

EXPLANATION

**A By-law to amend
Standards of Maintenance By-law No. 5462
regarding maintenance orders**

The attached By-law will implement Council's resolution of September 17, 2014 to authorize the Chief Building Official to issue certain orders related to the maintenance of lodging houses, and to authorize the work to be done by the City if the person so ordered does not do the work within 60 days.

Director of Legal Services
September 17, 2014

Maintenance Orders



BY-LAW NO. _____

A By-law to amend
Standards of Maintenance By-law No. 5462
regarding maintenance orders

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends the indicated provisions of the Standards of Maintenance By-law.
2. Council repeals the current subsection 21.10 and replaces it with the following:

“21.10 Every lodging house owner shall at all times keep or maintain the lodging house:

 - (a) in a thoroughly clean and sanitary condition, including windows and lightwells;
 - (b) free of pests, including insects and rodents;
 - (c) fixtures and appliances in good working order and repair;
 - (d) floors, stairs, doors, walls and windows in good working order and repair;
 - (e) heating system in good working order and repair; and
 - (f) sinks, toilets and bathing fixtures in good working order and repair.”
3. Council inserts a new subsection 23.8A as follows:

“23.8A In addition to Council’s authority under Subsection 23.8, where any building used as a dwelling does not comply with standards set out in Subsection 21.10 of this By-law, the Chief Building Official may, after consulting the General Manager, Community Services, order that failure to remedy any default specified in such order within 60 days after service of such order, will result in the work being carried out by the City at the expense of the owner.”
4. Council repeals the current subsection 23.9 and replaces it with the following:

“23.9 If, upon expiration of the sixty days’ notice, all of the defaults specified in an order issued under Subsection 23.8 or 23.8A are not remedied, the City may, by its workers or others, enter upon the premises and effect such repairs, renovations or alterations as are necessary to make the building or land conform to the standards set out in this By-law.”

5. Council repeals the current subsection 23.12, and replaces it as follows:

“23.12 Any order or notice referred to in Subsection 23.2, 23.8 or 23.8A hereof shall be sufficiently served if sent by registered mail to the owner or posted on the affected premises.”

6. A decision by a court that any part of this By-law is illegal, void, or unenforceable is not to affect the balance of the By-law.

7. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this _____ day of _____, 2014

Mayor

City Clerk