

The Corporation of the Township of McMurrich/Monteith

Bylaw 21 - 2013

Being a Bylaw to require the installation and maintenance of Carbon Monoxide Detectors in all residential occupancies containing fuel fired appliances

WHEREAS Council has authority under the Municipal Act S.O. 201 c 25, 10 (2), as amended to pass by-laws for the health, safety and well-being of persons of the municipality;
AND WHEREAS carbon monoxide poisoning is a serious health risk to residents of dwellings containing fuel fired appliances;

NOW THEREFORE the Council of the Township of McMurrich/Monteith ENACTS as follows:

1. In this By-law,

- (a) "Appliance" means a device to convert fuel into energy and includes all components, controls wiring and piping required to be part of the device by the applicable standard;
- (b) "Building" means any structure used or intended for supporting or sheltering any use or occupancy;
- (c) "Carbon Monoxide Detector" means a device which initiates an audible signal either locally or to a supervised location, when excessive concentrations of carbon monoxide are detected, and which is listed as conforming to CAN/CGA 6.19 or UL 2034 standards;
- (d) "Check" means visual observation to ensure the device or system is in place and is not obviously damaged or obstructed;
- (e) "Dwelling Unit" means a building or part of a building, comprised of a room or series of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and which may contain cooking, eating, living, sleeping and sanitary facilities, and including its respective appurtenant hallways;
- (f) "Fuel Burning Appliance" means appliances such as, but not limited to furnaces, refrigerators, clothes dryers, water heaters, boilers, fireplaces, woodstoves, charcoal grills, gas ranges and space heaters, which are fired by flammable fuels such as, but not limited to natural gas, propane, heating oil, kerosene, coal, gasoline, wood and charcoal;
- (g) "Multi-Unit Residential Structure" means any building that contains more than one Dwelling Unit and includes but is not limited to apartment buildings, boarding, lodging and rooming houses nursing homes, hotels, motels and hospitals;
- (h) "Ontario Building Code" means Ontario Regulation 350/06, issued pursuant to the Building Code Act, S.O. 1992, c/23, as amended from time to time and includes any successor legislation or regulation;
- (i) "Occupancy" means the use or intended use of a building or part thereof for the shelter or support of persons, animals or property;
- (j) "Owner" includes any person, firm or corporation having control over any portion of a Dwelling Unit or a Multi-Unit Residential Structure and includes the persons in occupation of a Dwelling Unit or a Multi-Unit Residential Structure;


- (k) "Residential Occupancy" means the occupancy or use of a building or part thereof by persons for whom sleeping accommodation is provided but who are not harboured or detained to receive medical care or treatment or are not involuntarily detained;
 - (l) "Service Room" means any room in a building used to contain equipment associated with building services;
 - (m) "Test" means the operation of a device or system to ensure that it will perform in accordance with its intended operation or function;
2. Every Owner of a Dwelling Unit and a Multi-Unit Residential Structure shall operate and maintain heating, ventilating and air conditioning systems, including appliances, chimneys and flue pipes, so as not to create a hazardous condition.
 3. Every Owner shall install or cause to be installed a minimum of (1) one Carbon Monoxide Detector;
 - (a) In each Dwelling Unit or Service Room which contains a Fuel Burning Appliance; and
 - (b) In the case of a Multi-Unit Residential Structure, in each Dwelling Unit located on the same floor level as a Fuel Burning Appliance and in each Service Room, provided that the detector installed in each Service Room shall be equipped with a remote signal, visible and audible in a supervised or conspicuous location.
 - (c) Every owner shall supply a copy of the carbon monoxide detectors manufacturer's maintenance instructions to the occupant(s) of a dwelling unit.
 - (d) The occupant(s) of a dwelling unit shall maintain the carbon monoxide detector in operating condition at all times in accordance with the manufacturer's maintenance instructions.
 - (e) The owner shall ensure that the carbon monoxide detectors required in this by-law are checked and tested and are in good working order, at least annually.
 4. If a Carbon Monoxide Detector is required and has been installed in a Dwelling Unit in accordance with the requirements of the Ontario Building Code, then the Dwelling Unit shall be deemed to comply with this By-law.
 5. Every Owner of a Dwelling Unit or a Multi-Unit Residential Structure shall ensure that each Carbon Monoxide Detector installed in a Dwelling Unit or a Service Room is installed in accordance with the manufacturers' instructions and shall be equipped with an alarm that is audible within all bedrooms when the intervening doors are closed.
 6. Every Owner of a Dwelling Unit or a Multi-Unit Residential Structure shall ensure that each Carbon Monoxide Detector installed in a Dwelling Unit or a Service Room is maintained in good operating condition and in accordance with the manufacturers' instructions.
 7. Every Owner shall ensure that where an electrically powered Carbon Monoxide Detector is installed, each such Carbon Monoxide Detector shall
 - (a) Be equipped with visual indications that it is in operating condition; and
 - (b) Have no power switch between the Carbon Monoxide Detector and the power distribution panel.

8. Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction, is liable to a fine of not more than \$5,000.00 exclusive of costs, as provided for by the Provincial Offences Act, R.S.O. 1990, c.p.33, as amended.


9. This by-law shall come into force on October 7th, 2013.

Read a first and second time this 16th day of September, 2013

Read a third and final time and passed this 7th day of October, 2013



Reeve



Clerk/Treasurer

PART 1 – PROVINCIAL OFFENCES ACT

TOWNSHIP OF MCMURRICH/MONTEITH

BY-LAW # 21-2013

CARBON MONOXIDE DETECTORS

ITEM	SHORT FORM WORDING	PROVISION CREATING OR DEFINING OFFENCE	SET FINE
1	Failure to maintain heating, ventilating & air conditioning systems so as not to create a hazardous condition	Sec. 2	\$250.00
2	Failure to install or cause to be installed a minimum of 1 carbon monoxide detector in dwelling unit that contains a fuel burning appliance.	Sec. 3 (a)	\$250.00
3	Failure to maintain a carbon monoxide detector in operating condition at all times, according to manufacturer's instructions.	Sec. 3 (d)	\$250.00
4	Failure to check and maintain carbon monoxide detector at least annually	Sec 3 (e)	\$250.00
5	Failure to install a carbon monoxide detector that is equipped with an alarm that is audible within all bedrooms when the doors are closed.	Sec. 5	\$250.00
6	Failure to ensure that electrically powered carbon monoxide detectors are equipped with visual indications that it is operational.	Sec. 7(a)	\$250.00
7	Failure to ensure that there is no power switch between the detector and the power distribution panel.	Sec. 7(b)	\$250.00

Note: The Penalty provision for the offences indicated above is Section 61 of the Provincial Offences Act, R.S.O., 1990, Chapter p.33.