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CITY OF TORONTO

BY-LAW No. 60-1998

To prescribe maintenance and occupancy standards for dwelling units with respect to carbon monoxide detectors.

WHEREAS Council has authority under Section 31 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Now therefore, the Council of the City of Toronto HEREBY ENACTS as follows:

1. Definitions

- (a) "Boarding or Lodging House" means a dwelling in which lodging with or without meals is supplied for gain, but shall not include a hotel, hospital, children's home, nursing home, home for the aged or other similar establishment;
- (b) "Carbon Monoxide Detector" means a combined carbon monoxide detector and audible alarm device that:
 - (i) is designed to sound an audible alarm upon detection of excessive concentrations of carbon monoxide, and
 - (ii) conforms to the Underwriters' Laboratories Standard 2034 and, where electrically powered, is approved by the Canadian Standards Association;
- (c) "Dwelling Unit" means a building or part of a building, comprised of a room, series of rooms or suite operated under a single tenancy as a housekeeping unit, 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.;
- (d) "Fire Prevention Inspector" means a member of the Fire Prevention Division of the Fire Department of the City of Toronto, and includes the Fire Chief and any other member of the Fire Department designated by the Fire Chief;
- (e) "Fuel burning appliances" means appliances such as, but not limited to furnaces, refrigerators, clothes dryers, water heaters, boilers, fireplaces, wood stoves, 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;

- (f) “Occupant” means any person or persons over the age of 18 years, or any firm or corporation, in possession of any dwelling unit; and
- (g) “Owner” includes the person for the time being managing or receiving the rent of the land or premises in connection with which the word is used whether on the person's own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let, and shall also include a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of property.

2. For the purposes of this by-law, a Boarding or Lodging House shall be considered to be one dwelling unit.

3. Every owner of a dwelling unit shall repair and maintain the dwelling unit to conform with the standards for carbon monoxide detectors set out in this by-law.

4. A minimum of one (1) carbon monoxide detector shall be installed in each of the following dwelling units, in accordance with the provisions of this by-law:

- (a) each dwelling unit containing a fuel burning appliance;
- (b) for a building containing multiple occupancies, each dwelling unit located on the same floor level as a fuel burning appliance; and
- (c) for a building containing multiple occupancies, each dwelling unit located on the first and second floor levels of the building above a floor level containing a fuel burning appliance.

5. Every occupant of a dwelling unit shall ensure that each carbon monoxide detector installed in accordance with this by-law is maintained in good operating condition and in accordance with the manufacturer's instructions.

6. Carbon monoxide detectors shall be installed in accordance with manufacturer's instructions and shall be equipped with an alarm that is audible within bedrooms when the intervening doors are closed.

7. Each electrically powered carbon monoxide detector shall:

- (a) be equipped with visual indications that it is in operating condition; and
- (b) have NO switch between the carbon monoxide detector and the power distribution panel.

8. The Fire Chief and Fire Prevention Inspectors acting under the Fire Chief's instructions are hereby appointed property standards officers for the purposes of administering and enforcing the provisions of this by-law.

9. This By-law shall come into force on November 1, 1998.

10. The short title of this By-law is "The Carbon Monoxide Detector By-law".

ENACTED AND PASSED this 6th day of March, A.D. 1998.

CASE OOTES,
Deputy Mayor

NOVINA WONG,
City Clerk

(Corporate Seal)