

CHAPTER 115
HOUSING AND BUILDING STANDARDS

The Council of the Town of Bridgewater enacts as follows:

1. In this by-law,

- (a) "Accessory Building" means a detached subordinate building on the same lot as the main building;
- (b) "Council" means the Council of the Town;
- (c) "Dwelling Unit" means a room or suite of rooms operated as a housekeeping unit used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities;
- (d) "Habitable Room" means any room in a dwelling unit used or intended to be used for living, sleeping, cooking or eating purposes;
- (e) "Non-Habitable Room" means any room within a dwelling or dwelling unit other than a habitable room and includes bathroom, toilet room, laundry, pantry, lobby, communicating corridor, stairway, closet, basement, boiler room, and other space used for service or maintenance of the dwelling for public use and for access to and vertical travel between storeys;
- (f) "Occupant" means any person over the age of 18 years in possession of the property;
- (g) "Building Inspector" means the Building Inspector of the Town;
- (h) "Owner" includes any one or combination of the following:
 - i) A person who is entitled to possession as tenant in fee simple, for life, or for a term not less than twenty years;
 - ii) A mortgagee in possession;
 - iii) Where the mortgagee of land is not in possession, the person entitled to the equity of redemption;
 - iv) The person managing or receiving the rent of the land or premises, whether on his own account or as agent or trustee of any other person;

- v) A person who is assessed for the building on the Assessment Roll of the Town as of the date of alleged violation;
- vi) The person who is entitled to possession by reason of an agreement of sale between that person and the owner of the property.
- (i) "Property" means any building or structure or part of the building or structure and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structure, out buildings, and erections thereon whether heretofore or hereafter erected and includes vacant property;
- (j) "Sanitary Room" means a room containing a bathtub or shower with or without a water closet and basin;
- (k) "Repair" includes the provisions of such facilities and the making or additions or alterations or the taking of such action as may be required so that the property shall conform to the standards established in this by-law;
- (l) "Sewage System" means the sanitary sewer system or storm water sewage system suitable to the Town of Bridgewater;
- (m) "Standards" means the standards prescribed in this by-law;
- (n) "Toilet Room" means a room containing a water closet and wash basin;
- (o) "Town" means the Town of Bridgewater;
- (p) "Shared" means land other than publicly-owned land around and appurtenant to the whole or any part of the building and used or intended to be used or capable of being used in connection with the building;
- (q) "Yard" means an unoccupied space on the same lot with a building, extending along the entire length of the street or area or interior lot line.

2. The owner of every dwelling in the town and the owner of the land on which any dwelling is situated shall maintain the land and buildings thereon according to the following standards:

(a) Yard

- (1) The yard shall be kept clean and free from
(i) rubbish or other debris;
(ii) object or conditions that may create a health, fire or accident hazard.
- (2) Heavy undergrowth shall be eliminated from the area;
- (3) Any vehicle which is discarded, dismantled or in an abandoned condition shall not be parked, stored or left in the yard.

(b) Walks, Driveways, Steps

Steps, walks, driveways, parking spaces and similar areas of a yard shall be maintained to afford safe passage under normal use and weather conditions.

(c) Accessory Building

An accessory building shall be kept in good repair, free from health, fire and accident hazards.

(d) Garages, Carports and Parking Areas

Any garage or carport shall be kept in good repair free from health, fire and accident hazards. Onsite parking requirements of the Zoning By-law of the Town of Bridgewater in force at the date of the approval of this by-law, shall be satisfied.

(e) Garbage

All garbage, rubbish and other debris from a dwelling shall be properly stored in bags placed in rodent-free receptacles acceptable to the Town, and made available for removal in accordance with any Town regulations or by-laws. Where refuse storage chutes are provided, they shall be maintained in a clean and sanitary condition.

(f) Pest Prevention

A dwelling unit shall be kept free of rodents, vermin and insects at all times and appropriate extermination measures shall be taken as necessary.

(g) Structural Soundness

Every part of the dwelling shall be maintained in a structurally sound condition so as to be capable of sustaining safely its own weight and any load to which it may be subject. Any materials which have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

(h) Dampness

The interior floors, ceilings, and walls shall be kept from dampness arising from the entrance of moisture through an exterior wall or a roof.

(i) Foundations

Foundations shall be of masonry, concrete or other acceptable materials and designed to adequately support the loads imposed and provide a normally dry basement or crawl space. Foundations shall be free of open cracks and defective mortar joints or masonry.

(j) Basements and Unheated Crawl Spaces

Every basement, cellar, crawl space or similar space shall be adequately ventilated to the outside air and adequately drained.

(k) Exterior Walls

The exterior walls and their components shall be maintained so as to prevent the deterioration due to weather or insects and shall be so maintained by:

- 1) painting, restoring or repairing of the walls or flashing;
- 2) the water-proofing of joints and of the walls themselves.

(l) Roofs

All roof construction components shall provide adequate support for all probable loads and form a suitable base for the roof covering, and roof including the fascia board, soffitt, cornice and flashing shall be maintained in a watertight condition so as to prevent leakage of water into the dwelling.

(m) Floors

Every floor shall be maintained in good condition. Resilient or non-absorption floorings, or equivalent should be provided in bath rooms, kitchens and laundry rooms.

(n) Interior Walls and Ceilings

Every wall and ceiling finish should be maintained in a clean condition free from holes, loose coverings or other defects which may increase the spread of fire. Where fire resistant walls exist between separate dwelling units, they shall be maintained in a condition which retains their fire-resistant quality.

(o) Insulation (NOT APPROVED)

The requirements of the Residential Standards, National Research Council, shall be satisfied where necessary and practicable with regard to sound and thermal insulation.

(p) Doors and Windows

- 1) All exterior openings for doors or windows shall be fitted with doors or windows.
- 2) Windows, exterior doors and basement or cellar hatchways shall be maintained in good repair so as to prevent the entrance of wind and rain into the dwelling.
- 3) Doors, door frames, window frames, sashes, casings, and weather strippings that have been damaged or show evident of rot or other deterioration shall be painted, repairs or replaced.

- 4) Broken glass and missing or defective door and window hardware shall be repaired or replaced.
- 5) At least one entrance in every dwelling unit shall have a locking device so as to be capable of being locked from both inside and outside the dwelling.

(q) Porches and Stairs

All porches, balconies, landings, stairways and handrails shall be maintained free from defects which constitute a safety hazard.

(r) Egress

- 1) Every dwelling and every dwelling unit within a dwelling shall have safe, continuous and unobstructed passage from the interior of the dwelling and the dwelling unit to the exterior, and every dwelling shall have two exits.
- 2) The passage required above shall not pass through a room in another dwelling unit.

(s) Plumbing

All plumbing, pipes and fixtures shall be in sound condition and with proper care, serviceable for the expected useful life of the building. All water pipes and appurtenants thereto shall be protected from freezing. The plumbing system shall provide a satisfactory hot and cold water supply, drainage, venting and operation of fixtures.

(t) Toilet, Kitchen and Sanitary Facilities

Every self-contained dwelling unit shall be provided with at least one kitchen sink, water closet where there is a toWn sewer, wash basin and bathtub or shower connected to a piped water supply and an acceptable means of sewage disposal. The occupants of not more than two dwelling units may share a water closet, wash basin and bathtub or shower provided:

- 1) not more than a total of eight persons occupy both dwelling units, and
- 2) access to the fixtures can be gained without passing through rooms or another dwelling unit or outside the dwelling.

(u) Sanitary and Toilet Rooms

All sanitary and toilet room shall be located within and accessible from without the dwelling unit and shall be fully enclosed and have a lockable door to provide privacy, and a hand basin shall be located in the same room as the water closet.

(v) Kitchens

Every self-contained dwelling unit shall contain a kitchen area equipped with a sink, served with hot and cold running water where there is a town water supply, a counter top work area, and food storage facilities. Space shall be provided for a stove and refrigerator.

(w) Heating Systems

All the residential accommodations shall be equipped with suitable heating facilities capable of maintaining an indoor temperature of 20°C. The heating system required in Section 1 shall be maintained in good working condition so as to be capable of heating the dwelling safely to the required standard. Where a heating system or part of it or any auxiliary heating system burns solid or liquid fuel, a place or receptacles for the storage of the fuel shall be:

- 1) provided and maintained in a convenient location, and
- 2) property constructed so as to be free from fire and accident hazards.

Where the building contains four or more dwelling units, any fuel fire space heating appliances shall be located in an enclosed space, separated from the remainder of the building in conformance with the Building By-law of the Town.

(x) Fireplaces and Chimneys

Any fireplaces and all chimneys shall be maintained in a safe and efficient condition.

(y) Electrical Services

Electrical facilities complying with the requirements of the Building By-law of the Town shall be provided for all residential accommodations. Existing wiring and electrical equipment shall be good, serviceable and in safe condition.

(z) Light and Ventilation

- 1) Every habitable room shall be provided with one or more windows facing directly on a street, yard or court, or a system of mechanical ventilation acceptable to the Building Inspector, may be used in lieu of such window or windows.
- 2) Every bathroom or room containing a toilet or urinal shall be provided with ventilation, by means of one or more windows facing upon a street or court or yard or airwell; or by means of one or more windows opening into a vent shaft which extends to and through the roof or into a court, yard, or airwell; by means of a separate duct or airwell; by means of a separate duct or non-combustible material not less than twelve square inches in cross section, which extends independently of any duct used for other purposes, to and through the roof, or by ventilating sky light, or by such other approved means of mechanical ventilation approved by the Building Inspector.
- 3) Glass Area -The aggregate area of glass in windows required in all rooms shall not be less than eight per cent of the floor area of the building.
- 4) All windows required by this by-law for purposes of ventilation shall be capable or being opened to an extent of at least thirty per cent of the glass area required for such windows . Nothing in this clause, however, shall be deemed to require double windows or storm windows to be installed so as to permit them to be open as herein provided, unless such ventilation is required by the Building Inspector.

(aa) Space Requirements

No part of a dwelling except a habitable room as defined herein shall be used for sleeping purposes. A room used for sleeping purposes shall have a floor area of at least sixty square feet and shall have at least forty square feet of floor area of each occupant of the age of twelve and over, and at least twenty-five square feet of floor area for each occupant under the age of twelve years occupying such room provided.

(bb) Shared Facilities

Where a building contains more than one dwelling unit, and heating, storage, refuse disposal and other facilities are shared, the design and construction shall satisfy the requirements of the latest edition of the National Building Code.

(cc) Fire Protection

All construction materials shall satisfy the requirements of the 1980 edition of the National Building Code in order to retard the spread of fire and prevent the passage of flame, smoke and hot gases through open or concealed spaces within the building. Sufficient exits from the building shall be provided to assure safe egress in case of fire.

(dd) Smoke Alarm

1) In this clause the words "smoke alarm" means an audible alarm device designed to sound an alarm within the dwelling unit in which it is located upon the detection of smoke within that dwelling unit.

2) The owner of every dwelling unit shall install in every single dwelling unit owned by him at least one smoke alarm in proximity to the sleeping area of each such dwelling unit. This clause (dd) shall not apply to any part of a building that has installed a sprinkler system in good working order.

3) This section shall become effective 60 days after approval of the Minister of Municipal Affairs.

3. Where the owner is unable, by reason of age, infirmity or poverty to, comply with the terms of this by-law, the Town Council may grant temporary exemptions for successive terms of not more than two years.

4. Enforcement

Enforcement of this by-law shall be subject to Sections 228 and 229 of the *Towns' Act*, Chapter 309, Revised Statutes of Nova Scotia which is included in this by-law as Appendix "A".

Revised
Mar. 14/86

Appendix "A"
Enforcement

Special Penalty re Building By-law, Chapter 309
Revised Statutes of Nova Scotia

- 228 (1) Every person who contravenes or fails to comply with any by-law of the Town made under clauses (76), (76A), or (77) of Section 221 shall, for each such offence, be liable to a penalty of not less than one hundred dollars nor more than one thousand dollars, and in default of payment, to imprisonment for a period of not less than fifteen days nor more than three months.
- (2) Every day during which any such contravention or failure to comply continues shall be deemed a fresh offence.
- 229 (1) In the event of any contravention or failure to comply with any by-law of the Town made under clause (76), (76A) or (77) of Section 221, the Town may, in its own name, bring an action or other legal proceeding in respect of the same, which the Supreme Court or a judge thereof may hear and determine at any time, and therein may in addition to any other remedy or relief:
- (a) make an order restraining the continuance or repetition of any such contravention or failure; or
 - (b) make an order directing the removal or destruction of any building or structure or part thereof, so contravening or failing to comply, or in respect of which any such contravention or failure has taken place, and that upon failure to comply with such order the Town Council may remove or destroy or may cause to be removed or destroyed such building or any part thereof, at the expense of the owner of the same; or
 - (c) make such other order as is required to enforce the by-law, and as to costs, and as to the recovery of the expense of any such removal or destruction, as to the Court or Judge seems right.
- (2) In the event of any fresh offence by the same person against the by-law after any such action or other legal proceeding has been commenced by the Town, it shall not be necessary to bring any other action or proceeding, but the action or proceeding already begun may be, from time to time, amended so as to include subsequent violations of the by-law, and the Court or Judge shall thereinhear and deal with the whole matter of such violation.
- (3) If no owner of any building or structure in respect of which may such contravention or failure to comply is taking place, or has taken place, can be found within the town, the Town Council may post, or may cause to be posted, a notice of such contravention or failure, and of the intention to take proceedings in respect thereof, upon such building or structure and at the expiry of ten days from the first day of such posting any proceedings in respect thereof may be had and taken ex parte.