

**BY-LAW 509- 2013**  
**WHICH ESTABLISHES HEALTH STANDARDS FOR PROPERTIES THROUGHOUT THE**  
**MUNICIPALITY OF MORIN-HEIGHTS**

Whereas as per Chapter VI of the Municipal competency Act, L.R.Q., c C-47.1, the Municipality may adopt a public health by-law;

Whereas it is within the citizens best interest that a by-law be in effect throughout the territory;

WHEREAS a notice of motion of the present by-law was given by councillor Leigh MacLeod at the council meeting held on August 14th, 2013;

**THAT THE FOLLOWING BE ORDAINED AND STATUED BY THE PRESENT BY-LAW, as follows:**

**ARTICLE 1 : DÉFINITIONS**

The definition of the following words are as follows:

**Competent authority**

The Director, Urbanism department, members of his department or any other person designated by the municipal council.

**Building**

Construction used to house or shelter people, animals, goods or items.

**Accessory building**

Building or construction attached or not to a building to which it is dependent.

**Basement**

Part of a building located on the main or first floor and for which half or more of the measured height from the floor to ceiling is less than the average level of the levelled ground.

**Issue**

Means of evacuation connecting the exterior floor area including any door or stairway giving it access. Ladders and elevators are not considered as issues as per the present by-law.

**Housing**

Building which contains one or more rooms which may be used or destined to be used as an apartment for one or more people where meals may be prepared and consumed which include sleeping accommodations.

An apartment must be equipped with a drinking water supply system, plumbing, heating and lighting which must be continuously maintained in good shape to be used for their intended purpose.

An apartment must at least have:

- a kitchen sink;
- a toilet;
- un sink;
- a bathtub or shower

All of this equipment must be directly connected to a plumbing and used water evacuation system.

The kitchen sink and the bathtub or shower must be connected to cold and hot water; the hot water temperature must not be inferior to 45 C°.

An apartment must be equipped with a permanent heating installation in proper operating order which allows the occupant to maintain, in livable spaces, a minimum temperature of 21 C°. This temperature must be maintained until the exterior temperature remains inferior to -23 C°. The interior temperature of an apartment must be measured at the center of each livable space, at one meter from the ground.

A vacant apartment of livable space must be equipped with a permanent heating installation which is set at a minimum temperature of 15 C°.

## **ARTICLE 2 : CLEANLINESS**

A building or apartment must not affect a resident or public's health or safety with regards to its use or the state in which it is found.

The following are prohibited and must be removed:

Uncleanliness, deterioration or cluttering of a main building, apartment, balcony or accessory building.

The presence of dead animals.

The storage of the use of products or products that have toxic vapours of strong odours.

Leaving household garbage, refuse or recyclable material elsewhere than in containers used for these purposes as well as the accumulation, whether it be indoors or around a building, any combustible material, that because of their quantity, may present a fire hazard.

The congestion of an evacuation area.

An obstacle hindering the closing and locking of a door and the locking of a door within a required fire-safe separation.

The presence of ice or condensation on an interior surface other than a window.

The accumulation of debris, material, spoiled or putrid material, excrement or other unclean state.

The presence of vermin, rodents, insects or visible mold, as well as conditions which favour their proliferation.

An element of structure, its isolation which is caused by water or liquid infiltration or by a fire. This element must then be cleaned, completely dried or replaced in order to prevent and eliminate the presence of odour or mold and their proliferation. Material affected by fire which is not first quality must be replaced.

## **ARTICLE 3 : MAINTENANCE**

All parties or accessories of an apartment or main or accessory building other than those specified by the present by-law, must be maintained in proper order and be able to complete tasks for which they have been perceived.

All parties part of a main or accessory building must be strong enough to resist to live or dead weight to which they may be subjected to and be repaired or replaced, if necessary.

A balcony, gallery, pathway or exterior stairway must be free of snow accumulation or of any ice constituting in a danger or hinder its use.

The exterior siding of a main or accessory building, such as a roof, an exterior wall or foundation wall must be waterproof.

Surfaces and exterior components of a building or construction must be conceived and maintained in order to stop the intrusion of volatiles, vermin, de rodents, insects or other animals which may be a nuisance to the interior of a building and walls. These surfaces must appear uniform and have proper siding. They must be, if necessary, protected by paint, stain or product corresponding to the material to be protected.

Exterior openings along the building, such as a door and window as well as et their parameters, must be airtight.

Is prohibited, the presence of any water accumulation or humidity which may cause degradation of the structure or finishes or the presence of visible mold.

Walls and ceilings must be maintained in good shape without any holes or gaps. Siding that is peeling or comes apart, must be repaired or replaced.

Flooring must be maintained in good shape and must not have any mis-jointed planks, twisted, broken nor rotten or any other defect which may be dangerous or cause an accident.

The ground of an empty septic or cave must be dry and arranged in order to prevent or eliminate water infiltration.

A bathroom or powder room floor as well as the walls surrounding a shower or bath must be protected against humidity, covered with proper waterproof wall covering and maintained in a good state in order to prevent water infiltration on adjacent partitions.

The flooring of a common laundry room must be protected against humidity, covered with a product or waterproof wall covering in proper condition. It must also be cleaned periodically in order to preserve a clean laundry room.

Garbage chutes, garbage and recycling material containers as well as areas that are reserved for their storage must be maintained in good shape and periodically cleaned to keep the area clean.

#### **ARTICLE 4 : NOTICE OF CORRECTION**

Those authorized to apply the present by-law may forward a notice of correction to the property owner and, if necessary, to the lessee or occupant of a property which derogates to the present by-law.

A notice of correction :

- the property's address;
- the nature of the infringement;
- the list of work to be done in order to render the property in conformity with the present by-law;
- the timeframe allotted to comply with the notice.

The person who receives a notice of correction as per Article 5 must complete the work within the required timeframe, within ten (10) days of the transmission of the notice of correction.

## **ARTICLE 5 : ADMINISTRATION**

The competent authority is responsible for administering the present by-law.

The competent authority may recommend that Council take every necessary measure to stop any contravention to the present by-law.

The competent authority may require that a property owner undertake or have a test, analysis or verification done on material, equipment or on an installation in order to ensure its conformity to the by-law and that he produce a conformity, safety and proper operating certificate.

The competent authority may, in the case of a property owners' default, along with any other recourse stipulated by Law, undertake or have done, at the property owner's costs, anything required by the by-law with regards to said property. The competent authority may also proceed with the cancellation of health conditions described in Article 6 at the property owner's costs.

The Municipality may enclose a property which may present a danger should the property owner not be able to be found, or should he refuse, neglect or be unable to complete work aimed at eliminating this danger after having received an order from the competent authority.

Costs incurred by the Municipality for the application of the present article constitutes a priority debt on said property, such as and in the same order as debts aimed at in paragraph 5 of Article 2651 of the Quebec civil Code; these costs are also guaranteed by a legal mortgage on said property.

The competent authority may issue a notice ordered the evacuation and the closing of a building or apartment which does not comply to the by-law.

A building or part of a building or accessory building, if evacuated as per the by-law, either vacant or left in an abandoned state, must be closed or barricaded in order to restrict access and prevent any accident.

A building or apartment that has been evacuated or closed in accordance to the by-law cannot be lived in again until the required work to render it in compliance to the by-law has been completed.

## **ARTICLE 6: APPLYING THE BY-LAW**

The competent authority, the Director or members of the Fire department along with the Director, Environment and parks are authorized to apply the present by-law and issue an infringement notice pertaining to any infringement to the present by-law.

Anyone authorized by council to apply the present by-law is authorized to visit and examine any property as well as the inside and outside of homes or any building whatsoever in order to verify if the present by-law is being respected.

Property owners or occupants of these properties or buildings must allow anyone authorized by Council to enter the premises in order to verify and apply the present by-law.

**ARTICLE 7: PENALTY**

Whomever contravenes to any provision of the present by-law commits an offence.

Whomever commits a first offence is liable to a fine of at least two hundred dollars (250 \$) and up to one thousand dollars (1 000 \$) if the offender is an individual, and of at least two hundred fifty dollars (250 \$) and at least two thousand dollars (2 000 \$) if the offender is of legal entity.

Whomever commits a second offence to the same provision is liable to a fine of at least four hundred dollars (400 \$) and of at least two thousand dollars (2 000 \$) if the offender is an individual and at least four hundred dollars (400 \$) and of at least four thousand dollars (4 000 \$) if the offender is of legal entity.

Whomever commits any subsequent offence to the same provision is liable to a fine of at least one thousand dollars (1 000 \$) and of at least two thousand dollars (2 000 \$) if the offender is an individual and of at least two thousand dollars (2 000 \$) and of at least four thousand dollars (4 000 \$) if the offender is of legal entity.

**ARTICLE 8 : ENTERING INTO EFFECT**

The present by-law enters into effect in accordance to the provisions stipulated by Law.

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Timothy Watchorn  
Mayor

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Yves Desmarais  
Director general -  
Secretary-treasurer