

BY-LAW NO. 98-151

Being a by-law to require adequate and suitable vital services for residential rental accommodation

WHEREAS pursuant to section 146 of the **Tenant Protection Act, 1997** (S.O. 1997, c. 24) a council of a local municipality may pass by-laws requiring, *inter alia*, every landlord to provide adequate and suitable vital services to each of the landlord's rental units.

NOW THEREFORE the Council of The Corporation of the Town of Caledon ENACTS AS FOLLOWS:

1. In this by-law,

"adequate and suitable heat" means that the minimum temperature of the air in the accommodation which is available to the tenant or lessee is 20 degrees Celsius (68 degrees Fahrenheit) at 5 feet from floor level and 3 feet from exterior walls in all habitable rooms and bathrooms;

"adequate and suitable supply of hot water" means a supply of hot water at the ordinary temperature of at least 43 degrees Celsius (120 degrees Fahrenheit) in a quantity of at least 165 litres (36 gallons) for 15 minutes with a minimum recovery rate for the temperature of 45 litres (10 gallons) per hour;

"adequate and suitable supply of water" means a continuous and uninterrupted supply of potable water of sufficient quantity for normal kitchen, laundry and bathroom facilities;

"Chief By-law Enforcement Officer" means the Chief By-law Enforcement Officer of the Town of Caledon or his/her designate.

"Clerk" means the Clerk of The Corporation of the Town of Caledon.

"rental unit" means any living accommodation used or intended for use as rented residential premises, and includes,

- (1) a site for a mobile home or site on which there is a land lease home used or intended for use as rented residential premises, and
- (2) a room in a boarding house, rooming house or lodging house and a unit in a care home;

"Town" means the The Corporation of the Town of Caledon in the Regional Municipality of Peel;

"vital service" means fuel, hydro, gas, hot or cold water;

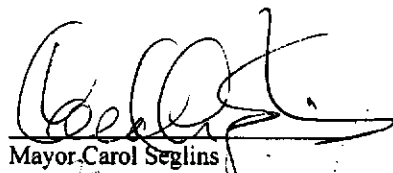
2. (1) Every landlord shall ensure that every building or part of a building which is rented or leased as dwelling or living accommodation shall be provided with an adequate and suitable supply of vital services to each part used as a dwelling, including but not limited to, adequate and suitable heat between the 15th day of September in each year and the 1st day of June of the following year, an adequate and suitable supply of hot water, and an adequate and suitable supply of water.

- (2) Every landlord shall ensure that every building or part of a building which is rented or leased as dwelling or living accommodation shall not be equipped with auxiliary heating equipment as the primary source of heat.
- 3. (1) No landlord shall cause or allow the discontinuance of a vital service to a dwelling, except where it is necessary to safely make repairs or alterations to the dwelling and then only during the minimum time necessary to complete them.
- (2) For the purposes of subsection (1), a person liable for service or utility rates who fails to pay the rates with the result that the service is disconnected, shut off, or discontinued shall be deemed to have caused the discontinuance.
- (3) No landlord shall advise a supplier of a vital service to bill a tenant directly except where such tenant has expressly assumed the obligation to pay for that service directly in a tenancy agreement.
- 4. No person shall obstruct, hinder, delay or prevent the Chief By-law Enforcement Officer in the exercise of any power conferred or the performance of any duty imposed by this by-law.
- 5. Every person who contravenes any part of the provisions of this by-law is guilty of an offence.

READ A FIRST, SECOND AND THIRD TIME

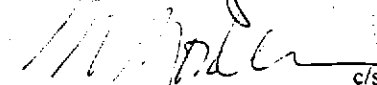
AND PASSED IN OPEN COUNCIL THIS 21st

DAY OF DECEMBER, 1998.



Handwritten signature of Mayor Carol Seglins in cursive script.

Mayor Carol Seglins



Handwritten signature of Marjory Morden in cursive script.

Marjory Morden - Town Clerk

c/s

