

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 47-2017

A By-law to require adequate and suitable indoor air temperature for rented or leased dwellings or living accommodations in the Town of Ajax.

WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, as amended, (the "Act") allows a Municipality to pass by-laws respecting the health, safety and well-being of persons and the protection of persons and property, including consumer protection.

NOW THEREFORE, the Council of the Corporation of the Town of Ajax enacts as follows:

1. SHORT TITLE

1.1 This By-law may be cited as the Rented Dwelling Temperature By-law.

2. DEFINITIONS

2.1 In this By-law;

- (a) "adequate and suitable heat" shall mean a minimum air temperature, in the part of the accommodation which is normally heated, of at least 20 degrees Celsius. Portable heaters may not be utilized to achieve adequate and suitable heat;
- (b) "central air conditioning system" shall mean a mechanical system designed to cool air from a central location and distribute it to and from rooms by one or more fans and ductwork, and does not include any portable air conditioning units or any air conditioning window shakers;
- (c) "landlord" means the person or persons registered as the owner of a subject property, containing a rented dwelling unit or living accommodation, in the most recent municipal tax records and/or on the deed in accordance with the records of the land registry office and includes the person managing or receiving the rent;
- (d) "person" includes an individual, a firm, corporation, association or partnership;
- (e) "suitably cooled air" shall mean a maximum air temperature, in the part of the accommodation which is normally used, of no more than 26 degrees Celsius. Portable air conditioning units and air conditioning window shakers may not be utilized to establish suitably cooled air.

3. GENERAL

Heat

3.1 The landlord of every rented or leased dwelling unit or living accommodation which, as between tenant or lessee and the landlord is normally heated by or at the expense of the landlord, shall maintain in such dwelling or living accommodation adequate and suitable heat between the 15th day of September in each year and the 31st day of May in the following year.

Air Conditioning

3.2 The landlord of every rented or leased dwelling unit or living accommodation equipped with a central air conditioning system by signed lease or agreement between tenant or lessee and the landlord is normally serviced with electrical power supplied by or at the expense of the landlord, shall maintain in such dwelling unit or living accommodation suitably cooled air between the 1st day of June and the 14th day of September.

3.3 A Municipal Law Enforcement Officer, or any person acting under their instructions, upon the request of any tenant or lessee, may enter, inspect and examine at any reasonable time the premises in which the dwelling unit or living accommodation of such tenant or lessee is located, for the purpose of determining whether adequate and suitable heat or

suitably cooled air is being provided for such dwelling unit or living accommodation; and any person in possession of such premises for the time being, shall render such aid to the Municipal Law Enforcement Officer or persons acting under their instructions, as may be necessary to make such inspection of examination.

4. PENALTY

- 4.1 Any person who contravenes the provisions of this By-law, including every person who fails to perform a duty imposed herein or who performs an act prohibited herein and every director or officer of a corporation who concurs in such a contravention is guilty of an offence and, upon conviction pursuant to the provisions of the Act, is liable to a penalty not to exceed \$100,000.00.

5. REPEAL

5. That By-law #71-2005 be hereby repealed.

READ a first and second time this
Twenty-sixth day of June, 2017.

READ a third time and passed this
Twenty sixth day of June, 2017.



Mayor



D-Clerk