means a municipal sanitary sewage system or a private sewage disposal system and includes a sewage system, and/or sewage works as defined in the Building Code.
 - R) "TOWN" means The Corporation of the Town of Georgina and, where the context so implies, members of its staff and Council;
 - S) "VEHICLE" includes motor vehicles, boats, trailers, recreational vehicles, off-road vehicles, motorized snow vehicles, farming implements, road building equipment and/or construction equipment such as a bulldozer or backhoe.
 - T) "WASHROOM" means an area which provides one or more of the following items:
 - i) toilet;
 - ii) washbasin;
 - iii) bathtub or shower.

- 1.3 Number/Gender: All words and personal pronouns relating to words contained in this by-law shall be read and constructed with the number and gender of the PERSON referred to in each case.
- 1.4 Headings: The headings of sections, paragraphs, clauses, and/or sentences in this by-law are inserted for ease of reference only and do not affect the interpretation of this By-law.
- 1.5 Severability: In the event that any of the provisions of this By-law are deemed invalid or void, in whole or in part, by any Court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.
- 1.6 Schedules: The schedules and/or attachments to this By-law form an integral part of it.
- 1.7 Legislation: Reference to this legislation within this By-law shall be deemed to include such legislation, as amended, including all successor legislation.
- 1.8 Scope: This By-law shall apply to all properties, buildings, structures, and premises located within the geographical boundaries of the Town of Georgina.

SECTION 2: General Provisions

- 2.1 Occupancy: No PERSON shall occupy or use a PROPERTY which does not conform with the standards set out in the schedules of this By-law, attached

hereto.

- 2.2 Permit Occupancy: No OWNER shall permit the occupancy or use of a PROPERTY which does not conform with the standards set out in the schedules of this By-law attached hereto.
- 2.3 Owners Duty To Conform: Every OWNER of a PROPERTY shall carry out repairs as required, and take such other remedial action necessary to conform with the standards contained within schedules of this By-law attached hereto on a continual basis.

SECTION 3: Orders and Penalties

- 3.1 Issuance of Order: Every officer who finds that a PROPERTY does not conform with any of the standards prescribed in Schedules attached hereto, may make an ORDER pursuant to the provisions of the BUILDING CODE ACT.
- 3.2 Appeal of an Order: Where a PERSON is served with an ORDER under section 15.2(2) of the BUILDING CODE ACT, and wishes to appeal the contents of the ORDER, they may file an appeal by:
 - a. sending a Notice of Appeal to the secretary of the Property Standards Committee; and
 - b. such Notice sent by Registered Mail within 14 days of the ORDER being served.
- 3.3 Confirmation of Order: Every ORDER shall be deemed confirmed where an appeal has not been filed within the prescribed period.
- 3.4 Compliance with Order: 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.
- 3.5 Failure to Comply with an Order: 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.
- 3.6 Completion of Work by the Municipality: Where an OWNER fails to comply with the conditions of an ORDER within the prescribed time period, the TOWN and its agent may enter upon the PROPERTY and take the actions necessary for compliance with the ORDER.
- 3.7 Recovery of Costs: All costs incurred by the TOWN under section 3.6 may be recovered as taxes upon the PROPERTY.
- 3.8 Certificate of Compliance: Where an OWNER has complied with the requirements of an ORDER, and requests a Certificate of Compliance, the investigating officer shall issue a Certificate upon receipt of the prescribed fee.
- 3.9 Fee - Issuance of Certificate of Compliance: Every PERSON requesting a Certificate of Compliance, shall pay the fee prescribed by COUNCIL in schedule "I" of this by-law. Such fee shall be paid at the time of placing the request.

SECTION 4: Penalties

- 4.1 Penalty: Every PERSON who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine in accordance with

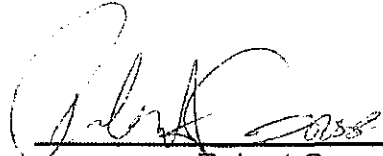
section 36 of the Building Code Act, S.O. 1992, c.23, as amended, for each offence committed.

SECTION 5: Repeals and Coming into Force:

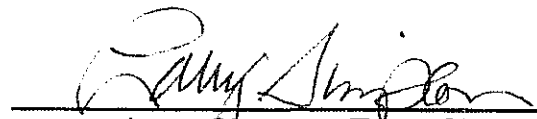
- 5.1 Repeal of Preceding By-law: By-law No 87-176 (BU-1) of the Town of Georgina is hereby repealed
- 5.2 Coming into Force: This By-law shall come into force upon the date passed by the Council for the Town of Georgina.

READ a first and second time this 17th day of August, 1998.

READ a third time and finally passed this 17th day of August, 1998.



Robert Grossi, Mayor



Larry Simpson, Town Clerk