

# **CITY OF YORKTON**

## **BYLAW NO. 18/2017**

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### **A BYLAW OF THE CITY OF YORKTON IN THE PROVINCE OF SASKATCHEWAN TO PROVIDE FOR THE REGULATION OF PROPERTY STANDARDS**

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**Known as ‘The Property Standards Bylaw’**

**01/08/2018**

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**City of Yorkton  
Saskatchewan**

**Bylaw No. 18/2017**

**A Bylaw of the City of Yorkton in the Province of Saskatchewan  
to provide for the Regulation of Property Standards.**

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**WHEREAS**, pursuant to Section 8 of *The Cities Act*, enables Council the authority to pass bylaws for the purposes such as the safety, health and welfare of citizens and to maintain the amenity of a neighbourhood;

**AND THEREFORE**, The Council of the City of Yorkton in Council assembled enacts as follows:

The Statutory Authority for this Bylaw is provided for in the applicable sections of *The Cities Act*.

**Title and Purpose**

Title

1. This Bylaw may be cited as The Property Standards Bylaw.

Purpose

2. The purpose of this Bylaw is to set and enforce standards to regulate the maintenance of properties and structures within the City of Yorkton and to ensure that all properties are continuously maintained in a reasonably attractive, tidy and safe condition.

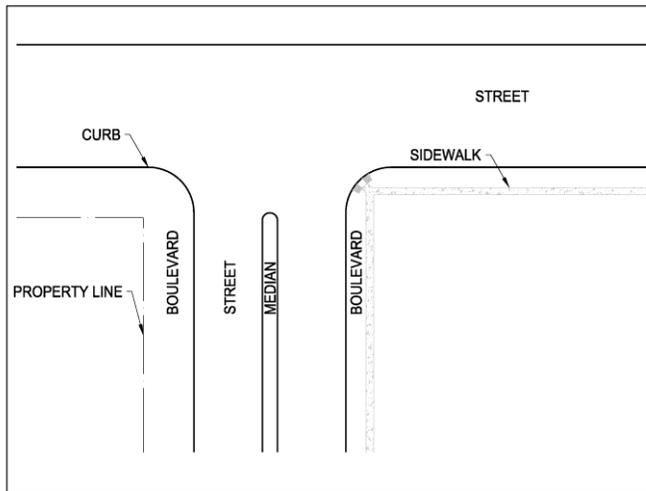
**Part 1 - Definitions and Responsibility**

Definitions

3. In this Bylaw:

“**Accessory Building**” means a separate building or structure and not the principal building or structure. It is located on the same site as the principal building or structure and shall include private garages but shall not include a building used for human habitation.

“**Boulevard**” means the portion of land lying between the curb and gutter of a street and the adjacent property line, excepting the portion occupied by a sidewalk. Where no curb and gutter exist, it is the portion of land lying between the designated roadway and the adjacent property line. *See Figure 1.1*



*Figure 1.1*

**“Building”** means any structure used or occupied or intended for supporting or sheltering any use or occupancy, and includes an addition built to an existing structure and, where applicable, the land adjoining a structure.

**“City”** means the City of Yorkton.

**“City Sign”** means signs erected by the City of Yorkton, which are regulated by the current Traffic Bylaw.

**“Commercial Vehicle”** means any vehicle used for a business activity with a Manufacturers G.V.W. registration exceeding 8,000 kg or a total length of 6.7 metres, but does not include vehicles used for personal use.

**“Construction Equipment”** means any equipment or device designed or intended for use in construction, or material handling, including but not limited to, pile drivers, bulldozers, tractors, excavators, trenchers, cranes, loaders, scrapers, pavers, ditchers, compactors and rollers, concrete mixers, graders, etc.

**“Council”** means the Council of the City of Yorkton.

**“Dilapidated Building”** means a building or structure that is in a state of disrepair, ruined or decayed condition.

**“Driveway”** as defined and meeting the requirements set out in the current Zoning Bylaw.

**“Dwelling unit”** means a room or series of rooms that are used as a residence by one or more persons. A dwelling unit contains cooking, sleeping and sanitary facilities.

**“Excavation”** means the space created by the removal of soil, rock or fill for the purposes of construction. It may also be performed by natural occurrences such as sink holes or holes dug by animals.

**“Fence”** means a type of wall erected to enclose an area and act as a barrier. It may be built privately or by a developer to enclose a specific community.

**“Garbage”** means discarded food waste or any other unwanted material intended for disposal at the landfill.

**“Graffiti”** means a form of unwanted vandalism that includes any drawing, inscription, writing or other mark that disfigures or defaces any building, accessory building, privacy wall, fence or other structure.

**“Green space”** means a municipally owned area of grass, trees, or other vegetation set apart for recreational or aesthetic purposes that is accessible to the public, and includes any park, or City-owned or Province-owned buffer, walkway, or reserve parcel.

**“Hardscaped”** means an area of a yard that consists of non-vegetative materials such as brick, pavers, rock, stone, concrete, tile, or wood, but does not include driveways.

**“Hazardous Goods”** as defined in the current Fire Prevention Bylaw.

**“Inspector”** means any person designated by the City of Yorkton as a Bylaw Enforcement Officer, Building Official, Fire Inspector or Health Inspector.

**“Junk”** means waste, rubbish, or the remains of articles that have been worn, discarded, destroyed or in a broken condition, as determined by the inspector.

**“Junked vehicle”** means any vehicle or recreational vehicle, but shall not include commercial vehicles, that:

- a) has no valid license plates attached to it; or
- b) is inoperative, or inoperable, or cannot be moved by its own power at the request of the Inspector; or
- c) is in a rusted, wrecked, partly wrecked, dismantled, partly dismantled, or abandoned condition.

**“Landscaped”** means an area of a yard that consists of vegetation, such as trees, shrubs, hedges, ornamental plantings, grass and groundcover.

**“Means of egress”** means a continuous path of travel provided for the escape of persons from any point in a building. Means of egress includes exits and access to exits.

**“Membrane Structure”** means a non-permanent structure with various covering material, (including the skeleton or frame) that is used for storage of a motorized vehicle or any other storage use. Although it does not have a permanent foundation; these structures are still considered as accessory buildings and are subject to current Zoning Bylaw regulations with respect to their size and location.

**“Occupant”** means the resident of a building.

**“Owner”** means the “owner” as defined by *The Cities Act*.

**“Parking pad”** as defined and meeting the requirements set out in the current Zoning Bylaw.

**“Placarded”** means an order prohibiting occupancy, issued by Building Services, Public Health or Fire Protective Services.

**“Portable Garage”** see “Membrane Structure”.

**“Property”** means land, buildings or structures and any combination of these.

**“Recreational Vehicle”** shall mean for the purpose of this Bylaw, a vehicle used for recreational purposes such as an all-terrain vehicle (ATV) that isn’t loaded on a trailer, boat and trailer the boat rests on, jet ski and trailer it rests on, snowmobile that isn’t loaded on a trailer, motorhome, camper trailers, 5<sup>th</sup> wheel camper trailers, tent trailers, camper conversions, or vehicles deemed to be recreational vehicles by an Inspector.

**“Secondary Suite”** means a self-contained dwelling unit with a prescribed floor area located in a building or portion of a building of only residential occupancy that contains only one other dwelling unit and common spaces, and where both dwelling units constitute a single real estate entity.

**“Shipping Container”** means a prefabricated metal container or box specifically constructed for the transport of goods by rail, ship, or transportation truck. Shipping containers are also commonly referred to as “sea cans” or “storage containers”.

**“Structure”** means any building, retaining wall, scaffolding, garbage container, trailer, mobile home, shed or portable shack including canvas or tarp covered portable sheds.

**“Trailers”** shall mean for the purpose of this Bylaw, a flat deck trailer, enclosed cargo trailer, utility or recreation vehicle trailer, horse and livestock trailer, gooseneck (5<sup>th</sup> wheel trailers), or units deemed to be trailers by an Inspector.

**“Untidy and Unsightly”** means a condition that is caused due to the over accumulation of any type of materials in any yard such that the yard becomes visually unattractive and negatively affects the value of other properties in a neighborhood.

**“Yard”** means an area of land open to the sky, which no building is erected on.

**“Front Yard”** means the area extending across the full width of the lot between the front property line and the front exterior wall or walls of the principle building. *See Figure 1.2 & 1.3.* For the purpose of this bylaw; the front yard does not include the driveway and/or parking pad.

**“Rear Yard”** means the area extending across the full width of the lot between the rear property line and front exterior wall or walls of the principle building. *See Figure 1.2 & 1.3.*

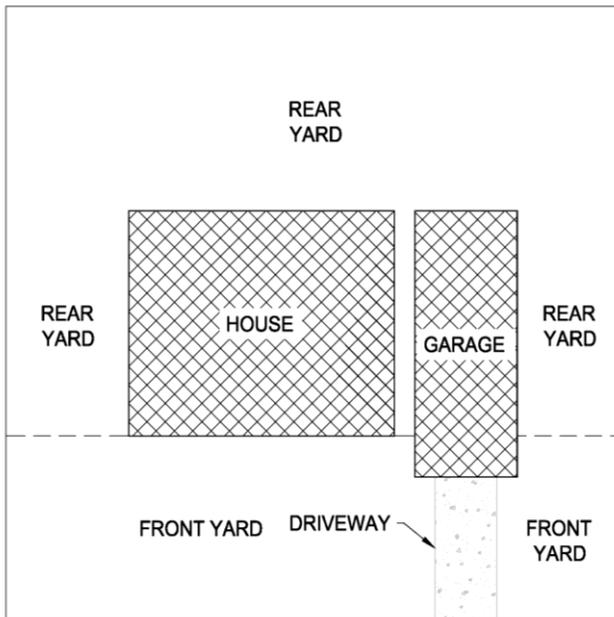


Figure 1.2

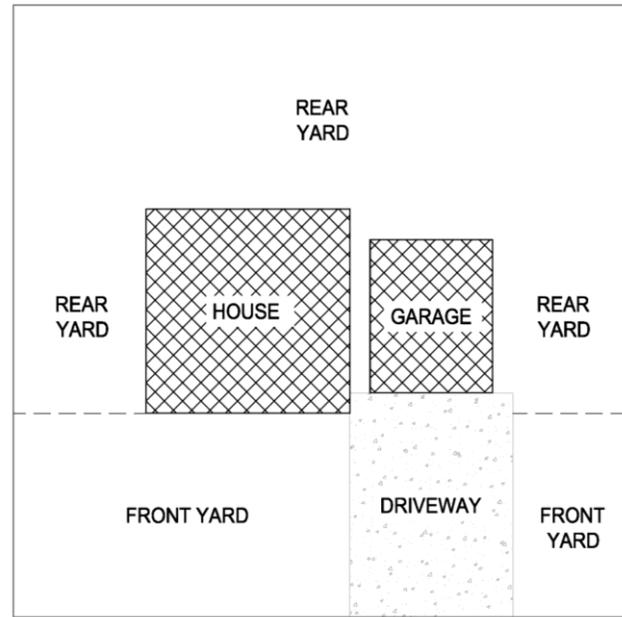


Figure 1.3

### Responsibility

4. Unless otherwise specified, the owner of a property, that includes land, buildings or structures shall be responsible for carrying out the provisions of this bylaw.

### General

5. (1) All property including land, buildings or structures is to be maintained in accordance with the minimum standards of this Bylaw.
- (2) Any structure that has been a Placarded Structure for a period exceeding three months is deemed to be a nuisance and will be ordered to be repaired or removed at the discretion of Building Services.

## **Part 2 - Maintenance of Residential Yards**

This section applies to all residential yards within the City of Yorkton.

### Untidy and Unsightly Premises

6. (1) All residential yards are prohibited from being in an untidy and unsightly condition at the discretion of an Inspector, such as:
  - a) The storage of any vehicles is done in such a way as to cause unsightly clutter and therefore adversely affects the visual well-being of a neighbourhood.
  - b) The storage of any items in a yard is done in such a way as to cause unsightly clutter and therefore adversely affects the visual well-being of a neighbourhood.
  - c) Conditions which provide food or harbourage for vermin such as excessive vegetation overgrowth or the excessive accumulation of new or used furniture, lumber, cardboard, paper, newspaper, appliances, vehicle parts, tires, cans, bottles, barrels, scrap metal,

scrap plastic, carrion, building materials, rags, rubbish, litter, debris, other waste material or other junk whether of any apparent value or not.

- d) Where an owner or occupant of a property are composting, the composting is done in an enclosed bin with proper air holes to allow aeration.

#### Appearance of all Yards

7. (1) All residential yards shall be kept free and clean, at the discretion of an Inspector, from the following at all times:
  - a) dismantled machinery;
  - b) excavations;
  - c) infestations of rodents, vermin or insects ;
  - d) dead or hazardous trees;
  - e) dangerous or hazardous materials;
  - f) refrigerators or freezers;
  - g) household appliances/furniture; and/or
  - h) any material that is deemed to clutter and make the property appear untidy and unsightly.

#### Front Yards

8. (1) All residential front yards regardless of whether they are landscaped or hardscaped shall be kept free of the following:
  - a) motorized vehicles including, but not limited to, automobiles, etc.;
  - b) trailers of any type; and/or
  - c) recreational vehicles.

#### Front Yard Driveways and/or Parking Pads

9. (1) All residential driveways and/or parking pads are to be kept free of the following:
  - a) construction equipment;
  - b) any commercial vehicle; and/or
  - c) recreational vehicles from November 1 to March 31, inclusive.

#### Recreational Vehicles and Trailers in Driveways and/or Parking Pads

10. Pursuant to Section 9, when permitted, any recreational vehicle or trailer parked on a driveway or parking pad must be parked a minimum of 1.5 metres from the interior edge of the sidewalk, or curb where no sidewalk exists.

#### Shipping Containers

11. No owner or occupant of a residential property shall allow a shipping container to be placed on their property unless they are permitted under the current Zoning Bylaw.

#### Outdoor Storage of Building Materials

12. (1) Residential storage of building materials, such as lumber, tin, shingles, pallets, or similar items shall conform to the following:
  - a) No owner or occupant of a property shall allow the accumulation of new or used building materials outdoors on the property unless they are being used for a construction or renovation project for that specific property.
  - b) Any building materials for the purpose of a renovation are to be neatly stacked in piles and elevated at least 15 cm off the ground.

- c) Building materials are to be stacked at least three metres from the exterior walls of any principal building and at least one metre from any property line.
- d) Any construction or renovation work must be completed in a timely manner and work may not be suspended for a period of more than 30 days.
- e) Excess building materials from any renovation project must be removed from the residential property within 10 days following the completion of the work.

#### Outdoor Storage of Materials

13. (1) Residential outdoor storage of materials shall conform to the following:
- a) Any fire wood, scrap metal, boxes, tires, or similar items stored in a yard shall be neatly stacked in piles and elevated off the ground so as not to constitute a nuisance or harborage of rodents, vermin and insects and to prevent collection of water.
  - b) Materials referred to in Subsection (a) shall be elevated at least 15 cm off the ground and shall be stacked at least three metres from the exterior walls of any principal building and at least one metre from the property line.

#### Yard Drainage

14. (1) Where possible at the discretion of the City Manager Designate, a residential yard shall be graded and drained so as to prevent the following:
- a) excessive ponding of water; and/or
  - b) excessive amounts of moisture accumulating near a building or structure on the property.

#### Overgrown Grass and Weeds

15. No owner or occupant of residential property shall allow their yard to be overgrown with grass and weeds. A yard will be deemed to be overgrown with grass and weeds at the discretion of the Inspector. This section shall not apply to plants and ornamental grasses that are part of a tended and maintained garden.

#### Boulevard and Alley Maintenance

16. (1) The owner or occupant of a property is responsible for maintenance of the adjacent boulevard or alley up to the centerline of the alley (*see Schedule "A" for diagram*) and:
- a) Shall prevent excessive growth of weeds and grass.
  - b) Trees and shrubs that overhang or protrude into the alley must be trimmed to the edge of the roadway to a minimum height of four metres to allow free and clear passage through the alley. (*See Schedule "B" for diagram*) The City of Yorkton has not planted any plantings in or along alleys. Therefore all plantings in alleys are deemed to be private plantings and the responsibility of the adjacent property owner.
  - c) Shall not deposit or cause, suffer, or permit the deposit of any garden waste, vegetation, waste materials, or tree branches on or upon the boulevard or alley adjacent to the property.
  - d) Shall not deposit or cause, suffer or permit the deposit of household furniture, building materials, or garbage or waste, on the boulevard or alley adjacent to the property.
- (2) Where a property abuts a green space, the property owner or occupant of that property shall prevent excessive growth of weeds and grass 0.6 metres beyond the property line that abuts the green space.

### Tree and Shrub Pruning at the Sidewalks and/or Streets

17. (1) No owner or occupant of residential property shall allow their trees or shrubs to grow so as to impede passage on a City sidewalk or street. Trees and shrubs that:
- a) overhang or protrude into the sidewalk are to be trimmed to the back of the sidewalk at a minimum height of three metres. (*see Schedule "C" for diagram*)
  - b) overhang or protrude into the street are to be trimmed to the edge of the street at a minimum height of four metres.

### Hedges and Shrubs in the Front Yard

18. (1) Hedges and shrubs in the front yard must be trimmed to a maximum height of one metre.  
(2) Notwithstanding subsection (1), hedges and shrubs in a sight triangle are subject to the current Zoning Bylaw regulations.

### Tree, Shrub and Hedge Growth Obstructing City Signs

19. (1) Where City signs are located:
- a) Hedges and shrubs must be trimmed to a maximum height of one metre; and
  - b) Tree branches must be trimmed away from the sign face, to provide an unobstructed view of the sign for the intended viewer.

### Junked Vehicles

20. A maximum of one junked vehicle is permitted to be stored in the driveway or parking pad or rear yard on any residential property provided that it is fitted with a grey, black, white or navy blue vehicle cover that is specifically made for that purpose. The non-compliance of any cover will be determined at the discretion of the Inspector.

### Rain Water Collectors

21. (1) All containers on residential property used for the collection of rain water shall be equipped with the following:
- a) a covering device designed to prevent insects that lay their eggs in standing water from entering; and
  - b) an overflow device that discharges excess water away from any foundation.

### Fences and Walls

22. (1) All fences and walls that enclose the yard of a residential property shall, at the discretion of the Inspector, be:
- a) in a safe and reasonable state of repair; and
  - b) free of material that is in a damaged or poor condition.

### Membrane Structures (Portable Garages)

23. (1) All membrane structures on a residential property shall, at the discretion of the Inspector, be:
- a) in a safe and reasonable state of repair; and
  - b) free of material that is in a damaged or poor condition.

### Graffiti

24. No owner shall permit graffiti to remain on any building, accessory building, fence or on any other structure on the property.

### Open Excavations

25. No owner shall have a permanent excavation on their residential property that is deemed to be a public safety hazard by an Inspector. Temporary excavations require a fence at a minimum of 1.8 metres in height.

### Relocated, Demolished or Partly Demolished Residential Buildings

26. Residential buildings that have been relocated, demolished, or partly demolished are required to provide a secure and strongly built fence surrounding any remaining excavation. The fence is required to be a minimum of 1.8 metres in height and is required to remain until the excavation is either filled in or new construction is placed on it. Excavations must be filled and compacted as to not allow water to pond.

## **Part 3 - Maintenance of Non-Residential Yards**

This section pertains to all non-residential yards within the City of Yorkton.

### Untidy and Unsightly Premises

27. (1) All non-residential yards are prohibited from being in an untidy and unsightly condition at the discretion of an Inspector, such that:
- a) the storage of any vehicles is done in such a way as to cause unsightly clutter and therefore adversely affects the visual well-being of the city.
  - b) the storage of any items in a yard is done in such a way as to cause unsightly clutter and therefore adversely affects the visual well-being of the city.
  - c) Conditions which provide food or harbourage for vermin or the excessive accumulation of new or used furniture, lumber, cardboard, paper, newspaper, appliances, vehicle parts, tires, cans, bottles, barrels, scrap metal, scrap plastic, carrion, building materials, rags, rubbish, litter, debris, other waste material or other junk whether of any apparent value or not.
  - d) Where an owner or occupant of a property are composting, the composting is done in an enclosed bin with proper air holes to allow aeration.

### Appearance of All Yards

28. (1) All non-residential yards shall be kept free and clean, at the discretion of an Inspector, from the following at all times:
- a) garbage;
  - b) excavations;
  - c) infestations of rodents, vermin or insects;
  - d) dead or hazardous trees; or
  - e) dangerous or hazardous materials.

### Outdoor Storage of Materials

29. (1) Outdoor storage of materials in non-residential yards shall comply with the following:
- a) any materials such as lumber, scrap metal, boxes, tires or similar items stored in a yard shall be neatly stacked in piles and elevated at least 15 cm off the ground;
  - b) materials in a non-residential yard that are not relevant to the commercial business lawfully being operated on that property are to be stored within an approved and fully enclosed structure or removed; and

- c) materials stored in a non-residential yard that are determined to be a potential safety hazard to individuals able to access them shall be securely enclosed with a wall or fence. The fence is to be strongly built and a minimum of 1.8 metres in height.

#### Shipping Containers on Non-Residential Property

- 30. (1) No owner or occupant of a non-residential property shall permit a shipping container to be placed on their property unless permitted by the current Zoning Bylaw and Building Bylaw.
- (2) No owner or occupant of a non-residential property shall permit a shipping container to become rusty or in a state of disrepair. Where applicable, shipping containers must be painted to match or compliment the exterior of the principle building.
- (3) Shipping containers shall not be used for display or advertising.

#### Yard Drainage

- 31. (1) Where possible at the discretion of the City Manager Designate, a non-residential yard shall be graded and drained so as to prevent the following:
  - a) excessive ponding of water; and/or
  - b) excessive amounts of moisture accumulating near a building or structure.

#### Overgrown Grass and Weeds

- 32. No owner or occupant of a non-residential property shall allow their yard to be overgrown with grass and weeds. A yard will be deemed to be overgrown with grass and weeds at the discretion of the Inspector. This section shall not apply to plants and ornamental grasses that are part of a tended and maintained garden.

#### Boulevard and Alley Maintenance

- 33. (1) Unless alternative agreements are in place, the owner or occupant of a non-residential property is responsible for maintenance of the adjacent boulevard or alley up to the centerline of the alley (*see Schedule "A" for diagram*) and:
  - a) shall prevent excessive growth of weeds and grass;
  - b) trees and shrubs that overhang or protrude into the alley must be trimmed to the edge of the roadway to a minimum height of four metres to allow free and clear passage through the alley. (*See Schedule "B" for diagram*) The City of Yorkton has not planted any plantings in or along alleys. Therefore all plantings in alleys are deemed to be private plantings and the responsibility of the adjacent property owner.
  - c) shall not deposit or cause, suffer, or permit the deposit of any garden, vegetation, waste materials, or tree branches on or upon the boulevard or alley adjacent to the property.
  - d) Shall not deposit or cause, suffer or permit the deposit of household furniture, building materials, or garbage or waste on the boulevard or alley adjacent to the property.

#### Tree and Shrub Pruning at the Sidewalks and/or Streets

- 34. (1) No owner or occupant of a non-residential property shall allow their trees or shrubs to grow so as to impede passage on a City sidewalk or street. Trees and shrubs that:
  - a) overhang or protrude into the sidewalk are to be trimmed to the back of the sidewalk at a minimum height of three metres. (*see Schedule "C" for diagram*)
  - b) overhang or protrude into the street are to be trimmed to the edge of the street at a minimum height of four metres.

### Hedges and Shrubs in the Front Yard

35. Hedges and shrubs in the front yard must be trimmed to a maximum height of one metre.

### Tree, Shrub and Hedge Growth Obstructing City Signs

36. (1) Where City signs are located:  
a) hedges and shrubs must be trimmed to a maximum height of one metre; and  
b) tree branches must be trimmed away from the sign face,  
to provide an unobstructed view of the sign for the intended viewer.

### Junked Vehicles

37. Junked vehicles that are not directly associated with the day to day operations of a commercial business lawfully being operated on that property shall not be stored on the property.

### Fences and Walls

38. (1) All fences and walls that enclose the yard of a non-residential property shall be:  
a) in a safe and reasonable state of repair;  
b) free of material that is in a damaged or poor condition; and  
c) secured to prevent entry by the public during off hours.

### Graffiti

39. No owner shall permit graffiti to remain on any building, accessory building, shipping container, fence or on any other structure on the property.

### Open Excavations

40. No owner shall have a permanent excavation on their non-residential property that is deemed to be a public safety hazard by an Inspector. Temporary excavations require a fence at a minimum of 1.8 metres in height.

### Relocated, Demolished or Partly Demolished Non-Residential Buildings

41. Non-residential buildings that have been relocated, demolished, or partly demolished are required to provide a secure and strongly built fence surrounding any remaining excavation. The fence is required to be a minimum of 1.8 metres in height and is required to remain until the excavation is either filled in or new construction is placed on it. Excavations must be filled and compacted as to not allow water to pond.

## **Part 4 - Exterior Building Standards**

This section applies to the exterior of all buildings.

### Display of Civic Numbers on Buildings

42. (1) All civic addressing shall comply with the City of Yorkton Civic Addressing Policy.  
(2) The owner of a property on which a structure is erected shall display the number assigned to the property at all times. This shall be in a location that is plainly visible and faces the street to which the property is addressed.  
(3) The building numbers shall be at least 10 cm in height and have a stroke width of at least 1.5 cm, and shall be of contrasting color to the surface upon which such numbers are installed.  
(4) The owner of a commercial property shall display the appropriate assigned number to the property at every public access and be plainly visible.

(5) No person shall display any address number on a property other than the one that is currently assigned.

(6) Where a name is used to supplement the address of a property; the owner of the property shall immediately inform the Addressing Officer in writing of the revised name.

(7) The owner of a building with more than one dwelling or rental unit that has a separate exterior entrance door shall provide the following:

- a) a plainly visible number that has been assigned to the multiple unit building; and
- b) a plainly visible suite number displayed on the entrance door of each rental unit.

### Building Components

43. (1) The structural components of every building, including roofs, stairs, railings, porches and decks shall be maintained in good repair and shall be capable of performing the function that they were intended to perform. They shall be capable of sustaining their own weight and any normal load to which it may be subjected.
- (2) Every foundation wall forming part of a building shall be maintained in good repair and be structurally sound to prevent undue settlement of the building.
- (3) No owner shall permit any structure on their property to fall into a dilapidated state of repair.
- (4) Any building that does not meet the standards contained herein may be deemed a dilapidated building at the discretion of an Inspector.

### Exterior Walls

44. (1) All exterior walls of a building shall comply with the following:
- a) exterior surfaces shall be made of materials which provide adequate protection from the weather;
  - b) exterior surfaces shall be free of holes, breaks, loose or rotting boards and any other condition that would allow the penetration of moisture;
  - c) all exterior surfaces including privacy walls and fences shall be free of graffiti; and
  - d) repairs must be in keeping with the existing exterior finishes of the building.

### Roofs

45. (1) A roof including the fascia board, soffit, cornice and flashing shall be neatly finished and maintained in a watertight condition.
- (2) Loose materials including dangerous accumulations of snow and ice shall be removed from the roof of a building as soon as reasonably possible to prevent damage to the building or injury to persons near the building.
- (3) Every permanent structure greater than 100 ft<sup>2</sup> shall have eaves troughs and downspout. The eaves troughs and downspouts shall be watertight and maintained in good repair. Downspouts shall be equipped with extensions to carry runoff a minimum of 1.8 metres away from the foundation.
- (4) Beginning on May 1, 2012 all downspouts in new construction shall terminate a minimum of 3 metres from a front sidewalk or rear alley. Garages located in rear yards where their location is such that a 3 metre setback of the downspout is not possible from the alley will be exempted from the requirement.
- (5) Antennas and any attachments of similar character shall be securely attached to the building and shall be maintained in good repair, free of rust and free of fire and accident hazards.

### Chimneys

46. Chimneys, flue pipes and smoke stacks shall be maintained in good repair as to prevent gases, water or any other substance from leaking into a building.

### Exterior Doors, Storm Doors, Windows and Screens

47. Exterior doors and windows shall be maintained in good repair. Broken glass in doors or windows is to be replaced in a timely manner. In the case of fire, window and door openings shall be boarded up until the building is either repaired or demolished.

### Stairs, Porches, Decks and Railings

48. (1) Stairs, porches, decks and railings shall be installed and maintained in good repair at all times, free of components that are broken, loose, rotted or warped.  
(2) A handrail shall be installed on exterior stairs in accordance with the requirements of the latest adopted edition of the National Building Code of Canada and any amendments thereto.  
(3) Guards shall be installed on decks, landings, porches, balconies, mezzanines and raised walkways per the requirements of the current adopted edition of the National Building Code of Canada and any amendments thereto.

### Vermin and Rodents

49. All buildings shall be maintained to prevent the entry of vermin, rodents and insects and shall be kept free of the infestation of vermin and rodents at all times.

## **Part 5 - Interior Building Standards**

This section applies to all buildings.

### Floors and Stairs

50. Floors and stairs shall be free of loose, warped, protruding or rotting floorboards.

### Walls and Ceilings

51. (1) Every wall and ceiling shall be maintained in good condition.  
(2) Every wall and ceiling shall be painted or finished in a suitable manner.

### Water Supply

52. (1) Every building shall be supplied with potable water.  
(2) Piping for hot and cold water shall be connected to every kitchen sink, lavatory, bathtub, shower and laundry area.  
(3) Piping for cold water shall be run to every water closet and hose bib.

### Plumbing Facilities

53. All plumbing facilities in a building, including fixtures, drains, water pipes and connections to the water and sewer systems shall be protected from freezing, be maintained in good working order and be free from leaks or other defects.

### Gas and Open Flame Type Appliances

54. Gas stoves, water heaters and other gas appliances shall be installed as per the manufacturer's specifications.

### Solid Fuel Burning Appliances

55. Solid fuel burning appliances including but not limited to fireplaces, wood stoves and similar installations shall be connected to safe and functioning chimneys, smoke pipes, flues or gas vents.

### Ventilation

56. Every living space shall be adequately ventilated to the outside and shall be constructed to provide protection from the weather, rodents or insects.

### Electrical Services

57. (1) All buildings shall be supplied with electrical service that is adequate to safely meet the electrical needs of the building.  
(2) Extension cords shall not be used in lieu of permanent wiring for electrical outlets, lighting fixtures and switches.  
(3) Any new electrical outlet shall be installed in accordance with the current adopted edition of the Canadian Electrical Code and any amendments thereto.

### Light

58. Artificial light shall be available at all times in every stairway, corridor, hall, storage room and service room in a building.

### Egress

59. Every means of egress including exit doors, exterior exit stairs, and exit ramps shall be maintained in good condition and free of any obstructions that would negatively impact their use.

## **Part 6 - Habitable Environment Standards**

This section applies to all buildings.

### Habitable Environment

60. Every dwelling unit shall provide a safe and sanitary environment for the occupants in accordance with the requirements of this division.

### Heating

61. (1) Every dwelling unit shall be equipped with adequate heating facilities that are properly installed and maintained in a safe and good working condition.  
(2) Heating facilities shall be capable of maintaining an indoor temperature of 22 degrees Celsius (22°C) when the outside temperature is minus 35 degrees Celsius (-35°C) or colder. The required temperature shall be taken at a height of 750 millimetres from the floor in the centre of each occupied room.  
(3) Portable room heaters shall not be used as a primary source of heat.  
(4) Fuel-burning equipment shall be vented by means of rigid connections to a chimney or flue which provides a sufficient outlet for the escape of all noxious gases.  
(5) In a multi-dwelling unit, air from one suite shall not be circulated to any other suite or to a public corridor except where an existing recirculating air-handling system serving more than one suite is of sufficient design and operated with capabilities to render the air free from conditions capable of constituting a health hazard and shall shut down automatically upon detection of smoke.  
(6) If, in the opinion of the Inspector, the heating equipment in a building or dwelling unit is not functioning properly, the Inspector shall require that a certified technician inspect the heating equipment and provide to the Inspector a copy of such written report. The owner shall comply with all requirements of the technician at his or her sole cost. The owner shall be required to

provide documentation that the work has been completed by a certified technician by a deadline set by the Inspector. Failure to comply will be an offence under this Bylaw.

#### Sanitary Facilities

62. (1) Every dwelling unit shall be provided with a kitchen sink, lavatory, water closet and a bathtub or shower enclosure.
- (2) In every dwelling unit where sanitary facilities are shared; all occupants shall have convenient access to the above from a common hallway.
- (3) The number of occupants sharing the use of a water closet, lavatory and bathtub or shower shall not exceed 10 persons.
- (4) Bathtubs, showers or water closets shall not be located in any habitable room.
- (5) The lavatory shall be in the same room as the water closet or in an accessible joining room.
- (6) Sewage shall be properly discharged into the sewage system.

#### Walls

63. The surface of every wall and ceiling shall be maintained in a reasonably clean and sanitary condition. Surfaces shall be cleaned to prevent build-up of grease or other flammable material.

#### Kitchen Facilities

64. Every dwelling unit shall be equipped with safe and adequate cooking facilities.

#### Fire Safety Standards

65. (1) Sufficient smoke alarms shall be installed on all levels. The location and number of smoke alarms required is determined by the current adopted edition of the National Building Code of Canada and any amendments thereto.
- (2) Smoke alarms shall be installed at or near the ceiling.
- (3) Smoke alarms shall be inspected, tested and maintained in accordance with the manufacturer's specifications.
- (4) Smoke alarms are required in all dwelling units regardless of age.

#### Carbon Monoxide

66. (1) Every dwelling with a fuel burning appliance or attached garage shall have carbon monoxide alarms. The number and location of alarms shall be determined by the current adopted edition of the National Building Code of Canada and any amendments thereto.
- (2) Carbon monoxide alarms shall be inspected, tested and maintained in accordance with the manufacturer's specifications.

#### Service Rooms

67. Service rooms shall not be used for sleeping.

## **Part 7 - Special Requirements for Secondary Suites**

Any secondary suite, for which a building permit has not been issued, discovered in a one or two unit dwelling constructed prior to the adoption of the 2010 National Building Code of Canada, May 1, 2013, will be subject to the provisions defined within Section 69 of the Property Standards Bylaw No. 18/2017. Any secondary suite discovered in a one or two unit dwelling constructed after the adoption of the 2010 National Building Code of Canada, May 1, 2013, will be subject to the provisions of the current edition of the National Building Code of Canada in force at the time of discovery.

### **Newly Constructed Suite Requirements**

68. A newly constructed secondary suite must meet all requirements of the current adopted edition of the National Building Code of Canada and any amendments thereto, as well as all current Zoning Bylaw requirements.

### **Existing Secondary Suite Requirements**

69. (1) An existing secondary suite must meet the following requirements:
- a) Access to every dwelling unit or habitable room shall be gained without passage through a service room.
  - b) Every dwelling unit shall be separated from another dwelling unit (walls and ceilings) as per the current adopted edition of the National Building Code of Canada and any amendments thereto.
  - c) Every service room shall be separated from all adjacent areas by a fire separation and shall have a solid core door complete with a latch and closer.
  - d) An interior stairway, used for the purpose of exiting a dwelling unit, shall be separated from the remainder of the building as per the current adopted edition of the National Building Code of Canada and any amendments thereto.
  - e) Every doorway providing egress from a dwelling unit to an exit or a means of exit shall be equipped with a door and frame having a fire-resistance rating of not less than 20 minutes. (A 45 mm thick solid core door and 38 mm solid wood casings are acceptable). The door shall be equipped with a latch and closer.
  - f) The rise, run, tread depth, width and head room of stairs forming part of an interior stairway used for the purpose of exiting a dwelling unit shall reasonably conform to the current adopted edition of the National Building Code of Canada and any amendments thereto. The stairs shall have a handrail installed on at least one side.
  - g) Smoke alarms in a dwelling unit shall be installed by permanent connections to an electrical circuit and shall be wired so that the activation of the smoke detector will cause the smoke alarm in the first storey dwelling unit to sound, it shall be located and maintained in accordance with the current adopted edition of the National Fire Code of Canada and any amendments thereto.
  - h) Every dwelling unit shall have at least two outside windows openable from the inside without the use of tools or special knowledge. Every bedroom in a dwelling unit shall have at least one openable window. Windows shall provide unobstructed openings with areas not less than 0.35 square metres and with no dimension less than 380 mm.

## **Part 8 – Enforcement, Offences and Penalties**

### **Enforcement of Bylaw**

70. (1) The administration and enforcement of this Bylaw is hereby delegated to Inspector(s) for The City of Yorkton.
- (2) The City Manager for The City of Yorkton is hereby authorized to further delegate the administration and enforcement of this Bylaw to appointed City Inspectors.

### **Inspections**

71. (1) Inspections under this Bylaw shall be carried out in accordance with Section 324 of *The Cities Act*.
- (2) No person shall obstruct an Inspector who is authorized to conduct an inspection under this section, or a person who is assisting an Inspector.
- (3) An Inspector may request that the owner supply confirmation of a condition, a thing or an activity by providing a certificate, letter, or any other documentation from an expert in a field related to the condition, thing, or activity. Failure to do so will be an offence under this Bylaw.
- (4) An Inspector may, at his or her discretion, make an order that any property is in violation of the provisions contained within this Bylaw.

### **Occupancy Prohibited**

72. Any building that does not meet the standards contained herein may be deemed unfit for occupancy at the discretion of an Inspector. Occupancy shall remain prohibited until a Building Official appointed by the City of Yorkton issues permission to occupy the property.

### **Order to Remedy Violations**

73. (1) If an Inspector finds that a person is violating this Bylaw, the Inspector may issue a written order that will require the owner or occupant of the property to which the violation relates to remedy the situation. Orders issued under this Bylaw shall be in accordance with Section 328 of *The Cities Act*.
- (2) Orders shall clearly state a deadline for compliance and what action will be required to remedy the violation.
- (3) If an Inspector determines that any violation endangers public health or safety; emergency action may be taken to eliminate the danger. The cost of such work will be a debt owed to the City and may be added to the taxes on the land where the work was performed.
- (4) The owner has the right to submit a written appeal to the City Clerk's Office within 15 days after the date of the order from an Inspector that requires them to perform work that will rectify the violation.
- (5) Extensions to the Order deadline may only be granted through an Appeal of the Order.
- (6) If the owner fails to comply with work required by an order within the prescribed time limit, the City may proceed to have the work done at the owner's expense.
- (7) Any Order requiring compliance with this Bylaw shall be delivered in accordance with Section 347 of *The Cities Act* in one of the following manners:
- a) personally;
  - b) by registered mail to the last known address of the person being served;
  - c) by hand delivering a copy of the Order to the last known address of the person being served; or

- d) by posting a copy of the Order at the land, building or structure or on a vehicle to which the Order relates.
- (8) Any order issued pursuant to this Bylaw shall be accompanied by information regarding application for an appeal hearing.

### Penalties

74. (1) Notwithstanding the generality of Section 75, when an Inspector has reason to believe that a person has contravened any provision of this Bylaw specified in Schedule “D”, the Inspector may issue a Notice of Violation to the property owner or occupant.
- (2) A Notice of Violation issued pursuant to subsection (1) shall contain a voluntary payment amount, determined by the nature of the contravention of the same nature, at the same property, to the same owner, as prescribed in Schedule “D”.
- (3) Where a Notice of Violation is issued, a person may make voluntary payment of the amount shown on the Notice of Violation, if the person does so before the date specified as the payment date set out in the Notice of Violation.
- (4) If the penalty prescribed under Subsection 2 is paid within 10 days of the date of the offence, as stated on the ticket issued for the violation, the penalty shall be reduced by \$25.
- (5) A Notice of Violation shall be served by any method available to the City pursuant to Section 347 of *The Cities Act*.
- (6) Where the City receives a voluntary payment of the prescribed amount in Schedule “D” before a Court Summons is issued, the person receiving the Notice of Violation shall not be liable to prosecution for the contravention.
- (7) Payment of a voluntary payment amount specified in a Notice of Violation does not relieve the owner of the property from compliance with an Order issued pursuant to *The Cities Act* and this Bylaw.

### Offences

75. (1) No person shall:
- a) Fail to comply with an order pursuant to this Bylaw.
  - b) Obstruct or hinder any Inspector or any other person acting under the authority of this Bylaw.
  - c) Fail to comply with any other provision of this Bylaw.
- (2) Any person that fails to comply with the above is guilty of an offense and liable on summary conviction:
- a) In the case of an individual, to a fine of not more than \$10,000.
  - b) In the case of a corporation, a fine of not more than \$25,000.
  - c) In the case of a continuing offense, to a maximum daily fine of not more than \$2,500.00 per day.

### Registration of Notice of Order

76. If an Order is issued, the City may, in accordance with Subsection 328(5) of *The Cities Act*, give notice of the existence of the Order by registering an interest against the title to the land that is the subject of the Order.

### Appeal of Order to Remedy

77. (1) A person may appeal an Order in writing made pursuant to Section 73 in accordance with Section 329 of *The Cities Act*.

- a) An application for Appeal must be submitted to the Property Standards Appeal Board Secretary in the City Clerk's Office within 15 days of the Order and must:
  - i. State the reasons for the appeal;
  - ii. Summarize the supporting facts for each reason;
  - iii. Indicate the relief sought; and
  - iv. Include a \$25.00 Appeal fee.
- b) The Property Standards Appeal Board Secretary shall give Notice of the Hearing to the appellant/property owner and the members of the Property Standards Appeal Board a minimum of 10 days prior to the hearing by way of regular mail or email.
- c) The Appellant must provide any additional supporting material to the Property Standards Appeal Board Secretary a minimum of five days prior to the Hearing.
- d) The Property Standards Appeal Board Secretary will provide a copy of the Appeal Package to the Appellant a minimum of 24 hours prior to the Hearing.
- e) The Property Standards Appeal Board shall provide a decision within 30 days of the conclusion of the Hearing. The Property Standards Appeal Board Secretary shall notify the Appellant of the Boards decision within 10 days after the decision is made, with the decision sent via ordinary mail or email correspondence.

(2) Upon receipt of an Appeal application, the Bylaw Coordinator (or designate) or Bylaw Enforcement Officer may grant extensions of no more than 30 days on behalf of the Property Standards Appeal Board. The decision to grant an extension shall be sent via regular mail or email correspondence to the Appellant by the Property Standards Appeal Board Secretary.

#### City Remedying Contraventions

78. The City may, in accordance with Section 330 of *The Cities Act*, take whatever actions or measures are necessary to remedy a contravention of this Bylaw and prevent re-occurrence of the contravention.

#### Civil Action to Recover Costs

79. The City may, in accordance with Section 332 of *The Cities Act*, collect any unpaid expenses and costs incurred in remedying a contravention of this Bylaw by civil action for debt in a court of competent jurisdiction.

#### Adding Amounts to Tax Roll

80. The City may, in accordance with Section 333 of *The Cities Act*, add any unpaid expenses and costs incurred by the City in remedying a contravention of this Bylaw to the taxes on the property on which the work was done.

#### Emergencies

81. In the event that it becomes an emergency to remedy a contravention of this Bylaw, the City may take whatever actions or measures are necessary to eliminate the emergency in accordance with the provisions of Section 331 of *The Cities Act*.

### **Part 9 - Repealing Bylaws**

#### Repealing Bylaws

82. Bylaw No. 1/2011 and Bylaw No. 11/2015 are hereby repealed.

**Part 10 – Effective Date of Bylaw**

**Effective Date of Bylaws**

83. This Bylaw will come into force and take effect on January 8th, 2018.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

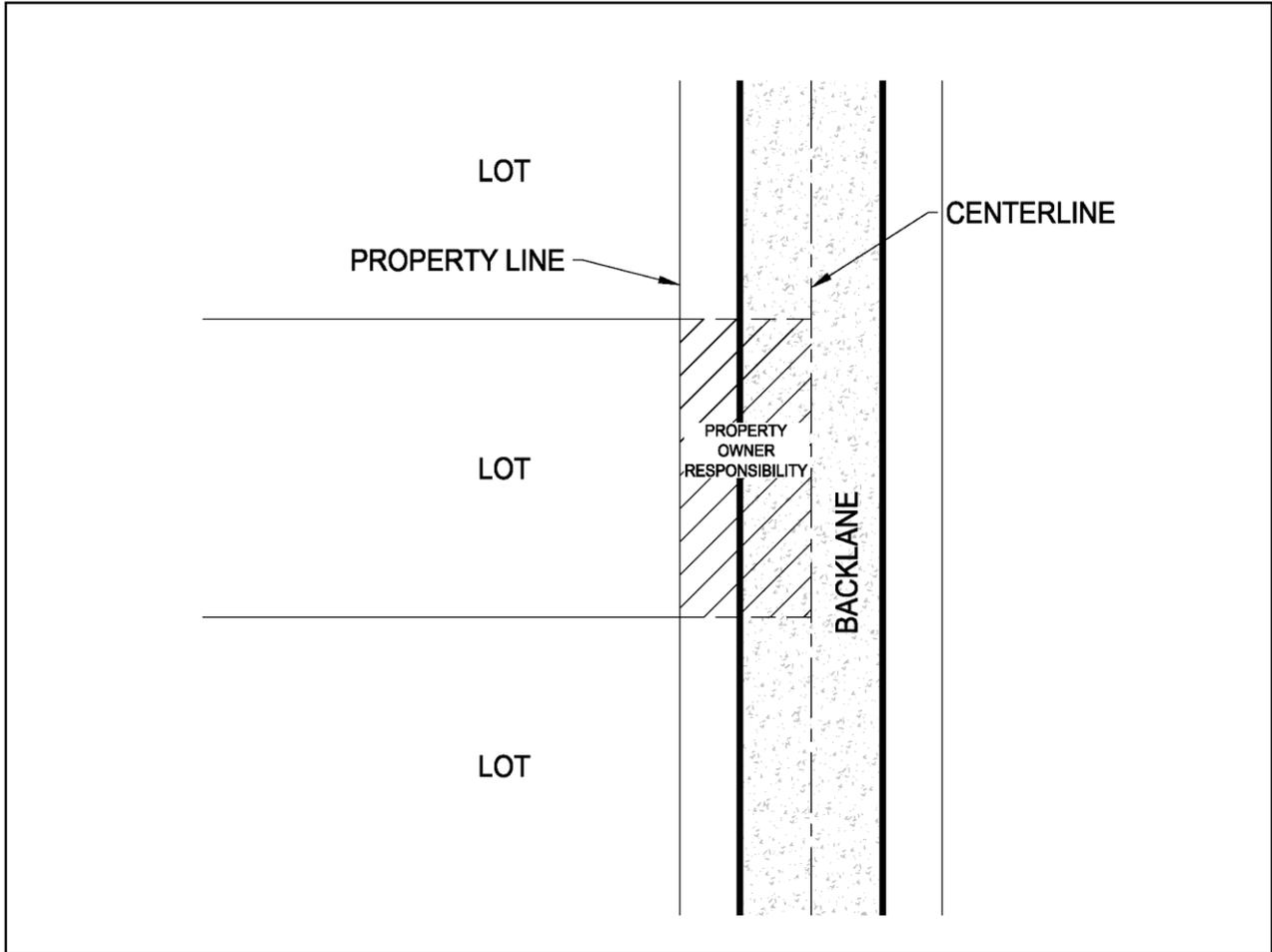
Introduced and read a first time this 11<sup>th</sup> day of December, A.D., 2017.

Read a second time this 8<sup>th</sup> day of January, A.D., 2018.

Read a third time and adopted this 8<sup>th</sup> day of January, A.D., 2018.

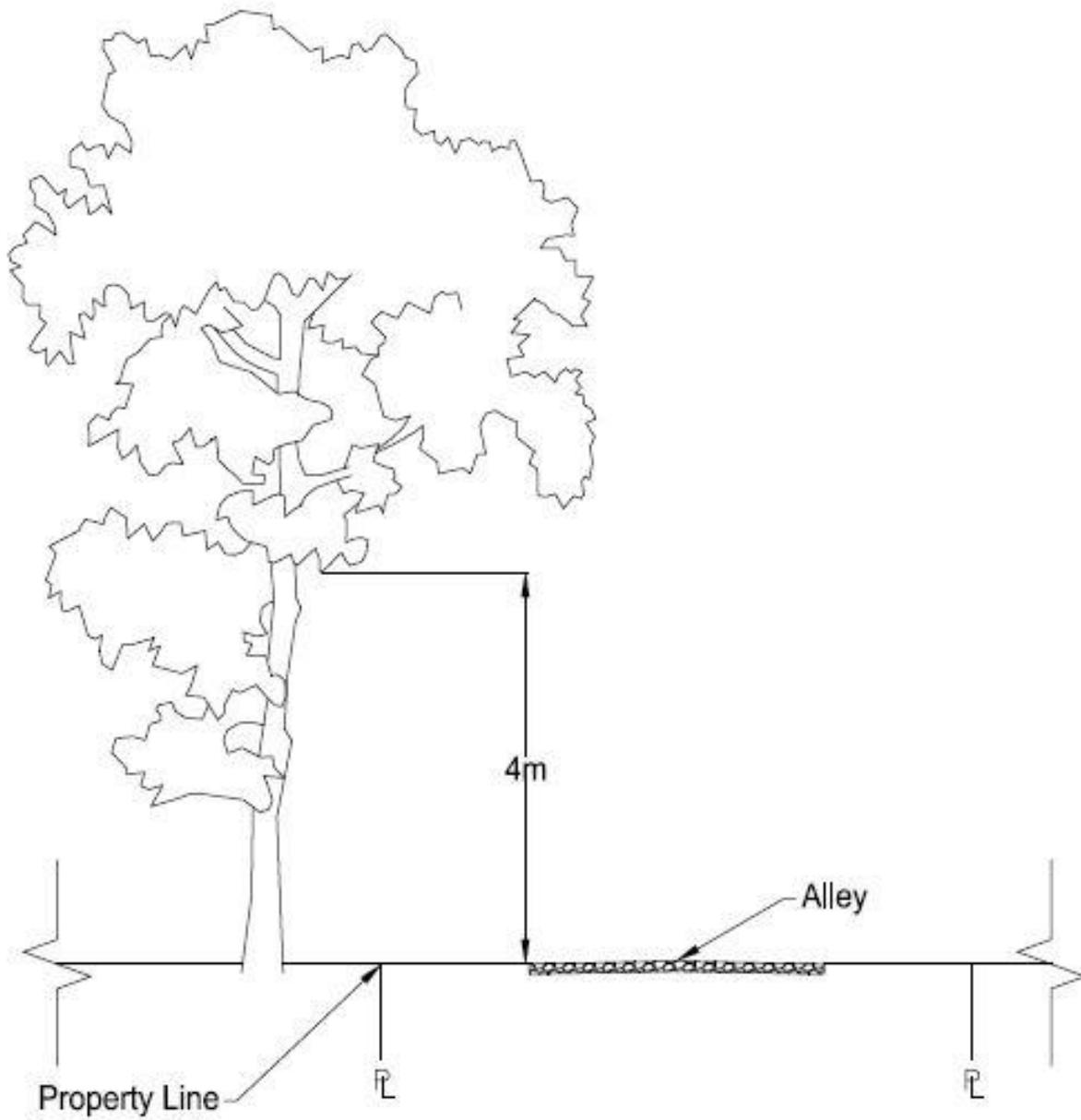
# Schedule "A"

## Alley Maintenance Diagram



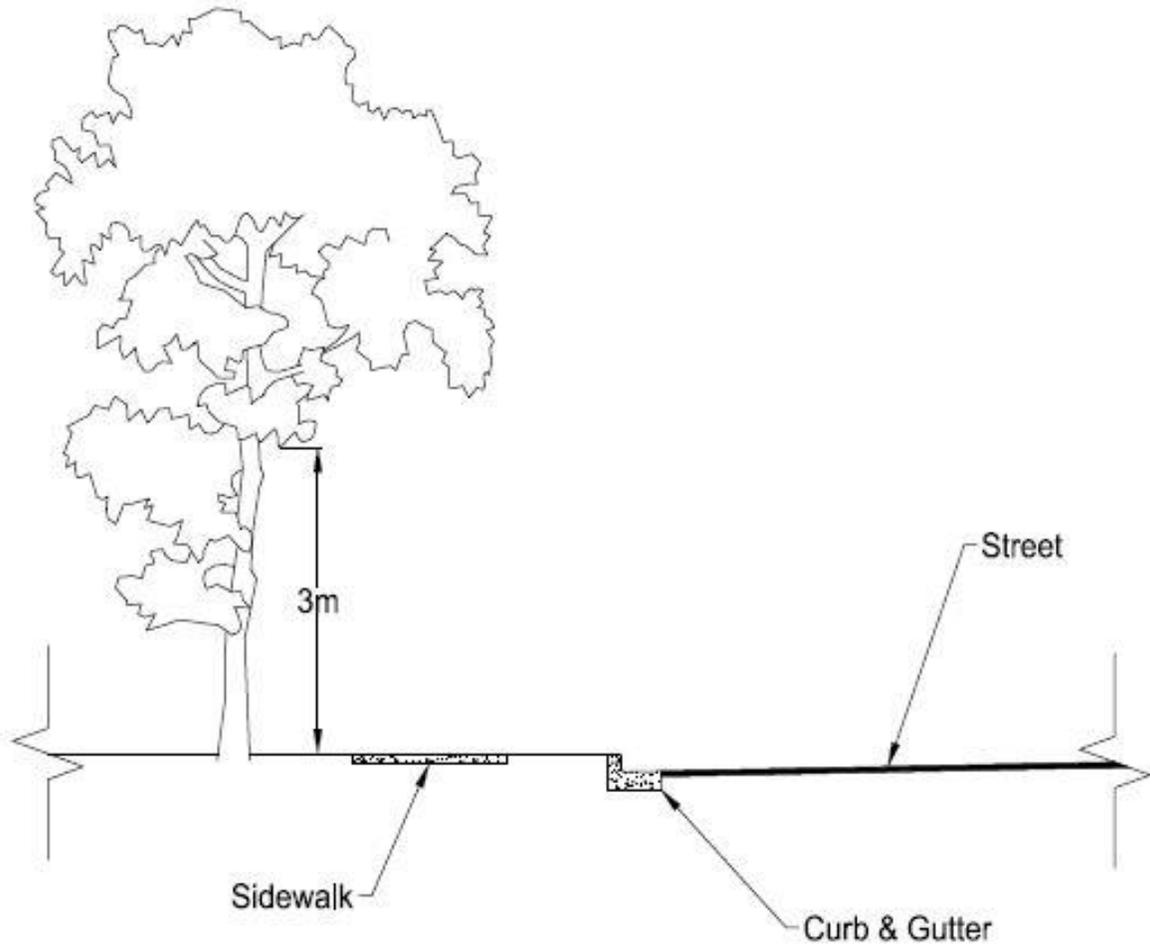
## Schedule "B"

### Trees and Shrubs at the Alley



# Schedule "C"

## Trees at the Sidewalk and/or Street



## Schedule “D”

### Voluntary Payment Amounts to Avoid Prosecution Notice of Violation Penalties

<b>Bylaw Section</b>	<b>Contravention</b>	<b>1<sup>st</sup> Notice of Violation</b>	<b>2<sup>nd</sup> Notice of Violation</b>	<b>3<sup>rd</sup> Notice of Violation</b>
6	Untidy & Unsightly	\$100	\$150	\$200
8	Front Yards	\$100	\$150	\$200
10	Driveways & Parking Pads	\$100	\$150	\$200
11	Recreational Vehicles	\$100	\$150	\$200
12	Placing Shipping Container without Permit	\$100	\$150	\$200
16	Overgrown Grass & Weeds	\$100	\$150	\$200
31	Non-Res. Improper Shipping Containers	\$200	\$250	\$300
33	Non Res. Overgrown Grass	\$200	\$250	\$300