THE CITY OF WINNIPEG

BY-LAW NO. 8151/2002

A By-law of the City of Winnipeg to regulate buildings and premises in the interests of developing safe, orderly, viable, and sustainable communities.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Title

1 This By-law shall be referred to as the "Unsightly Premises By-law".

Definitions

2 In this By-law

"Designated employee" means the Director of Community Services or the Director of Planning, Property and Development for the City of Winnipeg or an employee of the City to whom either of the Directors has delegated the authority to enforce or implement all or part of this By-law.

"**Unsightly**", when applied to a building or premises, means buildings or premises that fail to comply with the standards set out in Schedule "A".

Standards for land and buildings

3(1) The owner and occupant of buildings and premises must maintain the buildings and premises so that they are not unsightly.

3(2) The owner and occupant of buildings and premises must maintain the buildings and premises so that they do not substantially depreciate the value of other land and buildings in the vicinity.

Powers of designated employees

4 The designated employees and their delegates may conduct inspections and take steps to administer and enforce this by-law or remedy a contravention of this by-law in accordance with *The City of Winnipeg Charter* and, for those purposes, have the powers of a "designated employee" under *The City of Winnipeg Charter*.

Compliance orders

5(1) Any order to remedy a contravention of this By-law must be issued in accordance with *The City of Winnipeg Charter*.

5(2) Where an address for service must be determined, it shall be done as follows:

(a) if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property may be used; and

(b) if the person to be served is the occupant of real property, the street address for that property may be used.

Appeal

6 An appeal from an order to remedy a contravention of this By-law may be made in accordance with *The City of Winnipeg Charter* to the Standing Policy Committee on Property and Development.

Repeal of By-law No. 762/74

7 By-law No. 762/74 is hereby repealed

Coming in Force

8. This by-law comes into force on January 1, 2003.

DONE AND PASSED, in Council assembled, this day of , 2002.

_____
Mayor

_____
City Clerk

Approved as to content:

_____
Director of Community Services

Certified as to form:

_____
for City Solicitor/Manager of
Legal Services

SCHEDULE "A"

STANDARDS FOR BUILDINGS AND PREMISES

Exterior walls

8 Exterior walls of buildings must be maintained in good repair and, in particular:

(a) they must be protected against deterioration maintaining the walls, coping or flashing, or by the application of a protective surface;

(b) wood surfaces must be adequately protected against deterioration through the periodic application of appropriate protective coatings, such as paint, varnish, stucco, brick or stone facing, wood or asphalt shingle or siding;

(c) the paint on more than 25% percent of the area of any painted plane or wall must not be blistered, cracked, flaked, scaled, or chalked away;

(d) the mortar of any masonry or stone wall must not be loose or have fallen out.

Roofs

9(1) Roofs must be kept in good repair.

2(2) Loose or unsecured objects, including dangerous accumulations of snow or ice or both, must be removed from the roof of a building.

2(3) Roof drainage or surface drainage must be controlled in order to eliminate or minimize any effects on:

(a) neighbouring property so as not to cause dampness in the walls, ceilings or floors of any portion of any adjacent building; or

(b) neighbouring or public sidewalks or stairs so as not to create a hazardous condition; or

(c) neighbouring property thereby causing noticeable ponding or ground erosion.

2(4) Eavestroughing and downspouts must be watertight and maintained in good repair.

Foundations

3 Every foundation wall forming part of a dwelling must be maintained in good repair and structurally sound so as to prevent undue settlement of the building.

Porches and entrances

4(1) Every porch and entrance to a building must be maintained in good repair so that no component thereof is broken, loose, rotted, warped, out-of-plumb, off-level or out of alignment.

4(2) All exterior steps must be kept in good repair so as to afford safe passage under normal use and weather conditions and protected against deterioration by the application of appropriate protective coating if of wood construction.

Grounds

5(1) Premises must be kept free and clean from:

(a) rubbish, garbage, junk and other debris;

(b) wrecked, dismantled, partially dismantled, inoperative, discarded, abandoned or unused vehicles, trailers and other machinery or any parts thereof;

(c) excessive growth of weeds or grass; and

(d) objects and conditions, including holes and excavations, that are health, fire or accident hazards.

5(2) Plants and vegetation must be kept trimmed so as not to become unsightly.

5(3) The yard must be graded in such a manner so as to prevent:

(a) excessive or reoccurring ponding of water; or

(b) excessive dampness from occurring in buildings on or adjacent to the yard; or

(c) any hazardous condition from being created on any private or public walkway.

Walks, driveways and parking spaces

6(1) A walk must be provided from the principal entrance of every building to a public street or to a driveway affording access to a public street.

6(2) Every walk, driveway and parking space must be surfaced with stone, asphalt, concrete or other material capable of providing a hard surface and must be maintained so as to afford safe passage under normal use and weather conditions.

Fences and accessory buildings

7(1) All fences must be kept:

(a) weather resistant by the application of appropriate materials, including paint and preservatives; and

(b) in good repair; and

(c) free from health, fire and accident hazards.