

The Corporation of the City of Belleville

By-law Number 2025-157

A By-law to Prescribe Standards for the Maintenance and Occupancy of Property within the City of Belleville

And to Repeal By-law Numbers 2012-79, 2018-82, and 2024-202

(Property Standards By-law)

Whereas Section 15.1(3) of the Building Code Act, 1992, S.O. 1992, c. 23 (Building Code Act) a by-law may be passed by the Council of a municipality prescribing standards for the maintenance and occupancy of property within a municipality; prohibiting the occupancy or use of such property that does not conform with the standards to be repaired and maintained to conform with the standards, providing that the official plan for the municipality includes provisions relating to the property conditions;

And Whereas Section 6(1) of the Building Code Act provides for the establishment of a Property Standards Committee;

And Whereas Sections 35.3 and 45.1 of the Ontario Heritage Act, R.S.O. 1990, c. O.18, as amended (Ontario Heritage Act), Council may, by by-law, prescribe minimum standards for the maintenance of the heritage attributes of a Part IV property or a Part V property, and require a Part IV or a Part V property that does not comply with the standards to be repaired and maintained to conform with the standards;

And Whereas Section 6(1) of the Building Code Act provides for the establishment of a Property Standards Committee;

And Whereas the Council of The Corporation of the City of Belleville deems it desirable to enact a by-law prescribing minimum standards for the maintenance and occupancy of property and the maintenance of the heritage attributes of any protected heritage property within the City of Belleville, and to appoint a Property Standards Committee;

And Whereas the Ontario Heritage Act provides that no owner of a designated heritage property shall alter or permit the alteration of a designated heritage property that is likely to affect the property's heritage attributes unless the owner applies to Council of a local municipality and receives Council's consent in writing to the alteration;

And Whereas under Section 10(2) of the Municipal Act, 2001, S.O. 2001, c. 25 (Municipal Act) a single tier municipality may pass by-laws respecting protection of persons and property;

And Whereas the Council of The Corporation of the City of Belleville seeks to conserve cultural heritage resources on protected heritage properties by prescribing minimum standards for the maintenance of the cultural heritage value or interest of such properties;

And Whereas the Council for the Corporation of the City of Belleville, consistent with provincial policy, deems it desirable to ensure that, in the event of conflict between any provision of this by-law and a provision in any other by-law passed by Council, the provision that ensures that cultural heritage resources are conserved shall prevail, subject to the fundamental cultural paramountcy of matters that protect the health, safety and well-being of persons;

And Whereas Section 425(1) of the Municipal Act provides that a municipality may pass by-laws providing that a person who contravenes a by-law passed under the Municipal Act is guilty of an offence;

And Whereas Section 434.1 of the Municipal Act provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that a person has failed to comply with a by-law of the municipality passed under the Municipal Act;

And Whereas Section 434.2(1) of the Municipal Act provides that an administrative penalty imposed by a municipality on a person constitutes a debt of the person to the municipality;

And Whereas Section 398(2) of the Municipal Act provides that the treasurer of a local municipality may add fees and charges imposed by the municipality to the tax roll for the property and collect them in the same manner as municipal taxes;

And Whereas Section 446(1) of the Municipal Act provides that if a municipality has the authority under the Municipal Act or any other Act or under a by-law under the Municipal Act or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

And Whereas Section 446(3) of the Municipal Act provides that the municipality may recover the costs of doing a matter or thing under Section 446(1) from the person directed or required to do it by adding the costs to the tax roll and collecting them in the same manner as property taxes;

Now Therefore the Council of The Corporation of the City of Belleville hereby enacts as follows:

Part I

1. Definitions

- 1.1. **Accessory Building** shall mean a detached building or structure of which the use is normally related and secondary to a main use, building, or structure and located on the same lot.
- 1.2. **Basement** means that portion of a building that is partly below grade which has at least one-half of its floor to ceiling height below the average finished grade; and, that portion of a building that is fully below grade but is not a cellar.

- 1.3. **Building** means any structure having a roof, supported by columns or walls and used for the shelter or accommodation of Persons, animals, goods, or materials.
- 1.4. **Cellar** means the portion of a building that is partly or entirely below grade, having a height less than the dimension in the Ontario Building Code that would allow it to be habitable space.
- 1.5. **City** means The Corporation of the City of Belleville.
- 1.6. **Driveway** means a designated surface used to connect a parking lot, parking space, or private property to a public street, typically serving as the primary point of vehicular ingress and egress.
- 1.7. **Dwelling** means a building used for residential occupancy but does not include a hotel or similar use.
- 1.8. **Dwelling Unit** means a residential unit that is used or intended for use as a residence by an individual or household in which a bathroom and some culinary conveniences (e.g., sink, or countertop, or cooking appliance, or refrigeration appliance, etc.) are provided for the exclusive use of such individual or household and with a private entrance from outside the building or from a common hallway or stairway inside, but does not include a hotel or recreational vehicle and includes an Accessory Dwelling Unit.
- 1.9. **Fire Chief** means the Chief of Fire Services of the City, or their designate;
- 1.10. **Good Repair** shall mean a state or condition that is clean, safe, functional, and free from defects.
- 1.11. **Habitable Room** means any space in a dwelling designed for living, sleeping, eating or food preparation, but not including a lobby, hallway, closet or bathroom or any room having floor space of less than 4.65 square metres (50 square feet).
- 1.12. **Hazard** means a source of potential damage, harm, or adverse health effects on something or someone.
- 1.13. **Heritage Attribute** means, in relation to real property, and the buildings on real Property, an attribute of the Property, Building, or structure that contributes to its cultural heritage value or interest and that is defined or described:
 - a. In a By-law designating a Property passed under Section 29 of the Ontario Heritage Act, R.S.O., 1990, c.O.18 and identified as a Heritage Attribute, value, reason for designation or otherwise; or
 - b. In a Minister's Order made pursuant to Section 34.5, Part IV of the Ontario Heritage Act, R.S.O., 1990, c.O.18 and identified as a Heritage Attribute, value, reason for designation or otherwise; or
 - c. In a By-law designating a heritage conservation district passed under Section 41, Part V of the Ontario Heritage Act, R.S.O., 1990, c.O.18 and identified as a Heritage Attribute, value, reason for designation or otherwise; or

- d. In the supporting documentation required for a By-law designating a heritage conservation district, including but not limited to a heritage conservation district plan, assessment or inventory, and identified as a Heritage Attribute, value, reason for designation or otherwise; or
 - e. The elements, features, or Building components including roofs, walls, floors, retaining walls, foundations, and independent interior structures and structural systems that hold up, support, or protect the Heritage Attributes and without which the Heritage Attributes may be at risk.
- 1.14. **Heritage Property** shall mean a property designated under Part IV or Part V of the Ontario Heritage Act, R.S.O., 1990, c.O.18, as amended;
- 1.15. **Means of Egress** means a continuous path of travel provided for the escape of Persons from any point in a Building or contained open space to a separate Building, an open public thoroughfare, or an exterior open space protected from fire exposure from the Building and having access to an open public thoroughfare. Means of Egress includes access to exits.
- 1.16. **Occupant** means any Person or Persons over the age of 18 years in control of the Property.
- 1.17. **Officer** shall mean a By-law Enforcement Officer appointed by the City of Belleville, a Police Officer in the Province of Ontario or any Person as authorized by the Council of The Corporation of the City of Belleville for the enforcement of municipal By-laws.
- 1.18. **Owner** shall mean the Person or Persons appearing on the municipal tax assessment roll or property tax account and Persons having lawful title to the land and includes Person as defined in this By-law.
- 1.19. **Person** shall mean any individual, association, firm, partnership, or incorporated company.
- 1.20. **Proper Receptacle** means a garbage cart, recycling cart, or an organics cart supplied by the City of Belleville, or a similar container sold for the same purpose; or a City approved Owner or occupier supplied yard waste receptacle.
- 1.21. **Property** means a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, out buildings, fences, and erections thereon whether heretofore or hereafter erected, and includes vacant Property, on which there are no structures of any kind.
- 1.22. **Property Standards Committee** means the Property Standards Committee appointed in accordance with the Building Code Act, 1992, S.O. 1992, c. 23.
- 1.23. **Order** means a property standards Order issued by an Officer under Section 15.1 of the Building Code Act that includes the particulars of the repairs to be made.

1.24. **Refuse** means:

- a. Debris, junk, or effluent associated with a house, household, or any industry, trade, or business;
- b. Vehicle parts or accessories;
- c. Furniture, appliances, machinery, barbeques or parts thereof;
- d. Animal excrement; and
- e. Without restricting the foregoing, any unused or unusable material that by reason of its state, condition or excessive accumulation appears cast aside, discarded or abandoned; or appears worthless, useless or of no particular value; or appears to be used up, expended or worn out in whole or in part.

1.25. **Repair** means the taking of any action, including the making of additions or alterations, which may be required to ensure that a Property conforms to the standards established in this By-law.

1.26. **Sewage System** means an approved sanitary sewage system or an approved private sewage disposal system that complies with the applicable By-law.

1.27. **Storm Sewer** means a sewer for the collection and transmission of uncontaminated water and, or stormwater from land or a watercourse, or any combination thereof for which the City of Belleville is responsible.

1.28. **Vacant Heritage Property** shall include any buildings and structures located on Property designated under Section 29 or 34.5 of the Ontario Heritage Act, situated within a heritage conservation district designated under section 41 of the Ontario Heritage Act, and either is or appears to be vacant, or unoccupied for more than ninety (90) days.

1.29. **Vehicle** means an automobile, truck, motorcycle, and any other vehicle propelled or driven otherwise than muscular power, but does not include a motorized snow vehicle, traction engine, self-propelled implement of husbandry or road building machine within the meaning of the Highway Traffic Act.

1.30. **Walkway** means any passage or path designed for walking or providing access to a Building.

1.31. **Yard** means the land, other than publicly owned land, around and appurtenant to the whole or any part of a building, and used, or capable of being used, in connection with the building.

Part II - General Provisions

2. Duties

- 2.1. Every Owner shall maintain their Property in accordance with the provisions of this By-law.
- 2.2. Every Person to whom an Order is issued under this By-law shall comply with such Order as required.
- 2.3. No Person shall hinder or obstruct, or attempt to hinder or obstruct, an Officer in the exercise of a power or the performance of a duty under this By-law.
- 2.4. Where applicable, every Owner shall obtain a building permit prior to making Repairs.

Part III - Exterior Maintenance Standards – Yards

3. General Maintenance and Storage

- 3.1. Every Yard shall be kept clean and free from:
 - a. Hazardous or potentially hazardous objects, materials, or conditions;
 - b. Holes, ruts, depressions, and excavations that are potential health or safety Hazards; and
 - c. Rodent and insect infestation(s).
- 3.2. No Person shall store actively used firewood, building materials, garden equipment, landscape equipment, pool equipment, lawn furniture, barbeques, or other similar objects (domestic storage) unless it is:
 - a. Stored in a rear or side Yard;
 - b. Stored in a neat and organized manner, not against a fence or property line; and
 - c. Maintained to prevent excessive accumulation, infestation(s) and Hazards.
- 3.3. No yard shall be used for the parking, storing, or placing of any recreation Vehicle, boat, machinery, mechanical equipment, appliance, similar item, or part thereof, which is in an inoperable, discarded, dismantled, or disused condition.

4. Garbage Disposal

- 4.1. Every Owner shall provide and maintain sufficient receptacles to contain all garbage, Refuse, and recyclable materials that may accumulate between the regular collection days, as designated by the City.
- 4.2. All garbage, organics, and recyclable material shall be stored within a Proper Receptacle and maintained in a clean condition.
- 4.3. Every receptacle shall:
 - a. Be maintained in Good Repair sanitary and operable condition;
 - b. Be stored with the cover lid closed and secured;
 - c. Not be packed in a manner where the waste exceeds the height of the receptacle or prevents the cover lid from closing securely; and
 - d. Not be stored in a Yard facing a street.
- 4.4. Despite Section 4.3.c, Proper Receptacles may be stored in a Yard facing a street, in an orderly manner adjacent to a Building, where:
 - a. The subject Property does not have a side Yard with a width of 1.0 metres (3.3 feet) or more;
 - b. The subject Property does not have rear Yard access that is wider than the width of the receptacle; and
 - c. The subject Property does not have an Accessory Building, carport, garage; or
 - d. If the subject Property has a single car garage, that is deemed a required parking space by the applicable zoning By-law; and
 - e. The Officer believes there is no reasonable alternative.
- 4.5. Every commercial or industrial building or plaza shall be provided with a vermin-proof waste bin for the disposal of garbage and waste; and stored in an approved, acceptable, and appropriate location.
- 4.6. Every commercial or industrial building or plaza shall provide adequate garbage containers for the disposal of Refuse and litter by patrons and shall be maintained in a clean and safe condition.

5. Landscaping

- 5.1. All hedges, shrubs, bushes, trees, and vegetation shall be maintained and trimmed so as to not be unreasonably overgrown in a fashion that may affect safety, visibility, or passage of the general public.
- 5.2. All Yards shall be cultivated or protected by a suitable ground cover that prevents the erosion of the soil and reduces water runoff.

6. Fences

- 6.1. Every fence, retaining wall, and structure appurtenant to Property and the components thereof, shall be maintained in Good Repair, free from Hazards and defects, and where required, protected by exterior grade paint, preservative, or other weather-resistant material.

7. Structures, Buildings and Accessory Buildings

- 7.1. Every structure, carport, building, and Accessory Building, other than a Dwelling shall:
 - a. Be free from Refuse and Hazards;
 - b. Be maintained in Good Repair;
 - c. Be constructed and maintained with suitable and uniform materials; and
 - d. Have exterior surfaces protected by exterior grade paint or other weather-resistant material.
- 7.2. Every dilapidated or collapsed structure, building or Accessory Building shall be Repaired or demolished with a permit where required.

8. Driveways And Walkways

- 8.1. Every Driveway, laneway, and parking area shall be finished with asphalt, concrete, stone, or other compacted material that can sustain the weight of a Vehicle without cracking, sinking, or deteriorating.
- 8.2. Every step and hard surface intended for use as a Walkway, Driveway, parking area, laneway or any similar area shall be:
 - a. Finished to provide a hard and level surface;
 - b. Free from potholes or unlevelled conditions that pose an actual or potential safety Hazard;
 - c. Adequately graded and drained to prevent excessive ponding of water; and
 - d. Kept free from fuel, oil, or other chemical substances which may directly or indirectly cause the discharge or deposit into or in any Storm Sewer; and

- e. Adequately maintained and free from Hazards so as to afford safe passage under normal use and weather conditions.

8.3. Every Walkway and access route to a building that is accessible by the general public shall be maintained so as to be kept free from ice and snow after a snowfall.

9. Swimming Pools

9.1. All swimming pools and artificial ponds, and all components thereof shall be maintained in Good Repair, clean, free from leaks, and free from potential health and safety Hazards, including the pool water therein.

9.2. All pool covers used to cover a swimming pool shall be appropriately secured, maintained in good condition, and regularly drained to prevent the accumulation of standing water.

9.3. Every pool that is disused or appears to be neglected, shall be:

- a. Fitted with a suitable cover in good condition so as to prevent a visual blight, the entrance of elements, and the infestation of pests or insects; and
- b. Free from standing water; or
- c. Properly filled with clean fill; and
- d. Left in a graded condition.

10. Sewage And Drainage

10.1. All sewage shall be discharged into an approved Sewage System that is in compliance with the applicable legislation.

10.2. No roof drainage shall be discharged, directed, or channeled onto Walkways, stairs, or adjacent lands.

10.3. No stormwater, sump discharge, swimming pool discharge, or water that has been artificially brought on the land shall be drained in a Yard to prevent excessive ponding or the entrance of water into a Basement, Cellar, or onto adjacent lands.

10.4. Every Yard shall be adequately graded and drained to prevent excessive ponding of surface water.

11. Graffiti

11.1. Objectionable markings, graffiti, or other defacements on any exterior surface shall be removed.

11.2. Any surface that has had graffiti removed from its face shall be restored to its original condition and colour.

12. Exterior lighting

- 12.1. All exterior lighting shall be directed in a manner so as to prevent the light source from shining directly into a Dwelling.
- 12.2. All lighting on commercial, industrial, agricultural and institutional properties shall conform to the approved site plan and shall not be directed towards lands zoned for residential use.
- 12.3. All outdoor artificial lighting and the connections thereto shall be maintained in Good Repair and free from defects and Hazards.

13. Satellite Dishes, Antennae, And Similar Structures

- 13.1. All satellite dishes, television antennae, radio antennae, similar structures or parts thereof, shall be securely anchored, maintained in Good Repair, and in accordance with all applicable laws. All cables and wires shall be appropriately secured to the structure in a neat manner.

Part III - Exterior Maintenance Standards – Buildings

14. Roofs

- 14.1. Every roof and all components thereof, including but not limited to the, eavestroughs, downpipes, soffits, and fascias, shall be maintained in Good Repair and maintained in a watertight condition.
- 14.2. Every chimney, smokestack, vent stack, or similar structure shall be plumb, maintained in Good Repair and free from defects and Hazards.

15. Exterior Walls

- 15.1. Every exterior wall and all components thereof, including but not limited to coping, and flashing, shall be maintained in Good Repair and free from Hazards.
- 15.2. Every exterior surface on a building or appurtenance thereto shall be maintained in Good Repair and be protected by a weather coating material such as exterior grade paint or other protective treatment.
- 15.3. Every canopy, marquee, sign, awning, stairway, fire escape, standpipe, exhaust duct, air conditioner, and similar overhang extension shall be:
 - a. Maintained in Good Repair;
 - b. Securely and appropriately anchored; and
 - c. Protected against decay and rust by the periodic application of a weather coating material such as exterior grade paint or other protective treatment.

15.4. Every exterior sign that is in a state of disrepair, unused, not cared for, or discarded, shall be removed from the Property, or Repaired if the use of such sign is permitted under the City By-laws.

15.5. Every air conditioner that is installed and operated directly over a public sidewalk, shall be equipped with proper devices for the prevention of falling upon the sidewalk.

16. Exterior Doors and Windows

16.1. Every window, exterior door, garage door, Basement Cellar hatchway, and all components thereof shall be maintained in Good Repair and free from defects, including, but not limited to:

- a. Damaged or defective door and window frames, shutters, screens, sashes, casings, weather stripping, and glass;
- b. Damaged or defective door and window hardware;
- c. Damaged or missing window screens; and
- d. Damaged or missing locking hardware on exterior doors and windows.

17. Exterior Stairs, Porches, Decks and Balconies

17.1. Every exterior landing, stair, porch, balcony, deck, ramp, loading dock, fire escape, or similar exterior structure and all components thereof, including the coverings, treads, risers, guards, and handrails shall be:

- a. Kept free from Refuse; and
- b. Maintained in Good Repair so as to be free from broken, defective, warped, loose, deteriorated, rotted, and worn components.

Part IV - Interior Maintenance and Occupancy Standards

18. Occupancy Standards

18.1. No room or area shall be provided for sleeping purposes unless there is a minimum floor area of 7 square metres (75 square feet) for single occupancy and 4.65 square metres (50 square feet) per person.

18.2. No room or area shall be provided for sleeping purposes unless there is an average ceiling height of 2300 millimetres (90.6 inches) over at least 50% of the required area or 2100 millimetres (82.7 inches) over all of the required floor area.

18.3. No Person shall permit a Person to occupy for sleeping purposes any space used as a lobby, hallway, closet, bathroom, or any Accessory Building or shed, unless otherwise permitted.

19. Means Of Egress and Exits

- 19.1. Every floor area intended for occupancy shall be provided with a direct Means of Egress in accordance with the Ontario Building Code.
- 19.2. All Means of Egress and exits shall be maintained in Good Repair and free from objects, obstructions, or conditions that restrict the accessibility of such Means of Egress and exits.
- 19.3. Every Dwelling Unit shall have separate access so as to provide a safe, continuous and unobstructed exit from the interior of the Building to the exterior at the street or grade level.

20. Cleanliness and Mould

- 20.1. Every Occupant shall maintain the Property and the land in a clean, sanitary and safe condition and shall dispose of household garbage and Refuse on a regular basis.
- 20.2. Every building shall be kept free from Refuse, or any condition which constitutes an actual or potential fire, health, or safety Hazard.
- 20.3. Every building shall be kept free from visible mould and, or mildew.
- 20.4. Every Occupant of a residential Property shall control and maintain the humidity, moisture, and condensation level indoors.
- 20.5. All damages or defects within a building or part thereof that may cause water damage or mould growth shall be Repaired.
- 20.6. Where there is extensive visible mould, an Officer may Order that a building, structure or part thereof be examined by a professional engineer who is qualified to perform indoor residential environmental quality examinations in Ontario, and that a written report detailing the recommended remedial work to be provided to the Officer.
- 20.7. Where Repairs are required pursuant to a report prepared under Section 20.6, the Owner shall Repair, or cause to be Repaired, the building in accordance with the report.
- 20.8. Upon completion of the Repairs, the Owner shall provide the Officer with a verification report that the work described in the report has been completed wholly and in accordance with the generally accepted guidelines and protocols in the industry.

21. Pest Prevention

- 21.1. Every Property shall be kept free from infestations by rodents, vermin, and insects.
- 21.2. Every opening that may permit the entry of rodents, vermin or insects shall be appropriately screened or sealed.
- 21.3. All remnants of an infestation including feces and carcasses shall be removed and disposed of, and the area cleaned thereafter.

22. Interior Stairs, Guards and Handrails

- 22.1. Every interior stair, landing, or similar interior structure and components thereof including coverings, treads, risers, guards, and handrails shall be maintained in Good Repair so as to be free from broken, defective, warped, loose, deteriorated, rotted, and worn components.

23. Interior Doors, Countertops, Cupboards

- 23.1. Every interior door, closet door, cupboard door, countertop, cupboard, vanity, shelf, and their appurtenances shall be maintained in Good Repair.

24. Interior walls and ceilings

- 24.1. Every wall and ceiling shall be free from holes, cracks, loose coverings, or other defects.
- 24.2. Every Dwelling Unit that is separated from another Dwelling Unit or a non-residential occupancy, the separation shall comply with the Ontario Building Code or Fire Code as applicable.

25. Interior Floors

- 25.1. Every floor shall be smooth and maintained so as to be free from all loose, warped, protruding, broken, or rotted boards that may create a Hazard or unsanitary condition.
- 25.2. Every Basement or Cellar that is not served by a stairway may have a dirt floor provided it is covered with a moisture-proof covering.
- 25.3. Every Basement or Cellar floor shall be free from cracks or breaks in the concrete that create a potentially hazardous condition.

26. Plumbing and Water Supply

- 26.1. Every Dwelling Unit shall contain plumbing fixtures consisting of at least:
- a. A water closet;
 - b. A kitchen sink;
 - c. A washbasin; and
 - d. A bathtub or shower.
- 26.2. Every Dwelling shall be provided with an adequate supply of potable hot and cold running water.
- 26.3. All hot water shall be supplied at a minimum temperature of 49 degrees Celsius (120 degrees Fahrenheit).
- 26.4. Every kitchen sink, washbasin, bathtub, and shower fixture shall be maintained in Good Repair.
- 26.5. All plumbing, drainpipes, water pipes, and plumbing fixtures in every Dwelling and every connecting line to the Sewage System shall be maintained in Good Repair and working order in accordance with the relevant legislation.
- 26.6. All water pipes and appurtenances thereto shall be protected from freezing.

27. Bathrooms

- 27.1. Every bathroom and facility shall be kept clean, sanitary, and in a safe condition.
- 27.2. Every bathroom or toilet enclosure shall be fully enclosed and have a door capable of being locked from the inside and opened from the outside in an emergency.
- 27.3. Every bathroom shall be finished with a water-repellent floor covering.
- 27.4. Every wall and ceiling around a bathtub or shower shall be water-resistant.
- 27.5. Every wall and ceiling of a bathroom shall be maintained in Good Repair.
- 27.6. An opening for natural ventilation is required in a bathroom except where a mechanical ventilation system is provided and operates in Good Repair, venting directly to the outdoors.

28. Kitchens and Laundry

- 28.1. Every kitchen shall be provided with an approved, connected, and operating electrical or gas supply for cooking and refrigeration appliances.
- 28.2. Every kitchen appliance shall be maintained in Good Repair.
- 28.3. Every laundry appliance shall be maintained in Good Repair.
- 28.4. Laundry drying equipment shall have a dedicated exhaust duct discharging directly to the outdoors.

29. Heating Systems

- 29.1. Every Dwelling shall be provided with a heating system capable of maintaining a room temperature of not less than 21 degrees Celsius (69.8 degrees Fahrenheit) in all Habitable Rooms and bathrooms from the 15th day of September one year to the 31st day of May the following year.
- 29.2. Every Dwelling shall be provided with an adequate and continuous supply of fuel and electricity at all times for the provided heating system.
- 29.3. Every heating system shall be maintained in Good Repair and free from Hazards.
- 29.4. Every fireplace and other solid fuel-burning appliance shall be connected to a chimney flue, smoke pipe, or gas vent and maintained in Good Repair.
- 29.5. Every chimney, smoke pipe, flue, and vent shall be maintained in Good Repair so as to prevent gases from leaking into the building or Property.
- 29.6. No room heater shall be placed so as to cause a fire Hazard to walls, curtains, and furniture, or to impede the free movement of Persons within the room where the heater is located.
- 29.7. Auxiliary heaters shall not be used as a primary source of heat.

30. Ventilation

- 30.1. All systems of mechanical ventilation or air conditioning shall be maintained in Good Repair.
- 30.2. Every opening, window, skylight, or louvre used for ventilation, shall be maintained so as to be unobstructed, easily opened, kept opened, and closed.

31. Elevating Devices

- 31.1. Every elevator and other elevating device shall be operational, accessible and maintained in Good Repair at all times.

32. Electrical Service

- 32.1. Every building wired for electricity shall be connected to an approved electrical supply system, in accordance with the Ontario Electrical Safety Code.
- 32.2. All wiring, fixtures, switches, receptacles, and connections to them shall be maintained in a safe, good working condition in compliance with the Ontario Electrical Safety Code, so as not to overload the designed size of the service or cause a fire or electrical shock Hazard.
- 32.3. No fuse or overload device shall exceed the capacity indicated on the fuse panel.
- 32.4. Every Habitable Room in a Dwelling Unit shall have at least one duplex electrical outlet in Good Repair:
- a. For the first 11.15 square metres (120 square feet) or less of floor area; and
 - b. For each additional 9.3 square metres (100 square feet) or less of floor area.
- 32.5. No Person shall cause or permit the use of an extension cord on a permanent basis.
- 32.6. Every Owner shall Repair, or cause to be Repaired the electrical components in accordance with Ontario Electrical Safety Code and Electrical Safety Authority Standards.

33. Interior Lighting

- 33.1. Every Habitable Room except a kitchen and/or bathroom shall have a window facing outside and admits as much natural light equal to but not less than 5 percent (5%) of the floor area of the room.
- 33.2. All artificial lighting shall be maintained in Good Repair.
- 33.3. Every bathroom and kitchen shall be provided with a permanent artificial light.
- 33.4. Every public hallway, common area and stairway shall be illuminated at all times so as to provide safe passage.

34. Foundations, Structural Integrity, and Engineer Reports

- 34.1. All foundation walls, columns, beams, and other structural members of a building shall be maintained in Good Repair, in a safe and structurally sound condition, and capable of effectively supporting the designed loads imposed on them.
- 34.2. All buildings, or any part thereof, shall be capable of sustaining its weight together with the loads that may be applied thereto by reason of its use and occupancy, natural causes such as snow, wind, and all other causes set out in the Ontario Building Code.

34.3. Where it appears that the structural integrity or condition of a building, structure, or part thereof may be adversely affected by damage or deterioration, the Officer may Order that a structural engineering assessment and report be conducted and prepared by a professional engineer licensed in Ontario. The report shall include all deficiencies of structural concern; the contributory cause of the damage; the required Repairs and plan for remediation; and the recommended timelines for Repair. Upon receipt of the report, it shall be produced to the Officer forthwith.

34.4. Where Repairs are required, the Owner shall Repair, or cause to be Repaired, the building, structure, or part thereof, in accordance with the Repair methods, and timelines described in the report with all applicable permits.

34.5. Upon completion of the Repairs, a verification report shall be prepared to confirm that the work proposed in the report has been completed wholly and that the building, structure, or part thereof is structurally adequate for its use. This report shall be provided to the Officer.

35. Indoor Parking Facilities

35.1. Every parking facility shall be maintained in Good Repair.

35.2. Lighting in parking facilities shall be illuminated at all times so as to provide safe passage.

Part V - Damaged and Vacant Buildings

36. General Provisions

36.1. Every vacant, unoccupied or damaged building and Accessory Building shall be protected against the risk of fire, accident, or other peril, by effectively securing the building or Accessory Building to prevent the entrance of unauthorized Persons.

36.2. Where a building is damaged by fire, storm, or other causes, immediate steps shall be taken to Repair or cause the Repair of the damaged building components with the applicable building permits.

a. Where a building is damaged by fire the Owner may be required to secure the Property so as to prevent the access of unauthorized Persons, as deemed necessary by the Fire Chief.

36.3. Every building which is damaged, shall be properly supported, secured, and barricaded until the necessary Repair or demolition can be carried out.

36.4. Where entry to a building cannot be sufficiently prevented by the locking of doors, windows, and other openings, it shall be boarded up so as to prevent entry as follows:

- a. All windows, doors, and other openings that provide a means of entry shall be covered with weather-resistant boards or an equivalent material that shall be securely fastened and tight-fitting;
- b. Coverings shall have a thickness of not less than 1.27 centimetres (5/8 inches) and shall be secured with nails or screws; and
- c. All coverings shall be painted or otherwise treated so that the colour blends with the exterior of the building.

37. Repair or Demolish Vacant Buildings

37.1. The Owner of any building that is boarded up shall either Repair the building to conform with the standards of this By-law or demolish the building and ensure the Property is left in a graded and leveled condition within six (6) months. The Owner may be granted up to six (6) additional months (up to twelve (12) months total) to complete Repairs. To request an extension the Owner must submit a detailed remedial plan to Repair the building to conform with the standards of this By-law. If the City approves the remedial plan, the Owner must show demonstrated action during the granted extension, to the satisfaction of the City, in meeting the remedial plan.

Part VI - Heritage Buildings

38. General Provisions

38.1. In addition to the standards for the maintenance and occupancy of property set out in this By-law, the following minimum standards listed in Part VI – Heritage Buildings apply to the maintenance and security of all buildings and structures on properties that are:

- a. Designated under Section 29 or 34.5 of the Ontario Heritage Act; or
- b. Situated within a heritage conservation district, designated under Section 41 of the Ontario Heritage Act.

39. Vacant Heritage Property

39.1. The Owner of a Vacant Heritage Property shall protect the Heritage Attributes of the Property against the risk of fire, storm, neglect, intentional damage, or damage by other causes by effectively preventing the entrance of the elements, unauthorized Persons, animals, and pests by boarding up and securing any openings to the building of the Vacant Heritage Property. The boarding shall be installed in such a way that minimizes damage to any Heritage Attribute, is reversible, and minimizes visual impact.

39.2. The Owner of a Vacant Heritage Property shall ensure that all utilities serving the building are properly connected as required in order to provide proper heat and ventilation, or be terminated or capped unless such utilities are otherwise required by law to remain connected.

40. Heritage Attributes

40.1. In addition to all of the requirements and minimum standards for the maintenance and occupancy of Property set out in this Part VI – Heritage Buildings and elsewhere in this By-law, the Owner of a Heritage Property shall:

- a. Maintain, preserve and protect the Heritage Attributes to maintain the heritage character, visual and structural heritage integrity of the building or structure; and
- b. Maintain the Property in a manner that will ensure the ongoing protection and preservation of the existing Heritage Attributes.

41. Alterations Of Heritage Attributes

41.1. Despite any other provisions of this By-law, in the case of buildings and structures located on properties that have been designated under Section 29, 34.5, or 41 of the Ontario Heritage Act, no Owner shall alter the Property or permit the alteration of the Property if the alteration is likely to affect the Property's Heritage Attributes unless the Owner has acquired a heritage permit or other form of written consent from the City.

42. Repair or Replacement of Heritage Attributes

42.1. In order to maintain, preserve and protect the Heritage Attributes of a Heritage Property, the Repair is always preferable to removal or replacement. The Heritage Attributes shall be Repaired in a manner that:

- a. Minimizes damage to Heritage Attributes;
- b. Maintains the design, finishes, form, physical appearance, colour, texture, grain, and other distinctive features and qualities of the Heritage Attributes; and
- c. Is consistent with recognized conservation standards, best practices, and processes for the conservation of built heritage resources.

42.2. Despite any other provisions of this By-law, where it can be demonstrated that the Heritage Attributes of a Property cannot be Repaired, the Heritage Attributes shall be replaced:

- a. Using the same types of materials, design, finishes, form, physical appearance, colour, texture, grain, and other distinctive features and qualities of the Heritage Attribute(s) being replaced; and

- b. Where the same types of materials as the original are no longer readily available, alternative or substitute materials and finishes that generally replicate the design, finishes, form, physical appearance, colour, texture, grain, and other distinctive features and qualities of the Heritage Attributes may be used.

43. Heritage Building Demolition

- 43.1. Despite any other provision of this By-law, or the Ontario Building Code Act, no building or structure located on Property that has been designated under Section 29, 34.5, or 41 of the Ontario Heritage Act may be altered or cleared, including but not limited to removed, demolished or relocated except in accordance with the Ontario Heritage Act.
- 43.2. Upon completion of demolitions and removals of structures, the affected site shall be cleared and cleaned of debris, graded, left free from holes or excavations.

44. Conflict

- 44.1. If there is a conflict between this Part VI – Heritage Buildings and any other provision of this By-law or any other City By-laws, the provision that establishes the highest standard for the protection of Heritage Attributes shall prevail.

Part VII – Administration and Enforcement

45. Application

- 45.1. This By-law prescribes standards for the maintenance and occupancy of Property within the City.
- 45.2. This By-law requires Property that does not conform to the prescribed standards be Repaired and maintained or cleared of all buildings, structures, debris or Refuse and left in graded and levelled condition.

46. Enforcement

- 46.1. An Officer may, upon producing proper identification, enter upon any Property at any reasonable time without a warrant for the purpose of inspecting the Property to determine:
 - a. Whether the Property conforms to the standards prescribed in this By-law; or,
 - b. Whether an Order made under this By-law has been complied with.
- 46.2. An Officer who finds that a Property does not conform to any of the standards prescribed in this By-law may issue an Order:
 - a. Stating the municipal address or the legal description of the Property;

- b. Giving reasonable particulars of the Repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or Refuse and left in a graded and levelled condition;
- c. Indicating the time for complying with the terms and conditions of the Order and giving notice that, if the Repair or clearance is not carried out within that time, the municipality may carry out the Repair or clearance at the Owner's expense; and
- d. Indicating the final date for giving notice of appeal from the Order to the Property Standards Committee.

46.3. An Order may be registered in the proper land registry office and, upon such registration, any Person acquiring any interest in the land subsequent to the registration of the Order shall be deemed to have been served with the Order.

46.4. For the purposes of an inspection, an Officer may:

- a. Require the production for inspection of documents or things, including drawings or specifications, that may be relevant to the Property or any part thereof;
- b. Inspect and remove documents or things relevant to the Property or part thereof for the purpose of making copies or extracts;
- c. Require information from any Person concerning a matter related to a Property or part thereof;
- d. Be accompanied by a Person who has special or expert knowledge in relation to a Property or part thereof;
- e. Alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection; and
- f. Order the Owner of the Property to produce and supply at the Owner's expense such tests, samples and/or reports as specified in the Order.

46.5. The City may require the Owner of the Property to pay a fee for inspection and administration fees as provided for in the City's current Fees & Charges By-law.

47. Appeal to Committee

47.1. An Owner or Occupant who has been served with an Order may appeal the contents of the Order to the Property Standards Committee by sending a notice of appeal, including grounds for the appeal and the applicable fee as provided for in the City's current Fees & Charges By-law, by registered mail to the secretary of the Committee within 14 days after being served with the Order.

48. Repair

48.1. All Repairs shall be made with all applicable permits, using only materials that are suitable for the purpose and free from defects. Without limiting the foregoing, this shall include:

- a. Ensuring the component Repaired can perform its intended function;
- b. Finishing the Repair in a manner that is reasonably compatible in design colour with the adjoining finishing materials; and
- c. Maintaining an aesthetically pleasing appearance that is consistent with the surrounding environment.

49. Demolition or Repair by The City

49.1. Where the Owner or Occupant fails to comply with an Order issued under this By-law the City, in addition to other remedies:

- a. Shall have the right to carry out the work as required in the Order and for this purpose may, with its servants and agents from time to time, enter in and upon the Property;
- b. Shall have the right to recover the expense of carrying out the work as required in the Order by adding the expense to the tax roll and collecting such expense in the same manner as taxes; and
- c. Shall not be liable to compensate such Owner, Occupant or other Person having an interest in the Property by reason of anything done by or on behalf of the City of the provisions of this By-law.

50. Fines

50.1. Every Owner who fails to comply with an Order that is final and binding is guilty of an offence and on conviction is liable to a fine of not more than \$50,000.00 for a first offence and a fine of not more than \$100,000.00 for any subsequent offence.

50.2. Despite 50.1, if a corporation is convicted of an offence, the maximum penalty that may be imposed upon the corporation is \$500,000 for a first offence and \$1,500,000 for any subsequent offence.

51. Validity

- 51.1. Notwithstanding any section, subsections, clause, paragraph or provision of this By-law, or parts thereof may be declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or beyond the powers of council to enact, such section or sections or parts thereof shall be deemed to be severable and that all other sections or parts of this By-law are separate and independent therefrom and enacted as such as a whole. Same shall not affect the validity or enforceability of any other provisions of this By-law or of the By-law as a whole.
- 51.2. Where a provision of this By-law conflicts with the provision of another By-law, act, or regulation in force within the City of Belleville, the provisions that establish the higher standards to protect the health and safety of the Persons shall prevail.

52. Transition

- 52.1. After the date of passing of this By-law, By-law Number 2012-79, as amended, shall apply only to those properties in which an Order has been issued prior to the date of passing of this By-law, and then only to such properties until such time as the work required by such Order has been completed or any enforcement proceedings with respect to such Order including any demolition, clearance, or Repair carried out by the City shall have been concluded.

53. Short title

- 53.1. This By-law shall be known at the "Property Standards By-law".

54. Repeal and Enactment

- 54.1. Except for the purposes set out in section 52.1 of this By-law, By-law Numbers 2012-79, 2018-82, and 2024-202 are hereby repealed.
- 54.2. This By-law shall come into force and take effect on October 1, 2025.

By-law read and passed this 22nd day of September 2025.

Neil R. Ellis, Mayor

Katy Macpherson, Deputy Clerk