

Authority: Item 8, Planning Committee
Report 17-011 (PED17108)
CM: June 28, 2017
Ward: City Wide
Bill No. 126

CITY OF HAMILTON
BY-LAW NO. 17-126

**To Amend By-law No. 10-221, 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. 10-221; and

WHEREAS this By-law provides for the amendment of City of Hamilton By-law No. 10-221 with respect to vacant and/or damaged buildings, and vacant and/or damaged designated heritage properties.

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

1. Subsections 6(2) and 6(3) of By-law No. 10-221 are deleted and replaced with the following:

6(2) Where any building is vacant or is damaged by accident, storm, fire, neglect or otherwise, the owner may be required to protect such building and adjoining properties against damage arising from the entry of unauthorized persons by closing and securing openings to the building.

6(3) For the purposes of subsection 6(2), doors, windows, hatches and other openings through which entry may be obtained are required to be maintained so as to properly perform their intended function and secured from unauthorized entry, or entry shall be prevented by closing and securing an opening with:

(a) wood sheathing of at least 12.7 mm plywood which is weather resistant, completely covers the opening, is securely fastened to the building, and is painted in a manner conforming with paragraphs 7(3)(b), (c) or (d);

(b) metal sheathing which is weather resistant, completely covers the opening, is, where possible, installed within the reveal of the exterior cladding, is securely fastened to the building and, is painted in a manner conforming with paragraphs 7(3)(b), (c) or (d); or,

(c) brick or concrete block and mortar which completely covers the opening, is securely fastened to the building, and is painted in a manner conforming with paragraphs 7(3)(b), (c) or (d).

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2. Subsection 7(3) of By-law No. 10-22 is deleted and replaced with the following:

7(3) Despite subsections 6(3) and 6(4), where a building on a Part IV heritage property or a Part V heritage property is vacant or damaged by accident, storm, fire, neglect or otherwise, the owner may be required to protect the building against the risks described in subsection 6(2) and shall effectively prevent the entrance of all unauthorized person by closing and securing openings to the building with boarding:

- (a) which completely covers the opening and is properly fitted in a watertight manner within the side jambs, the head jamb and the exterior bottom sill of the door or window opening so the exterior trim and cladding remains uncovered and undamaged by the boarding;
- (b) on the window openings, which is painted a matte black to resemble window glass;
- (c) on door openings, which is painted a colour that matches the colour of the original door;
- (d) on an opening other than a window or door opening, which is painted or otherwise treated so that the colour matches the colour of the surrounding exterior of the building; and
- (e) which is fastened securely with screws at least 50 mm in length and installed at appropriate intervals on centre.

3. This By-law comes into force on the day it is passed.

PASSED this 28th day of June, 2017

D. Skelly
Acting Mayor

J. Pilon
Acting City Clerk