

Chapter 497

HEATING

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[HISTORY: Adopted by the Council of the City of Toronto as indicated in article histories. Amendments noted where applicable.]

ARTICLE I Rented Accommodations [Adopted 2000-08-03 by By-law No. 499-2000¹]

§ 497-1. Definitions.

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

DWELLING UNIT — An enclosed living area used or designed to be used for human habitation.

LANDLORD — Includes an owner and any 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.

OFFICER — Any City employee assigned responsibility for enforcing this article.

¹ Editor's Note: This by-law was passed under the authority of paragraph 76 of section 210 of the *Municipal Act*, R.S.O. 1990, c. M.45. This by-law also set forth the following: (1) Except as provided in subsection (2), the following are repealed: Chapter 154, Heating, of the former City of Etobicoke Municipal Code; § 210-30 of Chapter 210, Housing Standards, of the former City of Toronto Municipal Code; Section 4.3.2 of By-law No. 39-90 of the former Borough of East York; By-law No. 11560, as amended, of the former City of North York; Chapter 875, Heat-Adequate-Rental Dwelling, of the former City of York Municipal Code; and By-law No. 23889 of the former City of Scarborough. (2) Where a person is alleged to have contravened a provision, by-law or chapter listed in subsection (1) prior to the date this by-law comes into force, the provision, by-law or chapter listed in subsection (1) shall continue to be in full force and effect for the purposes of any enforcement proceedings brought against such person until the proceedings have been concluded.

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§ 497-2. Minimum temperature.

A landlord shall provide heat to a dwelling unit that is rented or leased and that is normally heated at the landlord's expense so that a minimum air temperature of 21 degrees Celsius is maintained in all areas of the dwelling unit from the 15th day of September in each year to the 1st day of June in the following year.

§ 497-3. Inspection.

- A. Where an officer receives a complaint from a person identified as the tenant or lessee of a dwelling unit that is normally heated at the landlord's expense, the officer may enter and inspect the premises in which the dwelling unit is located at any reasonable time for the purpose of determining compliance with this article.
- B. No person shall obstruct, hinder or delay an officer in making an inspection under Subsection A.

§ 497-4. Offences.

Any person who contravenes any provision of this article is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the *Provincial Offences Act*.²

ARTICLE II
Burning of Used Motor Oil
[Adopted 2000-08-03 by By-law No. 531-2000³]

§ 497-5. Definitions.

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

SPACE HEATER — A heating device that, through combustion of fuel, provides heat energy to an internal or external area.

USED MOTOR OIL — Lubricating oil that has been used as a lubricant in any commercial or industrial operation or as a lubricant in the crankcase of motor vehicles.

§ 497-6. Use in space heaters prohibited.

No person may burn used motor oil within a space heater.

² Editor's Note: Under section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, a person convicted of an offence is liable to a fine of not more than \$5,000.

³ Editor's Note: This by-law was passed under the authority of paragraph 156 of section 210 of the *Municipal Act*, R.S.O. 1990, c. M.45.

§ 497-7. Offences.

[Added 2001-06-01 by By-law No. 421-2001]

Any person who contravenes any provision of this article is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the *Provincial Offences Act*.⁴

⁴ Editor's Note: Under section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, a person convicted of an offence is liable to a fine of not more than \$5,000.