

# LODGING-HOUSES

## Chapter 166

# LODGING-HOUSES

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[HISTORY: Adopted by the Municipal Council of the Corporation of the City of Etobicoke 1992-03-13 as By-Law No. 1992-55.<sup>1</sup> Amendments noted where applicable.]

### GENERAL REFERENCES

Fire prevention — See Ch. 132.

Heating — See Ch. 154.

Property maintenance — See Ch. 198.

Snow and ice removal — See Ch. 223.

<sup>1</sup> Editor's Note: This by-law also repealed former Ch. 166, Lodging-Houses, adopted 1978-02-27 as By-Law No. 1978-41, as amended.

ARTICLE I  
Citation

**§ 166-1. Title.**

This chapter may be cited as the "Lodging-House Licencing By-Law."

ARTICLE II  
Scope and Interpretation

**§ 166-2. Scope.**

No person shall, within the limits of the City of Etobicoke, carry on a lodging-house or be the operator of a lodging-house unless or until a licence has been obtained therefor from the Board of Health for the City of Etobicoke.

**§ 166-3. Interpretation.**

- A. Unless otherwise expressly stated, the terms and words defined herein shall, for the purposes of this chapter, have the meanings indicated herein.
- B. Interchangeability. Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural, and the plural the singular.
- C. Terms not defined. Where terms and words are not defined under the provisions of this chapter, they shall have the meanings ascribed to them in the Property Standards By-Law,<sup>2</sup> or if not defined therein, they shall have ascribed to them the ordinarily accepted meanings or such as the context herein may apply.

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<sup>2</sup> Editor's Note: See Ch. 198, Property Maintenance and Minimum Standards.

**§ 166-4. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**ACTIVITIES OF DAILY LIVING (A.D.L.)** — Includes those activities of the individual that maintain his/her health through safety, sufficient nutrition, hygiene, warmth and rest and ambulation. These activities include but are not limited to feeding, washing, dressing, grooming, toileting, taking medication as prescribed by the physician.

**BASEMENT** — The storey in which the lowest level thereof is located thirty (30) or more inches, but less than one-half ( $\frac{1}{2}$ ) the height between the floor and the ceiling, below the level of the adjoining grade.

**BOARD** — The Local Board of Health for the City of Etobicoke.

**CELLAR** — The storey in which the lowest level thereof is located more than one-half ( $\frac{1}{2}$ ) the height between the floor and the ceiling below the level of the adjoining grade.

**DWELLING UNIT** — One (1) or more rooms capable of being used as an independent and separate housekeeping establishment, used or intended for the domestic use of one (1) or more individuals residing as a single housekeeping unit.

**HABITABLE ROOM** — A room or enclosed floor space used or capable of being used for living, eating, sleeping or domestic food preparation purposes, but excludes a basement or cellar, bathroom, water-closet compartment, laundry, foyer, lobby, hall, passageway, corridor, closet, stairway, storage room, furnace room or other such space used for service, maintenance or common access within a building.

**LICENCE** — A permit issued in accordance with the provisions of this chapter and falling within one (1) of the classifications listed below:

- A. **TYPE A LICENCE** — A permit issued for the operation and maintenance of a lodging-house providing lodging and/or board for persons capable of self-care.

- B. **TYPE B LICENCE** — A permit issued for the operation and maintenance of a lodging-house whose occupancy includes persons requiring no more than one and one-half (1½) hours of assistance in the activities of daily living per day which the operator, or an adult employee thereof, offers, for a fee, and where, twenty-four (24) hours a day, at least the operator or one (1) adult qualified employee is on duty in the house and able to furnish such assistance.

**LODGING-HOUSE** — Any dwelling in which the proprietor supplies for compensation, with or without meals, and with or without communal cooking facilities, accommodation for more than two (2) lodgers. A "lodging-house" shall include a rooming house, a boarding-house, a rest home or retirement home, a transitional residence, a dormitory and premises operated as a lodging-house by social clubs, fraternal societies and religious orders for their members, but shall not include a hotel, hospital, one-family dwelling as defined in the Zoning Code,<sup>3</sup> student housing operated by a college or university, group home, home for the young or aged or institution which is licenced, approved or supervised under any General or Special Act.

**OPERATOR** — The person licenced to operate a lodging-house.

**OWNER** — Any person, firm or corporation whose name is registered on title to the said property and who is responsible for carrying out the provisions of the by-law, unless otherwise specified in a contractual agreement between the owner and operator.

**PROPERTY STANDARDS BY-LAW** — The effective by-law of the City of Etobicoke prescribing standards for the maintenance and occupancy of property as provided under Section 31 of the Planning Act.<sup>4</sup>

<sup>3</sup> Editor's Note: The Zoning Code is published in a separate volume.

<sup>4</sup> Editor's Note: See Ch. 198, Property Maintenance and Minimum Standards.

**ARTICLE III**  
**Licences**

**§ 166-5. Licence required.**

- A. The owner and/or operator of a lodging-house shall obtain a licence as required by § 166-2 of this chapter by making an application, in writing, to the Board in the manner prescribed herein.
- B. Where the owner and/or operator of a lodging-house operates and maintains a lodging-house providing lodging and/or board exclusively for persons who do not require assistance in the activities of daily living, he shall obtain a Type A licence.
- C. Where the owner and/or operator operates and maintains a lodging-house whose occupancy includes persons requiring no more than a maximum of one and one-half (1½) hours per day of assistance in the activities of daily living, and where the operator, or an adult employee thereof, offers, for a fee, assistance/guidance in the activities of daily living, advice and information to such persons, he shall obtain a Type B licence.

**§ 166-6. Application for licence.**

- A. Applications for licence shall be made by completing the forms available at the offices of the Board of Health.
- B. Not limiting the generality of Subsection A, each application shall include the following:
  - (1) The location of the lodging-house.
  - (2) The name, address and telephone number of the owner and of the operator of the lodging-house.
  - (3) Consent to permit entry prior to the issuance of the licence, and from time to time during the effective life of such licence, to any duly appointed city inspector required to enforce the provisions of the Property Standards By-Law, the Health Protection and Promotion Act, the Building Code, the Fire Code or the provisions of this chapter.

- (4) The number of lodgers to be housed and, in the case of an application for a Type B licence, the number of lodgers requiring assistance in the activities of daily living and the nature of the assistance provided by the lodging-house.
- (5) Be signed by the operator, who shall certify the truth of the contents of the application.
- (6) Four (4) copies of floor plans of the lodging-house, drawn to scale and showing the dimensions of any room or space to be occupied by lodgers, kitchen facilities and fire exits.
- (7) Such other information as the Board may require.

**§ 166-7. Fees. [Amended 1992-04-27 by By-Law No. 1992-83]**

The applicant for a licence shall, at the time of application, pay a fee of one hundred fifty dollars (\$150.) and pay a fee for a renewal of an existing licence of one hundred dollars (\$100.).

**§ 166-8. Terms of issuance.**

- A. On receipt of an application and payment of fees as prescribed, the Board or a person authorized by the Board shall make or cause to be made such inspections as he sees fit to determine compliance within the requirements of this chapter and/or any other city by-law pertinent to the operation of a lodging-house and, where such lodging-house is found to be in compliance with the said requirements, shall issue a licence which shall be valid for a period of one (1) year from the date of issuance.
- B. A lodging-house licence shall be renewed on a yearly basis, so long as the building for which it is issued continues to operate as a lodging-house. The operator and/or owner of such licenced premises shall apply for such renewal at least thirty (30) days prior to the date of expiry, and the application for renewal shall be made in the same manner as and subject to the same inspections as a new application for licence.

- C. The operator shall inform the Board, in writing, of any change in the information contained on the licence or the application for licence.
- D. Licences are not transferable, and any change as to the person named as operator of the lodging-house shall require that a new licence be obtained.
- E. The operator shall display in a prominent location, common and accessible to all occupants of the licenced premises:
  - (1) A copy of the current licence.
  - (2) A notice, on a form approved by the Board, giving the name, address and telephone number of the operator and the name, address and telephone number of a person authorized to act in the case of an emergency or in the absence of the operator.
- F. No premises shall be renovated or altered without the prior approval of the Medical Officer of Health.
- G. Lodging-houses shall adhere to all other acts, regulations or city by-laws.

### § 166-9. Revocation.

The Board may, by written notice to the operator and/or the owner, revoke a licence where:

- A. The lodging-house is found to be in violation of any acts, regulations or city by-laws or the regulations herein;
- B. The information provided in the application is found to be incorrect or false;
- C. The operator is found to be in violation of any acts, regulations or city by-laws or the regulations herein;
- D. The operator has failed to comply with an order written under § 166-11 within the time stated on the order; or



- E. The operator has failed to permit entry to any city inspector or has otherwise prevented the inspector from carrying out inspections of the premises as required under Article IV of this chapter.

#### ARTICLE IV Inspections

#### § 166-10. Inspection officials; reports to Board.

- A. Any duly appointed City Building Inspector, Property Standards Officer, Public Health Inspector, Registered Nurse/Public Health Nurse or Fire Prevention Officer is hereby authorized to carry out such inspections as per the policies of the Fire, Building and Health Departments and as the Board sees fit to determine compliance with this chapter.
- B. Any inspector as qualified under Subsection A shall report any violations or infractions of this chapter to the Board and shall forward copies of any notices or orders issued to correct such infractions to the Board.

#### § 166-11. Orders to correct.

An inspector acting under § 166-10 may serve an order to the operator directing that any violation of an act, regulation or city by-laws, be corrected within a time specified on the order.

#### § 166-12. Serving of orders.

An order made under § 166-11 shall be considered effective when:

- A. Served personally to the person named as operator of the premises where the violation occurs;
- B. Mailed by registered mail to the person named as operator of the affected premises and/or similarly mailed to the person named as the owner of such premises; or
- C. By posting a copy of such order on the affected premises.

**§ 166-13. Removal of posted orders prohibited.**

No person shall remove or deface an order posted under § 166-12C unless authorized by the Board.

**ARTICLE V  
Standards****§ 166-14. Premises to be maintained according to standards.**

- A. For the purposes of this chapter, any premises licenced or required to be licenced as a lodging-house shall be maintained so as not to be in violation of any act, regulation or city by-laws pertinent to the premises, and the Health Protection and Promotion Act, as well as in addition to the standards prescribed in § 166-15 of this chapter.
- B. In the case of conflict, the most stringent standards shall apply.
- C. Any person licenced or required to be licenced to operate and maintain a lodging-house shall comply with the standards set forth in Schedule A annexed hereto.<sup>5</sup>
- D. Any person licenced, or required to be licenced, to operate and maintain a lodging-house under a Type B licence shall further comply with the standards set forth in Schedule B annexed hereto.<sup>6</sup>

**§ 166-15. Standards for maintenance and occupancy.**

Standards for the maintenance and occupancy of lodging-houses shall be as prescribed in the Property Standards By-Law and as follows:

- A. Any portion of the lodging-house which is used for sleeping purposes must:
  - (1) Be a habitable room.

<sup>5</sup> Editor's Note: Schedule A is included in § 166-17.

<sup>6</sup> Editor's Note: Schedule B is included in § 166-18.

- (2) Not be part of a lobby, hallway, passageway, closet, bathroom, stairway, basement, recreation room, cellar, attic, kitchen, storage room, boiler room, laundry room, activity room, utility room, chapel, sitting room, administrative office or resident examination room.
- (3) Have a window with movable sash opening directly to the outside. The area of the window must be at least ten per cent (10%) of the area of the room or space so served. The window must be screened from May 1 to October 31, each year.
- (4) Every bedroom shall have a clear ceiling height of not less than seven (7) feet six (6) inches over fifty per cent (50%) of the required area.
- (5) A bedroom for a resident or residents in a lodging-house established before March 13, 1992, shall provide a minimum of sixteen and eight-tenths (16.8) cubic metres [five hundred sixty-two (562) cubic feet] of air space and six and ninety-six hundredths (6.96) square metres [seventy-five (75) square feet] of floor space for each resident of the of age sixteen (16) years or over.
- (6) A bedroom for each resident under the age of sixteen (16) years in a lodging house established after March 13, 1992, shall provide a minimum of thirteen and fifty-nine hundredths (13.59) cubic metres [four hundred eighty (480) cubic feet] of air space and four and sixty-five hundredths (4.65) square metres [fifty-three (53) square feet] of floor space.
- (7) A bedroom for a resident or residents in a lodging-house constructed, renovated, added to or altered on or after March 13, 1992, shall provide a minimum, exclusive of the space provided for built-in or portable clothes closets, of:
  - (a) Ten and twenty-two hundredths (10.22) square metres [one hundred ten (110) square feet] of floor space in a single-bed unit. This area may be reduced to nine and thirty-hundredths (9.30) square metres

[one hundred (100) square feet] where the lodging-house provides a living room and a dining area(s).

- (b) Sixteen and seventy-two hundredths (16.72) square metres [one hundred eighty (180) square feet] of floor space in a two-bed unit.
  - (c) Twenty-five and eight hundredths (25.08) square metres [two hundred seventy (270) square feet] of floor space in a three-bed unit.
  - (d) Twenty-nine and seventy-three hundredths (29.73) square metres [three hundred twenty (320) square feet] of floor space in a four-bed unit, for each resident of the age of sixteen (16) years or over.
- (8) There shall be a maximum of four (4) beds in any bedroom.
  - (9) Except for cribs for children, every bed for a resident shall be a minimum width of ninety-one and forty-four hundredths (91.44) centimetres [thirty-six (36) inches].
  - (10) A clothes closet for each resident shall be provided in his/her bedroom.
- B. A lodging-house shall be so constructed and used so that it complies with any city by-laws, the laws affecting the health of the inhabitants and any rule, regulation, direction or order of the Local Board of Health and/or any direction or order of the Local Medical Officer of Health. Not limiting the generality of the foregoing, a lodging-house shall:
- (1) Have the basement and/or cellar areas well drained and ventilated.
  - (2) Be free from vermin, insects and pests.
  - (3) Be kept free from accumulations of garbage, rubbish, debris and hazardous materials. Waste must be contained in receptacles which are:
    - (a) Insect- and rodent-proof.
    - (b) Watertight.
    - (c) Provided with a tight-fitting cover.

- (d) Kept clean.
  - (e) Removed regularly.
  - (4) Have parking spaces as required in the Zoning Code.<sup>7</sup>
  - (5) Ensure that all other windows opening to the outside must be screened from May 1 to October 31, each year.
  - (6) Be kept clean and sanitary.
- C. Kitchens. Every room in which meals are prepared shall:
- (1) Be provided with a sink that has a backsplash and drainboard made of material impervious to water, and such sink shall have an adequate supply of hot and cold potable running water and be connected to the drainage system of the dwelling.
  - (2) Where the occupants of a lodging-house prepare, can prepare or are otherwise permitted or able to prepare food for their own consumption, the operator shall provide and maintain in good repair a suitable and convenient receptacle for the storage of food that has a capacity of not less than four (4) cubic feet for each resident.
  - (3) Provide an adequate supply of electricity which has been approved by the Hydro-Electric Power Commission of Ontario.
  - (4) Not be used for sleeping purposes.
- D. Sanitary facilities. There shall be at least one (1) toilet and one (1) wash-basin for each four (4) persons, and one (1) bath or shower for each eight (8) persons occupying the lodging-house. Such facilities shall be kept in good working order at all times. Every wash-basin, bath-tub and shower must be provided with an adequate supply of potable hot and cold running water. The temperature of the hot water serving all bath-tubs, showers and hand-basins used by residents shall not be lower than forty-three degrees centigrade (43° C.) [one hundred nine degrees Fahrenheit (109° F.)] and shall not exceed forty-nine degrees centigrade (49° C.) [one hundred twenty degrees

<sup>7</sup> Editor's Note: The Zoning Code is published in a separate volume.

Fahrenheit (120 ° F.)) and shall be controlled by a device, inaccessible to the residents, that regulates the temperature.

E. A lodging-house shall be kept structurally sound, well maintained, free from fire hazards or any other conditions endangering the life and/or safety of the occupants and, not limiting the generality of the foregoing, shall:

- (1) Provide at least one (1) readily accessible exit from every storey or floor area in which there is sleeping accommodation, provided that such exit must be so located that it shall not be necessary to travel more than sixty (60) feet or through more than one (1) other storey to reach an exit at or near grade, or provide two (2) exits from any storey or floor area where it is not possible to comply with the foregoing.
- (2) Access to a required exit shall be directly to the outside from a room or space used for sleeping, or through common walls, spaces, stairs, etc., which shall be clear and accessible at all times, and shall not lead through a room used for the housing of heating equipment, hazardous storage or a kitchen.
- (3) Provide at least one (1) Underwriters' Laboratories of Canada approved products-of-combustion-type smoke alarm on every storey, located in accordance with the Ontario Fire Code and municipal by-law.<sup>8</sup>
- (4) There shall be Underwriters' Laboratories of Canada approved fire extinguishers of a type and in such locations as required by the Ontario Fire Code.
- (5) Provide a U.L.C. or C.S.A. listed manual, electric fire-alarm system where sleeping accommodation is provided for more than ten (10) persons as required by the Ontario Fire Code.
- (6) Provide at least one (1) night-light on every storey in or adjacent to the principal access stairwell, and such light shall be kept on at all times when there is not sufficient natural light to provide adequate safe visibility.

<sup>8</sup> Editor's Note: See Ch. 132, Fire Prevention.

- (7) Have walls and ceiling of all habitable rooms, kitchens and access to exits clad in a material having a flame-spread rating of less than one hundred fifty (150) (as defined by the Ontario Building Code).
- (8) The operator shall arrange to have at least one (1) fire drill per month and shall document results of same for review by the Fire Department.
- (9) The operator shall, whenever possible, locate residents who require assistance in the event of a fire on the same level as the egress from the lodging-house to street level.

## ARTICLE VI Penalties

### § 166-16. Penalties for offences.

Every person who contravenes any of the provisions of this chapter is guilty of an offence and, on conviction, is liable to a fine not exceeding two thousand dollars (\$2,000.), exclusive of costs, for each offence.

## ARTICLE VII Schedules

### § 166-17. Schedule A: Type A Licence Requirements.

The operator of any lodging-house shall comply with the following standards which are applicable to the occupancy and use of such licenced premises:

- A. No toilet shall be located in a room which is used for the preparation, cooking, storing or consumption of food or for sleeping purposes.
- B. No room containing a toilet shall open directly into an area used for the preparation, cooking, storing or consumption of food.
- C. All toilets and bathrooms shall be so constructed and located so as to provide privacy.

- D. All stairways shall have handrails of the type that will ensure the safety of residents.

### § 166-18. Schedule B: Type B Licence Requirements.

The operator of any lodging-house licenced under a Type B licence shall comply with the following standards which are applicable to the occupancy and use of such licenced premises:

#### A. Admission and retention.

- (1) The operator shall ensure that, prior to admission to the lodging-house, each resident has had a recent tuberculin test or chest X-ray and further tests thereafter as required by the Medical Officer of Health.
- (2) The operator shall only admit a person requiring assistance in the activities of daily living, as a resident, where such person has previously submitted a certificate from a qualified medical practitioner indicating that the potential resident does not require more than one and one-half (1½) hours of assistance in the activities of daily living, per day.
- (3) A person shall not be admitted as a resident without:
  - (a) His/her consent; or
  - (b) The consent, in writing, of his/her next of kin or legal representative, as the case may be, when the person has been declared mentally or physically incapable of giving consent.
- (4) The operator shall not admit a person requiring assistance in the activities of daily living, as a resident, until he has obtained from such person an appropriate signed consent form authorizing the Medical Officer of Health, or his designate, upon request, to have access to all medical records pertaining to the resident's current medical/physical disabilities or conditions.
- (5) The operator shall provide necessary assistance in the activities of daily living for all residents admitted in compliance with the provisions of this schedule.



- (6) The operator shall annually obtain the required medical certificate for each resident.

B. Standards.

- (1) Living standards. The operator of a lodging-house licenced under a Type B licence shall provide the following facilities and services to all persons requiring assistance in the activities of daily living who reside within such a house:
  - (a) A suitable, accessible dining room shall be provided. The minimum area for dining purposes shall be calculated at a rate of twenty (20) square feet [one and eighty-six hundredths (1.86) square metres] per resident when accommodating at one (1) time fifty per cent (50%) of the total resident capacity for the building.
  - (b) A sitting room area, appropriately furnished, shall be made available for the use of the residents. The minimum total space for the sitting rooms shall be:
    - [1] Calculated at the rate of one and thirty-nine hundredths (1.39) square metres [fifteen (15) square feet] of floor space for each resident; or
    - [2] Be eleven and one hundred forty-eight thousandths (11.148) square metres [one hundred twenty (120) square feet], whichever is greater.
  - (c) Each resident shall be provided with an adequate separate and private place for his personal belongings.
  - (d) For each bath-tub and each toilet, at least one (1) grab bar or similar device of a type that will ensure the safety of residents shall be provided.
  - (e) Each resident shall provide or be provided with his/her own towel and wash-cloth and a rack on which to hang them. There shall be at least a weekly change of wash-cloths, towels and bed linen for each resident, or more frequent changes shall be provided if necessary.

- (f) Adequate assistance and supervision is to be provided, where necessary, to all persons requiring assistance in the activities of daily living, to ensure that such person's daily activities include washing, eating, dressing, grooming and toileting and ambulation as necessary.
- (g) Food.
- [1] The operator shall ensure that the residents are served sufficient good quality food having adequate nutritional and energy value. The three (3) meals must be comprised of breakfast, lunch and dinner and must be well-balanced in accordance with Canada's Guidelines for Healthy Eating and Canada's Food Guide.
- [2] Residents shall be supplied not less than three (3) meals daily, as well as snacks at regular times or at reasonable times convenient to the residents.
- [3] A weekly menu plan shall be posted in the dining room(s) and any specific dietary needs must be provided.
- (h) The operator shall provide and document activity programming in the facilities; the operator shall assist residents to gain access to appropriate community programs.
- (i) A lodging-house that has ten (10) or more residents shall have a residents' Council, which may include relatives, which meets on a regular basis. A lodging-house with fewer than ten (10) residents shall establish a mechanism for regular meetings with relatives, residents and the operator.
- (2) Standards of care. The operator or one (1) employee of the operator who is eighteen (18) years of age or older shall be on duty twenty-four (24) hours a day in the lodging-house and be able to furnish assistance/guidance in the activities of daily living.

- C. Health services. The operator of a lodging-house licenced under a Type B licence shall ensure that the following health services are made available to all persons requiring assistance in the activities of daily living, who reside within such a house and shall comply with any direction or order of the Local Board of Health and/or of the Medical Officer of Health:
- (1) The operator shall ensure that each resident, or his next of kin or legal representative, has made arrangements with a physician to provide the resident with medical care as required. Where the resident, or his next of kin or legal representative, is unable or unwilling to make such arrangements, then the operator shall be responsible for making such arrangements.
  - (2) The operator shall obtain from all residents the names of all physicians providing them with medical care. The operator shall further keep and maintain an up-to-date record of these names which shall be made available on request to the Medical Officer of Health or his designate.
  - (3) The operator shall make arrangements for a physician to be on call to provide emergency services when a resident's physician is not available.
  - (4) Whenever the physician determines that a resident requires temporary nursing care or home-care services, the operator shall arrange for such nursing care or home-care services to be given to that resident until that resident can be placed in a more appropriate facility.
  - (5) The operator or a designated adult employee shall be responsible for supervising the administration of prescribed medications to all residents, unless the resident is capable of taking his own medication as directed by his/her physician. Records shall be kept by the operator of all medications so administered.
  - (6) The operator is responsible for supervising the administration of prescribed medications; he/she shall keep such medications locked in a cupboard with separate compartments for each resident.

- (7) The operator shall promptly notify the resident's physician if a resident becomes ill.
  - (8) The operator shall promptly notify the Medical Officer of Health in the event of a serious or unusual accident/incident or sudden/unexpected death and shall complete the appropriate incident report form.
- D. Notice to vacate. The operator shall give at least four (4) weeks' notice, in writing, to the resident and/or family/guardian when the resident is required to vacate the premises, except when the resident requires more than one and one-half (1½) hours per day of assistance in the activities of daily living as determined by the Medical Officer of Health.
- E. Records. The operator shall upon admission obtain the following information which shall be updated annually for each resident:
- (1) Resident's name, date of birth, sex and Ontario Health Card number.
  - (2) Names and phone numbers of next of kin, emergency contact(s) and physician.
  - (3) Medical profile, including any medical disabilities (e.g., allergies, medication incompatibility, special medical problems or therapeutic diets) made known to the operator by the resident, physician or next of kin.

The following records shall be maintained:

- (4) Medication administration showing medications administered, refused, omitted or destroyed and the times of administration for those residents requiring assistance with medication.
  - (5) Particulars of any accident suffered by a resident during his period of occupancy within the lodging-house.
- F. Operators. The operator is responsible for ensuring that this chapter is complied with. A person shall not be licenced to operate a lodging-house unless:
- (1) Qualifications.

- (a) He/she is eighteen (18) years of age or over;
  - (b) He/she produces an Ontario Academic Certificate/ Graduation Diploma or evidence of equivalent standing as determined by the Minister of Education; or
  - (c) He/she produces evidence satisfactory to the Medical Officer of Health of a minimum of three (3) years employment experience in work comparable to the administration of the lodging-house which he proposes to operate.
- (2) Standards.
- (a) The operator shall provide all employees with a written job description, e.g., caregivers, cook, cleaner, etc.
  - (b) A person shall not be the person in charge in more than one (1) house at a time.
  - (c) A person who is a carrier of or has a communicable disease shall not continue to work in a lodging-house as required by the Medical Officer of Health under the Health Protection and Promotion Act and Regulations.
- (3) Every employee in a lodging-house shall undergo at any time such examination or tests, as may be required by the Medical Office of Health as to his/her continuing fitness to work in a lodging-house.
- G. Employees. A person shall not be employed full-time in a lodging-house unless:
- (1) He/she is eighteen (18) years of age or over;
  - (2) He/she produces evidence that he/she has completed Grade Ten in an Ontario Secondary School and has obtained an Academic Certificate, or evidence of equivalent standing; or he/she produces evidence, satisfactory to the Medical Officer of Health, of a minimum of one (1) year employment experience in similar work;

- (3) He/she had a pre-employment examination by a physician not more than thirty (30) days before his/her employment is to commence and he/she obtains a certificate from the examining physician certifying that he/she is free from infectious disease and fit to work in a lodging-house.
- (4) He/she produces a certificate that he/she has had a tuberculin test or chest X-ray within one (1) year before his/her employment is to commence.
- (5) He/she is able to communicate in the language predominating in the lodging-house.

#### H. Part-time employees.

- (1) A person shall not be employed part-time in a lodging-house unless he/she is at least sixteen (16) years of age and is supervised at all times and is not engaged in care-giving activities.

#### I. Staffing requirements.

- (1) For Type B lodging-houses, twenty-four (24) hours a day, at least, the operator or one (1) employee of the operator who is eighteen (18) years of age or older with a current C.P.R. and first aid certificate shall be on duty in the lodging-house, and able to provide assistance in the activities of daily living.
- (2) The operator shall ensure that the staff ratios and qualifications are acceptable to the Medical Officer of Health.
- (3) The ratio of employees to residents will not be less than one (1) full-time person to six (6) residents calculated over three (3), eight-hour shifts, per day.