

Authority: Item 9.3, Planning Committee Minutes 25-012 (PED25212)
CM: September 17, 2025 Ward: City Wide
Written approval for this by-law was given by Mayoral Decision MDE-2025-15
Dated September 17, 2025

Bill No. 171

CITY OF HAMILTON
BY-LAW NO. 25-171

**To Amend By-law No. 23-162, a By-law to Prescribe Standards for the
Maintenance and Occupancy of Property**

WHEREAS Council enacted a by-law to prescribe standards for the maintenance and occupancy of property, being City of Hamilton By-law No. 23-162, as amended;

AND WHEREAS Council wishes to amend By-law No. 23-162 to enhance health and safety by establishing maximum indoor temperatures to be met by air conditioning appliances that are supplied by owners of residential rental units;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The amendments in this By-law include any necessary grammatical, numbering, and letter changes.
2. That subsection 2(1) of By-law No. 23-162 be amended by adding the following definitions:

“Central Air Conditioning” is an appliance, and includes a permanently installed cooling system that delivers conditioned or cooled air to multiple rooms within a dwelling unit through a network of ducts, vents, or similar distribution methods;

“Non-Central Air Conditioning” is an appliance, and includes any cooling appliance that is not Central Air Conditioning, including, but not limited to, window units, portable units, through-the-wall units, and ductless mini-split systems;

3. That subsection 22(7) of By-law No. 23-162 is repealed and the following substituted:

22(7) Appliances that are supplied by the owner of a dwelling unit which is rented or leased, or appliances that are required to be supplied by the owner of such a dwelling unit pursuant to the terms of a written agreement, shall be maintained in a good state of repair and in a safe operable condition.

4. That section 22 of By-law No. 23-162 be amended by adding the following subsections after subsection 22(7):
 - 22(8) With respect to Central Air Conditioning and Non-Central Air Conditioning appliances, the meaning of a “good state of repair” includes that the air conditioning appliance supply sufficient cooling to maintain an indoor temperature of not more than 26°C within the dwelling unit from May 15 to September 15.
 - 22(9) The measurement of temperature to determine compliance with subsection 22(8) will be a measurement of air temperature at approximately 1.5 meters above floor level and at least 1 meter away from a wall, and:
 - (a) in the case where Central Air Conditioning is supplied, the measurement of air temperature shall be made in every habitable room; or
 - (b) in the case where Non-Central Air Conditioning is supplied, the measurement of air temperature shall be made in any habitable room within which the Non-Central Air Conditioning appliance is located.
5. That in all other respects, By-law No. 23-162 is confirmed;
6. That the provisions of this by-law shall take full force and effect on its day of passing.

PASSED this 17th day of September, 2025.

A. Horwath
Mayor

M. Trennum
City Clerk