

Bill No. 98
2021

By-law No. A-54-21_____

A by-law to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to provide for an amended Penalty Schedule “A-6” for the Property Standards By-law.

WHEREAS section 434.1 of the Municipal Act authorizes the City to require a person, subject to conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality;

AND WHEREAS the Municipal Council considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the Administrative Monetary Penalty System;

AND WHEREAS the Municipal Council on June 25, 2019 passed By-law No. A-54, being “A by-law to implement an Administrative Monetary Penalty System in London;”

AND WHEREAS the Municipal Council deems it appropriate to amend By-law No. A-54 with respect to Schedule “A-6” for the Property Standards By-law,

NOW THEREFORE the Council of The Corporation of the City of London enacts as follows:

1. That Schedule “A-6” of By-law No. A-54 being the Penalty Schedule for Property Standards is hereby repealed and replaced with the attached new Schedule “A-6”
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

**Schedule “A-6”
Administrative Monetary Penalty System By-law
Penalty Schedule for Property Standards**

1. For the purposes of Section 2 of this By-law, Column 3 in the following table lists the provisions in the Designated By-law identified in the Schedule, as amended.

2. Column 2 in the following table set out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 3.

3. Column 4 in the following table set out the Administrative Penalty amount that is payable for contraventions of the designated provisions listed in Column 3.

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
1	Fail to repair in an acceptable manner	2.2	\$400.00
2	Fail to maintain heritage attributes	2.7 (b)	\$400.00
3	Fail to properly secure openings	2.8.2 (a)	\$400.00
4	Fail to use proper boarding	2.8.2 (b)	\$400.00
5	Fail to properly treat boarding	2.8.2 (c)	\$400.00
6	Fail to prevent moisture penetration	2.8.3	\$400.00
7	Fail to implement maintenance plan	2.8.4	\$400.00
8	Fail to maintain exterior property - debris	3.1.1 (a)	\$400.00
9	Fail to maintain exterior property - pests	3.1.2 (b)	\$400.00
10	Fail to maintain exterior property - weeds	3.1.2 (c)	\$400.00
11	Fail to maintain exterior property – unreasonable overgrowth	3.1.2 (d)	\$400.00
12	Fail to maintain exterior property – growth causing unsafe conditions	3.1.2 (e)	\$400.00
13	Fail to maintain exterior property – unused vehicles	3.1.2 (f)	\$400.00
14	Fail to maintain exterior property – accumulation of materials	3.1.2 (g)	\$400.00
15	Fail to maintain exterior property – dilapidated structures/uncovered cavities	3.1.2 (h)	\$400.00
16	Fail to provide for uniform exterior surface	3.1.3 (a)	\$400.00
17	Fail to provide markings on exterior surface	3.1.3 (b)	\$400.00
18	Fail to prevent unstable soil conditions	3.1.4	\$400.00
19	Fail to maintain lighting	3.1.5	\$400.00
20	Fail to maintain conditions of development and redevelopment	3.1.6	\$400.00
21	Fail to maintain exterior furniture	3.1.7	\$400.00
22	Fail to maintain accessory buildings	3.2.1	\$400.00
23	Fail to maintain fences	3.3.1	\$400.00
24	Fail to maintain retaining walls	3.4.1	\$400.00
25	Fail to comply with municipal refuse collection	3.5.1	\$400.00
26	Fail to comply with refuse collection	3.5.2 (a)	\$400.00
27	Fail to make readily accessible refuse storage	3.5.2 (b)	\$400.00
28	Fail to maintain refuse storage facilities	3.5.2 (c)	\$400.00
29	Cause obstruction by refuse	3.5.2 (d)	\$400.00
30	Fail to properly operate refuse compactor	3.5.2 (e)	\$400.00
31	Fail to maintain outside storage of refuse in litter free condition	3.5.3 (a)	\$400.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
32	Fail to maintain outside storage of refuse facility	3.5.3 (b)	\$400.00
33	Fail to screen outside refuse storage facility	3.5.3 (c)	\$400.00
34	Fail to properly screen outside refuse storage facility from grade	3.5.3 (d)	\$400.00
35	Fail to properly screen outside refuse storage facility with visual barrier	3.5.3 (e)	\$400.00
36	Fail to maintain outside refuse storage facility an odour controlled condition	3.5.3 (f)	\$400.00
37	Fail to provide for adequate inside refuse storage	3.5.4	\$400.00
38	Fail to maintain refuse chute system	3.5.5	\$400.00
39	Fail to frequently remove temporary refuse storage	3.5.6 (a)	\$400.00
40	Fail to store refuse temporarily in unsafe manner	3.5.6 (b)	\$400.00
41	Fail to cover temporary refuse storage	3.5.6 9 (c)	\$400.00
42	Fail to provide for capable structural system	4.1.1	\$400.00
43	Fail to provide for structural condition engineers report	4.1.2	\$400.00
44	Fail to maintain wall foundations	4.2.2 (a)	\$400.00
45	Fail to install sub soil drains	4.2.2 (b)	\$400.00
46	Fail to maintain sills or other supports	4.2.2 (c)	\$400.00
47	Fail to maintain grouting or waterproofing	4.2.2 (d)	\$400.00
48	Fail to restore wall to original appearance	4.2.2 (e)	\$400.00
49	Fail to preserve materials resistant to weathering or wear	4.2.2 (f)	\$400.00
50	Fail to restore or replace foundations walls floors and roof slabs	4.2.2 (g)	\$400.00
51	Fail to restore or replace cladding finishes and trims	4.2.2 (h)	\$400.00
52	Fail to repair settlement detrimental to the building	4.2.2 (i)	\$400.00
53	Fail to remove or replace unsecured materials	4.2.2 (j)	\$400.00
54	Fail to provide apertures to perform their intended function	4.3.1	\$400.00
55	Fail to maintain all doors, windows, skylights and shutters	4.3.2	\$400.00
56	Fail to maintain a required opening with a screen or other durable material	4.3.4	\$400.00
57	Fail to secure doors and windows from within unit	4.3.5	\$400.00
58	Fail to provide for screens on windows	4.3.6	\$400.00
59	Fail to provide for screens on windows in an acceptable manner	4.3.7	\$400.00
60	Fail to maintain roof and related roof structures	4.4.1	\$400.00
61	Fail to maintain chimneys and associated roof structures	4.4.2	\$400.00
62	Fail to maintain floors, stairs, porches, verandas, decks and balconies	4.5.1	\$400.00
63	Fail to provide and maintain guard	4.5.3	\$400.00
64	Fail to provide for required guard on stairs	4.5.4	\$400.00
65	Fail to provide for guard serving unfinished space	4.5.5	\$400.00
66	Fail to provide for guard with proper openings	4.5.6	\$400.00
67	Fail to provide for guard which does not facilitate climbing	4.5.7	\$400.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
68	Fail to provide and maintain handrail	4.5.8.2	\$400.00
69	Fail to provide for central handrail	4.5.8.3	\$400.00
70	Fail to provide for proper stairs within the interior of a residential dwelling unit	4.5.9.1	\$400.00
71	Fail to provide for proper residential stairs not within dwelling unit	4.5.9.2	\$400.00
72	Fail to provide for proper non-residential stairs	4.5.9.3	\$400.00
73	Fail to provide for proper service room stairs	4.5.9.4	\$400.00
74	Fail to maintain exterior surfaces	4.6.1	\$400.00
75	Fail to remove stains or defacement from exterior surfaces	4.6.2	\$400.00
76	Fail to provide for temporary barricading with compatible finishes	4.6.3	\$400.00
77	Fail to maintain interior cladding and finishes of walls, ceilings and elevator cages	4.7.1	\$400.00
78	Fail to maintain interior cladding and finishes from stains and other defacement	4.7.2	\$400.00
79	Fail to only use habitable space for human habitation	4.8.1	\$400.00
80	Fail to provide for proper interior cladding and finishes of walls, ceilings and floors for human habitation	4.8.2 (a)	\$400.00
81	Fail to provide for proper doors and windows for human habitation	4.8.2 (b)	\$400.00
82	Fail to provide for proper heating system for human habitation	4.8.2 (c)	\$400.00
83	Fail to provide for proper plumbing and drainage systems for human habitation	4.8.2 (d)	\$400.00
84	Fail to provide for proper electrical systems for human habitation	4.8.2 (e)	\$400.00
85	Fail to provide for a minimum floor area for human habitation	4.8.2 (f)	\$400.00
86	Fail to provide for a minimum headroom for human habitation	4.8.2 (g)	\$400.00
87	Fail to disconnect service providing light, heat, refrigeration, water or cooking facilities	4.8.3	\$400.00
88	Fail to provide toilet or urinal in room intended for sleeping or preparing, consuming or storing food	4.8.4	\$400.00
89	Fail to provide for minimum headroom in areas normally to be used as a means of egress	4.8.5 (a)	\$400.00
90	Fail to provide for a minimum headroom in areas normally to be used as a means of egress where entire area is not considered in computing the floor area	4.8.5 (b)	\$400.00
91	Fail to provide for minimum headroom for service rooms and service spaces	4.8.5 (c)	\$400.00
92	Fail to provide for minimum headroom over stairs and landings	4.8.5 (d)	\$400.00
93	Fail to provide for a minimum headroom where door frame is located under structural beam	4.8.5 (e)	\$400.00
94	Fail to provide for and maintain ventilation in habitable room	4.8.6 (a)	\$400.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
95	Fail to provide for natural ventilation with minimum free flow	4.8.6 (c)	\$400.00
96	Fail to provide for natural ventilation and exterior walls or through skylights	4.8.6 (d)	\$400.00
97	Fail to provide for mechanical ventilation with proper air exchange	4.8.6 (e)	\$400.00
98	Fail to provide for natural ventilation in every washroom	4.8.6 (f)	\$400.00
99	Fail to provide for mechanical ventilation in every washroom as an alternative to natural ventilation	4.8.6 (g)	\$400.00
100	Fail to provide for a natural ventilation in every enclosed attic or roof space	4.8.6 (h)	\$400.00
101	Fail to provide for required roof, eave or gable end ventilation	4.8.6 (i)	\$400.00
102	Fail to provide ventilation in crawlspace or non-habitable basement space	4.8.6 (j)	\$400.00
103	Fail to adequately ventilate accessory rooms and residential buildings with multiple dwelling units	4.8.6 (k)	\$400.00
104	Fail to exceed maximum occupancy of habitable floor space	4.8.7	\$400.00
105	Fail to provide for proper windows in living room, dining rooms and bedrooms to provide for natural light	4.8.8	\$400.00
106	Fail to equip and maintain dwelling unit with sink provided with portable hot and cold water	4.8.9 (a)	\$400.00
107	Fail to provide utility outlets suitable for refrigerator and cooking stove	4.8.9 (b)	\$400.00
108	Fail to provide for splash back and countertop around kitchen sink	4.8.9 (c)	\$400.00
109	Fail to maintain kitchen appliances and fixtures when equipped	4.8.9 (d)	\$400.00
110	Fail to provide for a least one enclosed sanitary facility	4.8.10	\$400.00
111	Fail to provide for minimum floor area within dwelling unit	4.8.11 (a)	\$400.00
112	Fail to provide for minimum floor area for sleeping accommodation	4.8.11 (b)	\$400.00
113	Fail to provide for minimum floor area for dining space	4.8.11 (c)	\$400.00
114	Fail to provide for minimum floor area for combined dining space	4.8.11 (d)	\$400.00
115	Fail to provide for minimum floor area of kitchen area	4.8.11 (e)	\$400.00
116	Fail to provide for a minimum floor area of kitchen area for multiple occupants	4.8.11 (f)	\$400.00
117	Fail to provide for minimum floor area of bedrooms	4.8.11 (g)	\$400.00
118	Fail to provide for minimum floor area of bedrooms	4.8.11 (h)	\$400.00
119	Fail to provide for minimum floor area of bedrooms	4.8.11 (i)	\$400.00
120	Fail to provide for an enclosed space to accommodate for water closet bathtub or shower stall	4.8.11 (j)	\$400.00
121	Fail to maintain multiunit security devices where equipped	4.8.12	\$400.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
122	Fail to provide for sanitary and kitchen facilities based on tenant occupancy	4.9.1	\$400.00
123	Fail to provide for a required floor area	4.9.2	\$400.00
124	Fail to equip with cooking facilities	4.9.3	\$400.00
125	Fail to be equipped with sanitary facilities	4.9.4	\$400.00
126	Fail to keep all buildings free of pests	4.10.1	\$400.00
127	Fail to maintain elevating devices	5.1.1	\$400.00
128	Fail to maintain heating ventilating and mechanical systems	5.2.1	\$400.00
129	Fail to maintain minimum temperatures	5.2.2	\$400.00
130	Used portable heating as primary source of heat	5.2.3	\$400.00
131	Fail to provide for multi-unit duct type smoke detector	5.2.4	\$400.00
132	Fail to maintain plumbing and drainage free from leaks and freezing	5.3.1 (a)	\$400.00
133	Fail to supply portable hot and cold water based on occupancy served	5.3.1 (b)	\$400.00
134	Fail to provide for hot water at appropriate temperature	5.3.1 (c)	\$400.00
135	Fail to maintain provided washing machines and plumbing fixtures	5.3.2	\$400.00
136	Fail to maintain air conditioners as to prevent condensation drainage	5.3.3	\$400.00
137	Fail to maintain septic systems	5.3.4	\$400.00
138	Fail to properly decommission septic systems	5.3.5	\$400.00
139	Fail to provide for electrical outlets	5.4.1	\$400.00
140	Fail to provide for electrical wall switches in required rooms	5.4.2	\$400.00
141	Fail to conform to Ontario Electrical Code	5.4.4	\$400.00
142	Fail to provide for and maintain lighting outlet in required rooms	5.4.5	\$400.00
143	Fail to provide for and maintain access lighting	5.4.6	\$400.00
144	Fail to maintain central station electrical connections as required	5.4.7	\$400.00
145	Fail to maintain recreational amenity spaces and equipment	5.5.1	\$400.00

At the discretion of the Officer, fines may be doubled for any and all subsequent repeat offences.