



The Corporation of The Township of Carlow/Mayo

By-Law 16-2025

Being A By-Law to Provide Property Standards of the Physical Condition, Maintenance and Occupancy, of Property Located Within The Township of Carlow/Mayo

Whereas the Council of the Corporation of the Township of Carlow/Mayo deems it expedient to pass a By-Law pursuant to the *Building Code Act*, 1992, S.O. 1992, c. 24 s. 15.1 to 15.8 inclusive, the Council of a Municipality may pass a By-Law to prescribing standards for the maintenance and occupancy of property within the Municipality and require property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition;

And Whereas the Council of the Corporation of the Township of Carlow/Mayo deems it expedient to pass a By-Law pursuant to the *Building Code Act*, S.O. 1992, c. 24 s. 15.2 permitting officers of the Municipality to, upon producing proper identification, enter upon any property at any reasonable time without a warrant for the purpose of inspecting the property to determine whether the property conforms with the standards, or, to determine if an order has been complied with;

And Whereas a committee shall hear appeals made by owners or occupants who have been served with an order made by an officer of the Corporation of the Township of Carlow/Mayo, who is not satisfied with the terms or conditions of said order, as prescribed by the *Building Code Act*, S.O. 1992, c. 24 s. 15.3;

And Whereas the County of Hastings Official Plan, 2018, references allowable property standards set by the Municipality;

And Whereas it is desirable for the protection of the safety, health and well-being of the stakeholders of the Township of Carlow/Mayo that Council enact a By-Law regulating the standards for property;

Now Therefore the Council of the Corporation of the Township of Carlow/Mayo hereby enacts the following:

1.1 Short Term Wording

This By-Law may also be cited as the "**Property Standards By-Law**".

1.2 Definitions

Accessory: when used to describe a use, building or structure, shall mean a use, or a detached building or structure, that is naturally and normally incidental, subordinate and exclusively devoted to supporting the principle use, building or structure and located on the same lot therewith. This does not include an accessory residence unless otherwise specified.

Alter: (as applying to a building) shall mean a change from one major occupancy class or division to another, or a structural change such as an addition to the area and height, or the removal of part of a building, or any change to the structure such as the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor or other support, or a change of the fixtures and equipment.

Attic: shall mean the space between the ceiling of the top story and the roof, or between a dwarf wall and a sloping roof.



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Auxiliary Heaters: shall mean sources of heat that are secondary to the primary source of heat for a building and are of insufficient capacity to function as the primary heat source for the building under consideration.

Balustrade: shall mean a row of balusters or spindles surmounted by a railing.

Basement: shall mean that portion of a building between two floor levels which is partly underground, but which has at least one-half of its height from finished floor to finished ceiling above adjacent finished grade as approved.

Bathroom: shall mean an area containing a toilet, urinal, bathtub, shower, washbasin, or combination thereof.

Building: shall mean any structure used or designed to be used for shelter, accommodation or enclosure of people, animals or chattels.

Building Area: shall mean the greatest horizontal area of a building above grade within the outside surface of exterior walls, or within the outside surface of exterior walls and the center line of fire walls.

Building Height: (in story's) shall mean the number of story's contained between the roof and the floor of the first story.

Cellar: shall mean the portion of a building between two floor levels, which is partly underground and which has more than one half of its height from finished floor to finished ceiling, below adjacent finished grade.

Chimney: shall mean a primarily vertical shaft enclosing at least one flue for conducting flue gas to the outdoors.

Committee: shall mean the Committee of Adjustment/Property Standards Committee as established in the context of this By-Law.

Council: shall mean the Council of the Corporation of the Township of Carlow/Mayo.

Debris: shall mean refuse, rubbish or junk, and includes disused materials, appliances, devices, vehicles, parts and equipment of any kind whatsoever.

Dwelling: shall mean a building or a structure, any part of which is used, or intended to be used, for human habitation and in which all normal domestic functions are carried out.

Dwelling Unit: shall mean a suite of habitable rooms which:

- a) is located in a building; and
- b) is used or intended to be used in common by one or more persons as a single, independent and separate housekeeping establishment; and
- c) contains food preparation and sanitary facilities provided for the exclusive common use of the occupants thereof; and
- d) has a private entrance directly from outside the building or from a common hallway or stairway inside the building.

Exit Access: shall mean that part of a means of egress within a floor area that



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provides access to an exit serving the floor area.

Fence: shall mean any barrier or structure other than a building, erected at grade, which is constructed for the purpose of screening, safeguarding or encasing property or delineating property lines.

Garage: shall mean an enclosed or partially enclosed structure in which no business, occupation or service is conducted for profit, and which structure is used primarily for the storage of one or more vehicles and storage of household equipment incidental to the residential occupancy. Carport shall have a corresponding meaning.

Grade: shall mean, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure, shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment, and when used with reference to a street, road or highway, means the elevation of the street, road or highway, means the elevation of the street, road or highway, established by the Town of Renfrew or other designated road authority.

Ground Cover: shall mean organic or non-organic material applied to prevent soil erosion in a yard.

Habitable Room: shall mean a room designed to provide living, dining, sleeping or kitchen accommodation. This definition may include a den, library or enclosed sun room but shall not include a porch, veranda, unfinished attic or unfinished basement.

In-Law Suite: (Second units) also known as accessory or basement apartments, secondary suites and in-law flats, shall mean self-contained residential units with kitchen and bathroom facilities within dwellings or within structures accessory to dwellings (such as above laneway garages). The exclusive purpose of which is to function as a living quarters for a family member of the Owner of the residence.

Main Building: shall mean a building in which the principal use is conducted on the lot on which the building is located. In the residential zone the dwelling is the main building.

Maintenance: shall mean the preservation and keeping in repair of a property.

Means of Egress: shall mean a continuous, unobstructed path of travel provided for the exit of persons from any point in a building to an exterior open space protected from exposure to hazard in an emergency, and having access to an open public thoroughfare.

Non-Habitable Room: shall mean any room in a building, other than a habitable room, and includes a bathroom, laundry, pantry, lobby, corridor, stairway, closet, boiler room, or other space for servicing or maintaining the building, and for access to and vertical travel between storey's of a building.

Non-Residential Property: shall mean a building or structure not occupied or capable of being occupied in whole or in part for the purpose of human habitation and includes the lands and premises appurtenant thereto.

Occupant: shall mean a tenant, or occupant, or person for the time being, managing or receiving the rent from the property, whether on his own account or on account of an agent or trustee of any person, or any one of the aforesaid.



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Officer: shall mean a person or entity employed directly or indirectly by the Corporation to enforce the by-laws of the Corporation and perform others duties as assigned from time to time on behalf of the Corporation as it's agent, and includes his/her designate assigned the responsibility for enforcing and administering this by-law;

Owner: shall mean the registered owner of property.

Person: shall mean a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

Property: shall mean 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, fences and erections thereon whether heretofore or hereafter erected and includes vacant property.

Repair: shall mean the provision of such facilities and the making of such alteration or the taking of such action as may be required so that the property conforms to the standards established in this By-Law.

Residential Property: shall mean 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 dwelling or its yard.

Residential Zone: shall mean a residential zone as designated in the Zoning By-Law of the Township, and all amendments made thereto.

Sanitary Sewage: shall mean water borne waste of industrial, commercial or domestic origin, including bathroom, kitchen and laundry waste.

Sign: shall mean any surface upon which there is printed, projected or attached any announcement, declaration or insignia used for direction, information, identification, advertisements, business promotion or promotion of products, activity or services and includes a structure, whether fixed or portable.

Standards: shall mean the standards of maintenance and occupancy prescribed in this By-Law for property within the Township.

Story: shall mean that portion of a building that is situated between the top of any floor immediately above it or the roof above it, provided that if that portion of the building is partly below grade level, it shall not be deemed a story unless its ceiling is at least 2 meters (6 ft, 7 in) above grade.

Stormwater: shall mean surface water flow resulting from rainfall or the melting of snow or ice.

Structure: shall mean anything constructed or erected, the use of which requires location on or in the ground or attached to something having location on or in the ground.

Suite: shall mean a room or a combination of rooms of complementary use within a dwelling unit operated under a single tenancy or occupancy.

Township: shall mean the Corporation of the Township of Carlow/Mayo, or land included within the Township of Carlow/Mayo as appropriate.



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Vehicle: shall mean a passenger automobile or other motor vehicle, a boat, a farm implement, a commercial motor vehicle, a recreational vehicle, a snowmobile, a trailer and any other device that is capable of being propelled or driven by any kind of power but not any other device powered solely by human effort except a boat.

Vacant Lot: shall mean any property on which there are no building or structures of any kind but shall not mean land zoned as areas of environmental or recreational significance, or land utilized for agricultural production.

Yard: shall mean an open space on the same lot with a building or structure or excavation, unoccupied and unobstructed except as for such accessory buildings, structures or uses specifically permitted in this By-law.

Part 1 General

1.3 Scope and Purpose of By-Law

1.3.1 Provisions of this By-Law shall apply to all properties within the boundary limits of the Township of Carlow/Mayo.

1.3.2 This By-Law is enacted to ensure that all properties within the Township are developed and maintained in harmony with the *Ontario Building Code*. The general purpose of the By-Law is to provide a safe and pleasant environment.

1.4 Responsibility of the Owner

1.4.1 Except where otherwise provided in this By-law, the Owner of a Property to which this By-Law applies shall ensure compliance with the maintenance standards set out in this By-Law.

1.5 Structural Standards

1.5.1 Every building or structure, or part of a building or structure, shall be structurally sound and maintained in a condition so that it has sufficient structural integrity to resist safely and effectively all loads and the effects of loads and influences that may reasonably be expected, having due regard for its expected use.

1.5.2 If in the opinion of the Officer, the integrity of any building or structure is in doubt; the Officer may require the Owner (at the Owner's expense) to submit an inspection report, prepared, signed and sealed by a Professional Engineer qualified and licensed by the Association of Professional Engineers of Ontario, certifying that the building or structure is safe and structurally sound.

1.5.3 No structural element may be added, removed, repaired or modified in any manner until any required permits have been obtained from the Chief Building Official.

1.6 Repair and Maintenance Standards

1.6.1 Buildings, structure, materials or equipment that have been damaged or show evidence of deterioration shall forthwith be repaired or replaced.

1.6.2 All parts of a building or structure shall be free from loose or improperly secured objects or materials.



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- 1.6.3 Repairs to any premises shall be made in accordance with good workmanship in the respective building trades and with materials that are suitable and sufficient for the purpose.

1.7 Damaged Material

- 1.7.1 In the event of damage by fire, explosion, wind, flood or other disaster, measures shall be taken promptly to bring the damaged building to current building code standards.
- 1.7.2 Upon completion of investigation by Police and Fire Authorities, damaged or partially-damaged materials shall be forthwith removed from the property and replaced with new materials so as to be in harmony with adjoining undamaged surfaces and with the general environment.
- 1.7.3 Building surfaces that have become significantly marked or damaged by smoke, water or other causes shall be restored or replaced.

1.8 Debris or Littering

- 1.8.1 Every Owner or Occupant of a property shall keep the property free and clear of debris.
- 1.8.2 No person shall throw, place, deposit, or permit to be thrown, placed or deposited, debris on or beside any road, trail or property within the Township.

1.9 Storage and Disposal of Garbage

- 1.9.1 Every building and every dwelling unit shall use sufficient weather resistant receptacles to contain all garbage or refuse.
- 1.9.2 Garbage and refuse shall be stored in approved receptacles within a building or structure, or in the rear yard where it will be screened from the view of passers-by until taken for disposal.

1.10 Pests

- 1.10.1 Every property should be kept free of rodents, birds, insects or other vermin which cause or may cause a nuisance to the occupants of the property or of neighboring properties.
- 1.10.2 The methods used for exterminating pests shall be in accordance with the provisions of the *Pesticides Act, R.S.O. 1990, Chapter P.11*
- 1.10.3 When an exterior opening of a dwelling is used for ventilation, drainage or illumination and is not required to be fitted with a door, window or other closure; it shall be covered with screening, grills, or other protection to effectively prevent the entry of any vermin.

Part 2 - Standards For All Property

2.1 Maintenance of Yards

- 2.1.1 Yards shall be kept clean and free from:
- a) Objects or conditions such as holes and excavations that might create a fire, health or accidental hazard;
 - b) Heavy undergrowth, long grass and noxious weeds as defined by the



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Weed Control Act, R.S.O. 1990;

- c) Dead, decayed or damaged trees or vegetation that create an unsafe or unsightly condition or that may cause damage;
- d) Dilapidated, collapsed or unfinished structures;
- e) Any vehicles, equipment, machinery or trailers which are wrecked, discarded, dismantled, inoperative, unlicensed or abandoned, except where such articles are required and used for business purposes permitted under the Township's Comprehensive Zoning By-Law, and where such articles are placed, stored or left in a manner which avoids an unsafe or unsightly condition deleterious to the neighborhood;
- f) Old or dilapidated furniture, or any appliances (e.g.- freezers, refrigerators, stoves, etc.); and/or stored or accumulated objects or materials that create a nuisance or are unsightly.

2.1.2 Yards shall be maintained to:

- a) Prevent excessive or recurrent accumulation of water;
- b) Prevent the flow of water into any building or structure, either on the same lot or on an adjacent lot; and/or
- c) Prevent instability or erosion of soil.

2.1.3 No materials shall be stored in the front yard. Materials may be stored within an exterior side yard if adequately screened from view.

2.2 Drainage

2.2.1 Every property containing a building with a basement or cellar shall be graded and drained to prevent the entry of water into the basement or cellar.

2.2.2 Storm water collected from a roof (i.e. - roof drain or eaves trough), pool backwash water, driveway or any other surface shall be maintained to discharge water run-off away from the building, and to prevent flooding and erosion on neighboring properties.

2.2.3 No roof drainage or drainage of water from swimming pools shall be discharged on roadways, steps or neighboring properties and shall be contained within the limits of the premises from which it originated until absorbed by the soil or drained to an approved swale or ditch.

2.2.4 Sewage or organic waste (i.e. - wastewater) shall be discharged into a sewage system where such a system exists. Sewage or organic waste shall be disposed of in a manner according to the *Ontario Building Code*.

2.2.5 Every on-site sewage system (septic system) shall be maintained so that:

- a) The construction of the sewage system remains in accordance with the basis on which the construction and use of the sewage system was approved or required under the *Building Code Act* or predecessor legislation, as the case may be and the requirements of the manufacturer of the sewage system.
- b) All components of the sewage system function in their intended manner.



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- 2.2.6 The land in the vicinity of an on-site sewage system shall be maintained in a condition that will not cause damage to or impair the functioning of the sewage system

2.3 Parking Areas, Driveways and Walkways

- 2.3.1 All areas used for vehicular traffic and parking shall be kept in good repair, free of potholes, uneven sections, snow, ice, debris, or litter.
- 2.3.2 All areas on the property used for pedestrian traffic shall be maintained to provide safe passage under normal use and weather conditions.
- 2.3.3 Proper drainage shall be provided in all parking areas, driveways and walkways to prevent the pooling of water on the site and the runoff of water onto adjacent lands.

2.4 Fences, Barriers and Retaining Walls

- 2.4.1 Fences, barriers and retaining walls shall be maintained:
- a) Safe and structurally sound; and
 - b) In good condition, protected by the application of paint or some other suitable protective coating, or constructed of a material that is resistant to deterioration.

2.5 Foundations

- 2.5.1 The foundations and the foundations walls of a building or structure shall be structurally sound and maintained in that condition throughout the service life of the building or structure.
- 2.5.2 Foundations that have settled shall be adequately repaired to ensure that the stability of the superstructure is not compromised by the settlement.
- 2.5.3 All foundation footings shall be provided with adequate subsoil drainage to prevent the infiltration of moisture.
- 2.5.4 All cracks in concrete or masonry walls shall be properly grouted.
- 2.5.5 All exterior surfaces of foundation walls below grade shall be properly weather proofed.

2.6 Roofs

- 2.6.1 The roof of every building or structure shall be structurally sound, weather-proof, and free of loose or unsecured objects, obstructions, hazards and excessive accumulations of ice and snow. Improperly secured objects and materials shall either be made secure or shall be removed.
- 2.6.2 All roof flashing, gutters, valleys, snow and ice guards, eaves troughs, and down-pipes shall be secured, free of rust, and maintained in a serviceable condition.
- 2.6.3 All soffit and fascia components of a building shall be secured and maintained in good repair and properly painted or otherwise treated.

2.7 Chimneys

- 2.7.1 Every chimney, smoke pipe, vent, flue or similar apparatus serving a heating device or system shall be:



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- a) In good repair, securely anchored and plumb.
- b) Installed and maintained so as to prevent the escape of smoke or gases into the building.
- c) Free from loose or broken masonry;
- d) Free from open joints; and/or
- e) Clear of obstructions.

2.7.2 Chimneys which are no longer in use shall continue to be maintained to the standards prescribed in Section 2.5.1 until such time as they are removed and the roof opening properly sealed.

2.8 Overhanging Extensions

2.8.1 Balconies, porches, canopies, marquees, awnings, screens, grills, pipes, ducts, air conditioners and all other similar equipment, attachments, extensions and their supporting members shall be maintained properly and safely anchored, protected against deterioration, rust or decay, and free from rubbish and debris.

2.9 Stairs, Fire Escapes and Ramps

2.9.1 All stairs, porches, decks, landings, all other similar structures, all treads and risers, guards, handrails and all supporting structural members shall be maintained free from defects, accident hazards and capable of supporting all loads to which they might be subjected too.

2.9.2 Storage of any kind is prohibited on or underneath any stairway, fire escape or ramp.

2.9.3 All guards and handrails shall be installed and maintained in good repair on every open side of a balcony, porch, landing and stair-well, and every stairway and every exterior landing more than 0.8 m above the adjacent level shall be equipped with a rigid handrail, guard or balustrade that is in conformance with the *Ontario Building Code*, and which shall be maintained in good repair at all times to afford reasonable protection against accident or injury to any person in or on the property.

2.10 Exterior Walls

2.10.1 The exterior walls of every building or structure, or part of a building or structure, must be structurally sound, maintained in good condition, weatherproof, free of cracks, loose or unsecured objects or materials and reasonably resistant to entry by vermin.

2.10.2 All exterior exposed surfaces of a building shall be treated and maintained with a protective coat of paint or other sealing or coating material to inhibit deterioration.

2.10.3 Exterior walls of a dwelling and their components shall be free of unauthorized signs, painted slogans, graffiti and similar defacements.

2.10.4 The use of a tarp or tarps as a permanent exterior wall of a building or structure is not permitted.

2.11 Interior Walls and Ceilings

2.11.1 Every wall and ceiling in a building shall be maintained so as to be free of holes, cracks, loose or torn coverings or other defects that may be a safety hazard.

2.11.2 All paint or other wall covering which is stained or deteriorated shall be



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repainted or repaired. Missing wall/ceiling tiles shall be replaced.

2.12 Floors

- 2.12.1 Every floor in a building shall be reasonably smooth and level and shall be maintained so as to be free of broken or rotted boards, protruding damaged or deteriorating surfaces in a dangerous condition, or surfaces that might admit vermin into a room.
- 2.12.2 Every floor in a building shall be maintained to be free of moisture or dampness through infiltration from the exterior.

2.13 Doors, Windows

- 2.13.1 Windows, doors and hatchways shall be maintained in good repair and be weathertight. Rotted or damaged doors, doorframes and their components, window frames, sashes and casings shall be replaced; and defective hardware, weather stripping, torn screens and broken window glass shall be repaired.
- 2.13.2 All exterior doors in a dwelling unit shall have a solid core and shall have hardware capable of being locked or secured from inside the dwelling unit. 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.
- 2.13.3 All windows that are intended to be opened shall have suitable hardware so as to allow the window to be locked from inside the dwelling unit.
- 2.13.4 All windows located in a dwelling unit shall be maintained so as to be safe against accidental hazards to children.

2.14 Heating and Mechanical Systems

- 2.14.1 In every occupied building, a heating system shall be provided capable of supplying, during normal hours of occupancy, sufficient heat to maintain a minimum air temperature of 21 degrees Celsius. Said requirement does not apply to areas not normally heated.
- 2.14.2 Heating systems, hot water systems, ventilation/air conditioning systems and other mechanical systems shall be maintained and operated in good working order and in a safe condition.
- 2.14.3 Furnaces, stoves and fireplaces shall be kept clear of obstructions so as to prevent any combustible material from being heated to unsafe conditions.
- 2.14.4 Except in the event of an emergency, portable auxiliary heaters shall not be used as the primary source of heat within a building. Portable auxiliary heaters shall not be located so as to present a fire or safety hazard or to impede the free movement of persons within the building or room where the heater is located.
- 2.14.5 Every fuel burning appliance shall be properly connected, exhausted and vented to the exterior to ensure its safe operation.
- 2.14.6 Solid fuel appliances shall be installed in conformance with the manufacturer's installation instructions and/or meet the standards as set for an uncertified appliance. A chimney, flue, pipe or vent shall be installed in conformance with the manufacturer's specifications and/or meet the standard for uncertified equipment.



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2.14.7 A space that contains a heating unit shall have natural or mechanical means of providing the required combustion air.

2.14.8 Containment for the storage of the fuel shall be properly constructed and maintained in a convenient location so as to be free from hazards.

2.15 Electrical Systems

2.15.1 The connection of an electrical supply system to a building and the system of circuits and outlets distributing the electrical supply within a building shall provide adequate capacity for the use and intended use of a building and such connections, circuits, wiring and outlets along with any fuses, circuit breakers and other appurtenances thereto, shall be maintained in good working order, in a safe condition and in compliance with the requirements of the *Ontario Electrical Code*.

2.15.2 Extension cords are not permitted on a permanent basis.

2.15.3 The electrical wiring, circuits, fuses, circuit breakers and electrical equipment, outlets, switches and covers in a building shall be maintained at all times.

2.16 Ventilation

2.16.1 Proper ventilation shall be provided and maintained within a building so as to prevent the accumulation of heat, dust, fumes, gases, vapors or other contaminants that may create a fire, explosion or health hazard.

2.16.2 Every attic, basement, cellar and unheated crawl space shall have adequate ventilation.

2.17 Lighting

2.17.1 Sufficient windows, skylights or electrical lighting fixtures shall be provided and maintained to furnish illumination in public or common hallways and stairways, whenever the building is in use, and in all passages provided for use as an emergency exit.

2.18 Buildings and Structures

2.18.1 The owner of any building or structure will maintain the building or structure in a condition and standard in accordance with this By-Law and the exterior finish or covering will be aesthetically consistent and complimentary to the immediate surroundings as determined the Property Standards Officer.

Part 3 Standards for Residential Property

3.1 Standards of Occupancy

3.1.1 No person shall use or occupy, permit the use or occupancy of, or rent any residential property that does not conform to the standards of this By-Law.

3.1.2 A non-habitable room shall not be used as a habitable room.

3.1.3 The maximum number of occupants in a dwelling unit shall not exceed the capacity of the plumbing system or occupant load of the building.

3.1.4 Every tenant, or Occupant or lessee of a residential property shall maintain the property or part thereof and the land which they occupy or control, in accordance with this By-Law, in a clean, sanitary and safe condition and shall dispose of garbage and debris on a regular basis, in accordance with Municipal By-Laws.



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- 3.1.5 Every tenant, or occupant or lessee 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.
- 3.1.6 Accumulation or storage of garbage, refuse, appliances, or furniture in a means of egress shall not be permitted.
- 3.2 Means of Egress**
- 3.2.1 Every dwelling and each dwelling unit contained therein shall have a safe, continuous and unobstructed passage from the interior of the dwelling unit to the exterior of the building at grade level.
- 3.3 Plumbing Systems**
- 3.3.1 Every dwelling unit shall be provided with an adequate supply of potable running water.
- 3.3.2 Hot and cold running water shall be supplied for the bathtub/shower, washbasin and kitchen sink.
- 3.3.3 All water pipes and associated plumbing fixtures shall be protected from freezing.
- 3.3.4 All plumbing and plumbing fixtures in every building shall be free from leaks and defects and shall, at all times, conform to the *Ontario Building Code*.
- 3.4 Accessory Buildings**
- 3.4.1 Accessory buildings and all other structures appurtenant to the property shall be maintained in a structurally-sound condition and in good repair.
- 3.4.2 Accessory buildings and all other structures shall be maintained in a safe, hazard-free condition, free from clutter or the accumulation of rubbish and debris.
- 3.4.3 All exterior, exposed surfaces of accessory buildings or structures not inherently resistant to deterioration shall be maintained so as to provide adequate protection from weather or vermin.
- 3.4.4 Accessory buildings and all other structures shall be kept so as not to present an unsightly appearance.
- 3.5 Garages and Carports**
- 3.5.1 All areas of a garage shall be kept clear of the accumulation of rubbish and debris or conditions that are unsightly or might create a fire, health or accident hazard.
- 3.5.2 Garages shall be provided with a clear and unobstructed exit.
- 3.5.3 Attached or built-in garages shall be constructed and maintained so as to prevent noxious gases from entering the habitable areas of the residence.

Part 4 Standards For Non-Residential Property

4.1 General

- 4.1.1 Commercial, industrial and institutional properties shall be maintained in conformance with the general standards prescribed in this By-Law.



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- 4.1.2 Conditions of occupancy of commercial, industrial and institutional buildings shall be in accordance with all applicable provincial regulations pertinent to their intended use and application.

4.2 Signs

- 4.2.1 Signs shall be maintained in good repair, and any signs that are excessively weathered, faded or cracked shall be repaired or removed.
- 4.2.2 Exterior signs that are unused, uncared for or discarded shall be removed forthwith from the property or shall be stored within a building on the property

PART 5- STANDARDS FOR VACANT LANDS AND BUILDINGS

5.1 Vacant Lands

- 5.1.1 Vacant land shall be maintained to the standards as described in Part II, Section 2.1 of this By-Law.
- 5.1.2 Vacant land shall be graded, filled or otherwise drained so as to prevent recurrent ponding of water.

5.2 Vacant Buildings

- 5.2.1 Vacant or unoccupied buildings shall be protected against the risk of fire, accident or other damage.
- 5.2.2 Vacant buildings shall be kept cleared of all garbage, rubbish and debris; and shall have all water, electrical and other services disconnected except those services that are required for the security and maintenance of the property.
- 5.2.3 The Owner of a vacant building shall board up the building to the satisfaction of the Officer by covering all openings through which entry may be attained with material approved to the satisfaction of the Property Standards Officer.
- 5.2.4 Any part of a vacant building that cannot be boarded up due to its physical condition shall be demolished.

5.3 Demolition

- 5.3.1 No person shall commence, conduct or permit to be commenced or conducted any work in the nature of demolition or removal of a building or part thereof, unless a permit is obtained from the Chief Building Official in compliance with the *Ontario Building Code*, and such permit shall be posted in a prominent position on the demolition site.
- 5.3.2 The Owner of any building or part thereof being demolished, shall leave any remaining wall or walls (including any former party walls or walls, whether separately or jointly owned) structurally sound and weather tight, in a safe condition and in conformity with the standards in the *Ontario Building Code*.
- 5.3.3 Upon completion of demolition, the entire site shall be cleared and cleaned of all debris, left free from holes or excavations and provided and maintained with a suitable ground cover.



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PART 6 - ADMINISTRATION AND ENFORCEMENT

6.1 General

- 6.1.1 The Township shall administer and enforce this By-Law as prescribed by the *Ontario Building Code Act*; S.O. 1992, c.23 Section 15 as amended.
- 6.1.2 The Officer may prohibit the occupancy or use of any property that does not conform to the standards prescribed in this By-Law.
- 6.1.3 The Officer may utilize various reports and forms in the administration and enforcement of this By-law which can be revised as deemed required by the Officer, including but not limited to:
 - a) An inspection report;
 - b) Re-inspection report;
 - c) Order to Remedy Violation;
 - d) Order to Comply;
 - e) Notice to Appeal;
 - f) Decision Following Appeal; or
 - g) Other such report or form

6.2 Property Standards Officer

- 6.2.1 Council may, from time to time, appoint Officers to carry out the administrative function of this By-Law. On appointment, the Officers shall have full responsibility and authority of administration as provided by the *Ontario Building Code Act*.
- 6.2.2 The Property Standards Officer, or any person acting under his direction, may at all reasonable times, upon producing proper identification, enter and inspect any property. The Officer or his designate shall not enter any room or place used as a dwelling without the consent of the Occupant except under the authority of a search warrant issued under Section 21 of the *Ontario Building Code Act*.
- 6.2.3 No person shall obstruct or attempt to obstruct an Officer or a person acting under the Officer's instruction in the exercise of their duties.
- 6.2.4 An Officer shall bring with them anyone they deem to be of assistance including a Police Officer, Building Official, Fire Official or Engineer.

6.3 Property Standards Committee

- 6.3.1 Council shall appoint a Property Standards Committee for a term of office concurrent with Council.
- 6.3.2 Council shall maintain the full membership of the Property Standards Committee by replacing any member who, for any reason, may fail to serve out his or her term of office.
- 6.3.3 The duties and responsibilities of the Property Standards Committee shall be as dictated in the *Ontario Building Code Act*.

6.4 Appealing an Order

- 6.4.1 Every person wishing to appeal an Order made under Subsection 15.2 (2) of the *Ontario Building Code Act*, R.S.O. 1992, c.23, as amended, shall submit a notice of appeal in the manner and within the time frame as prescribed in Subsection 15.3(1) of the *Ontario Building Code Act*. All



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notices of appeal shall be accompanied by a non-refundable payment of one hundred fifty dollars (\$150.00).

6.5 Power of the Corporation to Repair or Demolish

- 6.5.1 If the Owner or Occupant of a property fails to repair or to demolish the property in accordance with an Order, the Township may cause the property to be repaired or demolished accordingly.
- 6.5.2 For the purposes of Subsection 6.5.1 employees or agents of the Township may enter the property at any reasonable time without a warrant in order to repair or demolish the property.
- 6.5.3 The Township will not be liable to compensate an Owner, Occupant or any other person having an interest in the property by reason of any action performed by or on behalf of the Township under the provisions of this By-Law.
- 6.5.4 The Township shall have a lien on the land for the amount spent on the repair or demolition under Subsection 6.5.1, and the amount shall be deemed to be municipal real property taxes and may be added by the Treasurer to the collector's roll and collected in the same manner and with the same priorities as municipal real property taxes.

6.6 Emergency Powers

- 6.6.1 Notwithstanding any other provisions in this By-Law, if upon inspection of a property, the Officer is satisfied that there is a non-conformity with the standards prescribed in the By-Law to such extent as to pose an immediate danger to the health or safety of any person, the Officer may make an Order containing particulars of the non-conformity and requiring immediate remedial repairs or other work to be carried out forthwith to terminate the danger.
- 6.6.2 After making an Order under Section 6.6.1, the Officer may, either before or after the Order is served, take or cause to be taken any measures considered necessary to terminate the danger; and for this purpose, the Township has the right, through its employees or agents, to enter upon the property at any reasonable time.
- 6.6.3 The Officer, Township, or anyone acting on behalf of the Township is not liable to compensate the Owner, Occupant, or any other person by reason of anything done by or on behalf of the Township in the reasonable exercise of its power under Section 6.6.2.

6.7 Penalties

- 6.7.1 Any person who contravenes any provision of this By-Law is guilty of an offence, and upon conviction is liable to the penalties as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended (Schedule "A")
- 6.7.2 Any person who contravenes any provision of this By-law or fails to comply with an Order, Direction or other requirement made pursuant to this By-law is guilty of an offence and upon conviction is liable to be fined not more than \$25,000.00 for a first offence and to a fine of not more than \$50,000.00 for a subsequent offence.
- 6.7.3 Despite section 6.7.2 above, if a Corporation is convicted of any offence under this By-law, the maximum penalty that may be imposed upon the Corporation is \$50,000.00 for a first offence and \$100,000.00 for any



The Corporation of The Township of Carlow/Mayo

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subsequent offence and not as provided in section 6.7.2 above.

- 6.7.4 For the purpose of sections 6.7.2 and 6.7.3 above, an offence is a subsequent offence if there has been a previous conviction under this By-Law.

6.8 Validity

- 6.8.3 If an article of this By-Law is held to be invalid for any reason, the remaining provisions in the By-Law shall remain in effect until repealed.

- 6.8.4 Where the provisions of this By-Law conflict with the provisions of another By-Law in force in the Township, the provisions that establish the higher standards of health, safety and welfare of the general public shall prevail.

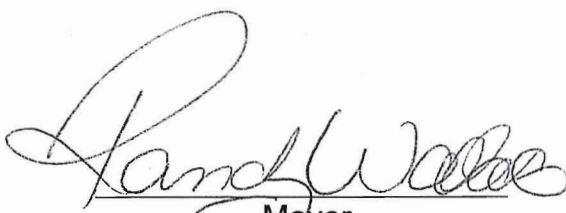
6.9 Repeal

- 6.9.3 By-Law No. 11-2008, as amended, and any other By-Laws, resolutions or parts of By-Law or resolutions inconsistent with this By-law are hereby repealed.

6.10 Effective Date

- 6.10.3 That this By-law shall come into force and effect on the day of its passing.

Read A First, Second And Third Time And Finally Passed This 11th Day Of March, 2025.


Mayor,
Randy Wallace


Clerk/CAO
Jenny Snider

Certified A True Copy



SCHEDULE "A" TO BY-LAW 16-2025

**Being A By-Law to Provide Property Standards of the Physical Condition, Maintenance and Occupancy, of Property Located Within
The Corporation of The Township of Carlow/Mayo**

Part 1- Provincial Offences Act Set Fines

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE	COLUMN 3- SET FINE
1	Owner Fail to Maintain Property in Accordance with Section:	Section 1.4.1.	\$150.00
2	Owner or Occupant Littering	Section 1.8.1.	\$150.00
3	Deposit debris on Municipal Property	Section 1.8.2.	\$150.00
4	Occupant Fail to Maintain Property in Accordance with Section:	Section 3.1.4.	\$150.00
5	Occupant Fail to Maintain Residence under their control.	Section 3.1.5.	\$150.00
6	Obstruct Egress	Section 3.1.6	\$250.00
7	Obstructing an Officer	Section 6.2.3	\$300.00

**"NOTE: The penalty provision for the offences indicated above is Section 6.7
of
By-Law no. 16-2025, a certified copy of which has been filed"**

The fine amounts listed above have been approved by the Regional Senior Justice.

Dated: March 19, 2025

Electronic Signature:

W. Vincent Clifford, R.S.J.

W. Vincent Clifford
Regional Senior Justice
Ontario Court of Justice - East Region

Certified A True Copy

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J. Smith
CAO/Clerk
Township of Carlow/Mayo

