



THE CORPORATION OF THE CITY OF MISSISSAUGA
ADEQUATE HEAT BY-LAW 0365-95

(Amended by 303-00)

WHEREAS Section 210, paragraph 76 of the Municipal Act, R.S.O. 1990 c.M.45, authorizes councils of municipalities to pass by-laws for requiring the maintenance of adequate and suitable heat for rented or leased dwellings or living accommodation;

NOW THEREFORE the Council of The Corporation of the City of Mississauga hereby ENACTS as follows:

1. In this by-law,

“adequate and suitable heat” means that the minimum temperature of the air in the dwelling unit shall be 20 degrees Celsius (20°C);

“dwelling unit” means one or more habitable rooms designed and intended for human habitation;

“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 his own account or as agent or trustee or any other person or who would so received the rent if such land or premises were let.

2. (1) Every owner of a dwelling unit which is rented or leased and which is to be heated by or at the expense of the owner shall provide the dwelling unit with adequate and suitable heat at the owner's expense between the 15th of September of each year and the first day of June of the following year.

(2) For the purposes of determining compliance with subsection (1), the temperature shall be measured at 1.5 meters above floor level and 1 meter from exterior walls in all rooms intended for normal use by tenants.

(3) Subsection (1) does not apply to a rented or leased dwelling unit in which the tenant can regulate the temperature provided a minimum of 20°C can be maintained.

3. No rented or leased dwelling unit shall be quipped with portable heating equipment as the primary source of heat.

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4. Every owner shall ensure that every building or part of a building which is rented or leased as a dwelling unit has heating equipment capable of maintaining adequate and suitable heat.
5. Only heating equipment approved for use by a recognized standards testing authority shall be provided in a room used or intended to be used for human habitation.
6.
 - (1) A by-law enforcement officer, upon written permission of a tenant or lessee, may enter and inspect the dwelling unit for the purposes of determining compliance with this by-law.
 - (2) No person shall obstruct, hinder, delay or prevent the by-law enforcement officer or any person acting under his instructions on the exercise of any power conferred or the performance of any duty imposed by this by-law.
7. Every person or corporation who contravenes the provisions of this by-law is guilty of an offence and on conviction is liable to a fine of not more than \$5,000.00.
8. By-law 826-84 is hereby repealed.

Enacted and passed this 13th day of September, 1995

Signed by: Hazel McCallion, Mayor and Terence Julian, City Clerk