THE CITY OF WINNIPEG

BY-LAW NO. /2016

A By-law of THE CITY OF WINNIPEG to amend the Neighbourhood Liveability and the Vacant Buildings By-laws.

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

PART ONE
NEIGHBOURHOOD LIVEABILITY BY-LAW

Neighbourhood Liveability By-law amended

1 The Neighbourhood Liveability By-law No. 1/2008 is amended by this part.

Section 3.1 added

2 The following is added after section 3 as part of Division 1 – Basic Maintenance:

Nuisances and unsanitary conditions

3.1(1) The owner and occupant must ensure that nuisances and unsanitary conditions are not created or allowed to exist on any property.

3.1(2) The obligation imposed by subsection (1) includes the obligation to ensure that properties and buildings are kept free of:

(a) infestations of insects, rats, mice and other pests or vermin; and

(b) any condition, matter, or thing that provides or may provide food or harbourage for pests or vermin.

3.1(3) The obligation imposed by subsection (1) includes the obligation to prevent the existence of lice, bed bugs, cockroaches, silverfish or other insects in any part of a building.

3.1(4) Where infestation has occurred in contravention of subsection 3.1(2), the owner and occupant must abate any infestation through the use of:

(a) traps and other self-abatement measures; or

(b) a monitored pest control program with a Certified Pest Control Agency,

until such time as the infestation has been effectively abated as determined by and to the satisfaction of the enforcement officer.

3.1(5) Where infestation in contravention of subsection 3.1(2) is abated through the use of a monitored pest control program pursuant to subclause 3.1(4)(b), the owner and occupant must:

(a) maintain pest control records as created by a Certified Pest Control Agency;

(b) ensure that no part of any pest control records maintained under clause (a) is erased, deleted, removed or otherwise obliterated; and

(c) produce pest control records for review by an enforcement officer upon demand.

Section 7 amended

3 Section 7 is amended by adding the following after subsection 7(2):

7(3) Building interiors must at all times be kept free from standing water.

7(4) The obligation imposed in subsection (3) includes the obligation to ensure that any standing water is removed and abated.

Section 10.1 added

4 The following is added after section 10:

Doors and windows

10.1(1) When closed, every exterior door to a building:

(a) must be properly fitted within its frame; and

(b) must be equipped with hardware so as to be capable of being locked or secured as required by all applicable by-laws, codes or regulations relevant to the door's egress type.

10.1(2) All windows that are capable of being opened must have locking hardware capable of being opened from inside the building.

10.1(3) All windows, exterior doors, basement and roof hatchways and their frames and other components must be constructed and maintained so as to completely exclude moisture and substantially exclude wind from entering the building.

10.1(4) All windows and doors, including frames, sashes, casings, weatherstripping and other components must be kept in good repair.

10.1(5) All windows must be properly glazed.

Section 29 repealed

5 Section 29 is hereby repealed.

Section 36 replaced

6 Section 36 is replaced with the following:

Doors and Windows

36(1) In addition to the obligations imposed in section 10.1, every exterior door to a dwelling and every door to a dwelling unit within a dwelling:

(a) must be equipped with hardware so as to be capable of being locked from both the inside and outside;

(b) must allow individuals within the dwelling unit to exit without the use of a key; and

(c) must not be secured with a lock and hasp.

36(2) All enclosed spaces in a dwelling must be provided with an opening of sufficient size to permit entry to the space and fitted with a door or panel to enclose the opening.

PART TWO
VACANT BUILDINGS BY-LAW

Vacant Buildings By-law amended

7 The Vacant Buildings By-law No. 79/2010 is amended by this part.

Section 2 amended

8 Section 2 is amended by adding the following definitions, in alphabetical order:

"Historical Resources By-law" *means the Historical Resources By-law No. 50/2014 and any replacement by-law;*

"Manitoba Building Code" *when used in this By-law means the building construction codes and standards adopted by the Winnipeg Building By-law No. 4555/87 and any replacement by-law;*

Schedule A amended

9 Schedule A is amended by:

(a) adding the following after clause 3(2)(c):

(d) every part of a building must be kept free of standing water; and

(b) adding the following after section 3:

Foundations of Historical Resources

3.1(1) The basement or crawlspace of a vacant listed resource, as defined by the Historical Resources By-law, must be heated to a temperature of 10 degrees Celsius so as to prevent undue shifting, heaving or "frost-jacking" of the listed resource.

3.1(2) Subsection (1) does not apply where an owner provides evidence to an enforcement officer such that the enforcement officer is reasonably satisfied that the listed resource was not built using shallow foundations as defined by the Manitoba Building Code.

(c) adding the following after section 12:

Nuisances and unsanitary conditions

12.1(1) Nuisances and unsanitary conditions must not exist on any property.

12.1(2) The obligation imposed by subsection (1) includes the obligation to ensure that properties and buildings are kept free of:

(a) infestations of insects, rats, mice and other pests or vermin; and

(b) any condition, matter, or thing that provides or may provide food or harbourage for pests or vermin.

12.1(3) The obligation imposed by subsection (1) includes the obligation to prevent the existence of lice, bed bugs, cockroaches, silverfish or other insects in any part of a building.

12.1(4) Where infestation has occurred in contravention of subsection (2), the infestation must be abated through the use of:

(a) traps and other self-abatement measures; or

(b) a monitored pest control program with a Certified Pest Control Agency,

until such time as the infestation has been effectively abated as determined by and to the satisfaction of the enforcement officer.

12.1(5) Where infestation in contravention of subsection (2) is abated through the use of a monitored pest control program pursuant to subclause 12.1(4)(b):

(a) pest control records as created by a Certified Pest Control Agency must be maintained;

(b) any part of pest control records maintained under clause (a) must not be erased, deleted, removed or otherwise obliterated; and

(c) pest control records must be produced for review by an enforcement officer upon demand.

Coming into force

10 This By-law comes into force and effect on October 1, 2016.

DONE AND PASSED, this day of , 2016.

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Mayor

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City Clerk

Approved as to content:

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Director of Planning,
Property and Development

Approved as to form:

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For Director of Legal Services and
City Solicitor