

Property Standards By-law

To lodge a complaint about the condition of a building or a rental unit, the City's policy requires a written letter clearly outlining the various complaints. If the condition of the property is found to be deficient pursuant to Property Standards By-laws, the landlord will be required to rectify the problem(s). Typical issues are structural problems and safety related issues within a dwelling

Written complaints can be directed to the Property Standards Office:
60 East Main Street
Welland ON L3B 3X4

Fire Code Violations

Concerns related to Fire Safety should be directed to the City's Fire Prevention Office:
(905) 735-9922 ext 229 or 224

Garbage Collection

In the case where a neighbour constantly puts out garbage for pick up at curbside too early or improperly, please contact Niagara Region Solid Waste Management Services:
(905) 356-4141 or 1-800-594-5542

While the above potential issues have been identified, the hope is that you won't need to use the phone numbers provided. Student tenants usually change from year to year and hopefully a bad experience won't tarnish your view of college students for the next year.

If you have done your part by meeting your new neighbours and being friendly, open, and communicative, there is a good chance this year will be a positive experience. Good luck with your new friends!

INFORMATION FOR LANDLORDS

Tips for Landlords

- ❖ Ensure your rental dwellings are both safe and legal. This will not only benefit student tenants and landlords but also provide some comfort for local residents.
- ❖ Ensure the property is kept up to standards on the outside, including yard maintenance, garbage disposal and parking; it is ultimately the landlord's responsibility.
- ❖ Develop and maintain quality tenancy agreements which clearly outline your responsibilities and those of the tenant and make sure that the tenant understands all clauses before signing the agreement. Items such as parking, noise, yard maintenance and waste disposal should be properly addressed.
- ❖ Learn and understand all laws governing private property including those listed and not listed in this pamphlet.
- ❖ Realize the concern and anxiety of local residents about new neighbours, in particular short stay tenants.
- ❖ Have a presence at the property. Tenants tend to be better neighbours and more respectful when you are around.
- ❖ Consider allocating a portion of rental revenue towards property improvements for the benefit of residents, tenants and your future marketing of the property.
- ❖ Meet and discuss any issue of mutual concern with local residents. Exchange names and phone numbers; they may be of great assistance in minding your property and reporting incidents of concern to you during your absence.

Learn the Laws

Laws affecting properties are numerous, as you have come to realize from your experience as a landlord. As you may or may not be aware, you can be held accountable for the result of some actions of your tenant(s) simply by virtue of being the property owner.



Laws, which as a landlord, you are directly responsible to comply with include:

Rental Property Land Use Zoning By-law

Ensure that both the property and the building are properly zoned for the proposed use. Be clear about whether you are renting a room in a boarding house or an entire house. Fines for contravening Zoning By-law can be up to a maximum of \$25,000, if convicted.

Ontario Fire Code

Landlords are responsible to provide and maintain working smoke alarms on every floor level in a residential unit. Fines for failing to do so are \$235 if ticketed and up to \$25,000 if convicted in a court of law. Landlords are responsible to keep a rental property safe with respect to fire separations, exits, and electrical wiring.

Property Standards

Any building or property owned must be maintained in compliance with the Property Standards By-law by the owner. Failure to do so may result in a fine of up to \$25,000 if convicted in a court of law.

Some Laws that you may be responsible to comply with are:

Clean Yards By-law
Noise By-law
Parking in Front Yard
Waste By-laws

Recovery of Costs

The Municipal Act and the Fire Protection and Prevention Act give municipalities the authority to have a matter remedied where a City by-law or the Ontario Fire Code require such thing to be done. The authority allows municipalities to enter private property, hire contractors, and cause physical changes to property to effect compliance. The cost of work is charged to the property owner and, if unpaid, can become municipal taxes owing on the property.

As a Landlord you have the ability in your rental agreement to control some of the behaviours and responsibilities of your tenants and to manage many of the issues that may arise. How your tenants interact in the neighbourhood can be seen as a reflection of how much you care about the issues.

Living and Learning as a Community United >>>

- Students
- Residents
- Landlords



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Good Neighbour Guide

Student Off-Campus Housing Information

Students

Welcome to the City of Welland! We congratulate you on selecting Niagara College as your educational institution and the City of Welland as your community. Everyone recognizes this is an important time in your life as you prepare the foundation for your future.

Your decision to live off-campus means you will be a great part of our community. The house you rent or board at may be the first place/home of your own and, with that privilege comes responsibility.

Be a good neighbour, respect others, and please understand many neighbours have lived in this area all their lives.

Most City residents are friendly and welcome the changing student population each year, as many residents were once students themselves. Learn who your neighbours are, introduce yourself, talk to them.

It is advisable to read this pamphlet in its entirety including the sections on residents and landlords to gain broader perspective of the issues surrounding off-campus housing.

Residents

Please join us in welcoming new and returning college students to our great city! Students are our future and can be great citizens while a part of our community. Many students bring a lot more than a passionate and active lifestyle to our City. Many are active volunteers and/or participants in local clubs, churches, and charities.

Niagara College has flourished in the last decade, and it owes its success to the student population. The positive impact of the college and students on the local economy cannot be overstated. Students supply a vital labour need of our community during their years of study.

Most students are friendly and optimistic about their life and their surroundings. Much of how they respond in their neighbourhood, communication between student tenants, and residents plays an important role in how the fit develops.

It is advisable to read this pamphlet in its entirety including the sections on students and landlords to gain broader perspective of the issues.

Landlords

As a landlord of tenants, including student tenants, you are providing a great service to our community and the college. Niagara College and the socio-economic spin-off from the college have flourished in part due to the supply of affordable housing available to students while selecting their college of choice.

Tenant behaviours vary from tenant to tenant, and from student to student. Your assistance is welcomed in ensuring a smooth transition for the students and the local residents during their rental period.

As you are aware, landlords have many legal responsibilities associated with owning and supplying rental accommodation. Whether you are a home-owner renting a room or two within your house to students or, you are renting an entire house to a group of students, many of the responsibilities are the same.

It is advisable to read this pamphlet in its entirety including the sections on students and residents to gain broader perspective of the issues.



Information for Students

Tips on being a good neighbour

- ❖ Be friendly; say hi everyday.
- ❖ Talk to your neighbours; you may find that you have much in common
- ❖ Keep the yard outside of your property clean and reasonably tidy; furniture outside, window signs, alcohol bottles, garbage and litter can have a negative impact on your presence in the neighbourhood.
- ❖ Discuss yard maintenance such as lawn mowing, leaf raking and snow shoveling with your landlord to see who is responsible and ensure that it gets done.
- ❖ You may wish to help elderly residents or other neighbours who may have difficulty with yard maintenance; such a gesture is truly appreciated in any neighbourhood.
- ❖ Keep excessive noise to a minimum; this is one of the largest neighbourhood nuisances to residents and it can truly disrupt their right to peace and quiet. Music, partying, and alcohol abuse all lead to increase in noise which can become intolerable.
- ❖ Party responsibly; if you need to let off steam or party large, visit a campus sponsored event, pub or local popular commercial venue. If you decide to have a party at your off-campus house; talk to your neighbours about it, they may be more tolerant if informed. Keep all parties inside later in the evening and above all keep the noise to a minimum and eliminate offensive behaviour.



- ❖ Take a stand against other students in your own house or elsewhere who push the reasonable limits of acceptable behaviour.
- ❖ Don't escalate problems by confrontational approaches.
- ❖ Respect neighbours' rights to peace and enjoyment of their property.

Rental Unit Land Use Zoning By-law

- ❖ Learn about your building and your rental unit. Is it a single detached, semi-detached dwelling, a basement dwelling unit or a room within a boarding house or another type of unit?
- ❖ Some rental units are illegal and are not permitted by the Zoning By-law. Call the City to discuss the status of your unit at (905) 735-1700 ext. 2250, 2258 or 2252

Regional Niagara Laws Waste/Recycle Pickup

- ❖ For waste and recycle collection date you may consult with your neighbour, visit the Niagara Region's web page at www.nigararegion.ca or call (905) 356-4141.
- ❖ Waste and recycling must be at the curb by 7:00am but not sooner than 8:00pm on the day before.
- ❖ Limit for waste is two bags or two containers.
- ❖ Research what can be recycled and when
- ❖ If your waste has not been picked up please contact the Region.

INFORMATION FOR RESIDENTS

It has been said that education is a good thing and we hope that the information we have provided regarding the numerous laws that govern rental housing is of assistance to you in understanding your rights and your responsibilities.

Tips for Residents with Student Neighbours

- ❖ Treat new student neighbours as you would any new neighbour. Welcome them in the best way suited to you; this may involve offering to help them move in, giving a small gift or meal, or simply introducing yourself and family.
- ❖ Be friendly, greet them everyday.
- ❖ Talk to your student neighbours, you may find you have much in common.
- ❖ Discuss your experiences as a student with them; they may be surprised by your openness.
- ❖ If you have a problem with your student neighbour, talk to them about it. If you are open and communicative you may find the problem can be resolved easily. Many times the student neighbour does not realize a problem exists if they are not informed. Use this informational pamphlet when discussing issues with a student, if something is officially issued by an enforcement agency it becomes more of a justifiable concern.
- ❖ Ask to be informed about upcoming parties and express your concern if you have had bad experiences with previous student neighbours. If you have parties planned you may wish to do the same, as students require quiet time for exams and homework.
- ❖ Don't escalate problems by confrontational approaches.
- ❖ Respect the student's right to live within a residential area as you would any other neighbour.



Reporting Problems

If problems with neighbours persist and your communication efforts are not effective, please report these issues to appropriate authorities. Become familiar with the laws affecting the problems, to know if a law can be applied. There may not be laws for all behaviours and issues.

POLICE/CRIMINAL MATTERS

Serious matters such as alcohol and drug related issues, sexual behaviour, vandalism, mischief and loud parties should be reported to the Police by calling (905) 735-7811. Do not call 911.

CITY MATTERS

Parking

Parking problems on both City-owned and private property can be reported to City Hall, Monday to Friday 8:30am to 4:30pm at (905) 735-1700 ext 2252 and after-hours at (905) 735-1700 ext 3000.

Noise Related Issues

Noise problems occurring at nighttime such as shouting, yelling, and loud parties should be directed to the Niagara Regional Police Service at (905) 735-7811.

For minor repetitive noise during daytime hours please contact City Hall at (905) 735-1700 ext 2252.

For barking dog or other pet-related issues, please contact the Welland & District Humane Society at (905) 735-1552 or 1-888-222-0568.

Clean Yards Issues

For complaints related to excessive waste on property; excessively high, uncut grass should be reported to City Hall at (905) 735-1700 ext 2252.

Rental Property Land Use Issues

In general, a home owner can rent an entire house (single or semi-detached) to a group of students who live together as a single housekeeping unit.

For reporting an illegal unit, please contact the City at (905) 735-1700 ext 2252.

If you wish to investigate the permitted use on a property please contact the City's Planning Division at (905) 735-1700 ext 2258.



Legal Issues

When neighbours don't respect each others' rights, the City receives complaints and takes action if a City by-law is contravened. The City's by-laws were established to help when a neighbour fails to maintain their legal responsibilities under those by-laws. In addition to City by-laws, there are additional laws and regulations that govern rental housing, some of which are discussed further in this Guide.

Police Enforced Laws

- ❖ Criminal and Provincial Offences
- ❖ Disturbing the peace, public mischief, alcohol and drug related offences, profanity, public sexual behaviour, vandalism, theft, noise.
- ❖ Keg parties and public intoxication will not be tolerated by Niagara Regional Police Service.

Parking By-law 89-2000

The following are parking infractions subject to a fine:

- ❖ Vehicle facing the wrong way.
- ❖ Vehicle 30cm or more from edge of road/curb.
- ❖ Vehicle stopped or parked on or over the sidewalk.
- ❖ Vehicle parked within 1.5m of a driveway.
- ❖ Parking in prohibited areas.
- ❖ Parking within 3m of a hydrant.
- ❖ Parking within 10m of an intersection.
- ❖ Parking on a boulevard.
- ❖ Parking on private property occupying over 50% of the width of the front yard (including driveway)
- ❖ Parking on a city roadway for longer than 12 hours
- ❖ Parking during snow clearing operations

Noise and Clean Yards By-laws

- ❖ The Noise By-law is enforced on a complaint basis by City of Welland By-law Enforcement Officers and Niagara Regional Police Service

Anyone charged and found guilty of an infraction under the Noise By-law will be fined up to \$360.00 for each offence. For repeat offenders, charges can be laid and the matter dealt with through the Provincial courts where the fines have a maximum of \$5,000.00

During office hours, all inquiries and complaints should be directed to By-Law Enforcement at (905) 735-1700 ext 2250, 2259 or 2252.

After hours and on weekends call the Niagara Regional Police Service at (905) 735-7811.

- ❖ The Clean Yards By-law details yard maintenance standards that property owner(s) and tenant(s) must adhere to.

Yard maintenance includes the removal of waste which may include but is not limited to, rubbish, garbage, and debris, excessive growth of grass, weeds and bushes, damaged or decaying trees, wrecked, dismantled, unlicensed or inoperative vehicles, trailers, machinery, furniture and appliances.

Clean Yard Violation Fines \$120.00 to a maximum fine of \$5,000.00

Inquiries and complaints should be directed to By-law Enforcement at (905) 735-1700 ext 2250, 2259 or 2252

Fire Prevention - Ontario Fire Code

- ❖ Working smoke alarms must be installed on every floor level and be located between each sleeping area and the remainder of the unit. Where the sleeping areas are served by hallways, the smoke alarms shall be installed in the hallways. Tenants are responsible to ensure that smoke alarms are not disabled. The fine to fail to do so is set at \$235.00, or charges could be laid under the Fire Protection and Prevention Act, 1997, with a maximum fine of \$50,000.00.
- ❖ Maintain carbon monoxide detectors, if installed.
- ❖ Keep all egress points obstruction free.
- ❖ Have a portable fire extinguisher available.
- ❖ Do not overload electrical circuits or overuse extension cords.
- ❖ Do not leave lit candles or cooking food unattended
- ❖ Prepare and practice a Fire Safety Home Escape Plan
- ❖ The Fire Code has specific fire safety requirements for houses with more than one dwelling unit. Landlords may be required to provide fire separations, adequate egress points, and/or interconnected smoke alarms. Please contact the City's Fire Prevention Office at (905) 735-9922 extension 229 or 224.