

CITY OF NIAGARA FALLS

By-law No. 2008 - 205

A by-law to require owners of residential dwelling units, hotels, and boarding, lodging or rooming houses to install and maintain carbon monoxide warning equipment.

WHEREAS the *Municipal Act 2001*, S.O. 2001, c.25 as amended, provides that a municipality has the authority to enact by-laws for the safety of persons and the protection of persons and property;

WHEREAS the *Municipal Act 2001*, S.O. 2001, c.25 as amended, provides that a municipality has the capacity, rights and powers and privileges of a natural person for the purpose of exercising its authority and that it may do so by by-law;

AND WHEREAS it is the opinion of the Council for The Corporation of the City of Niagara Falls that the health and safety of persons and property within Niagara Falls would be enhanced by the mandatory installation of carbon monoxide alarms.

AND WHEREAS section 425 of the *Municipal Act*, establishes that any person who contravenes any by-law of the municipality is guilty of an offence.

THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS ENACTS AS FOLLOWS:

1. Definitions:

1.1 "Boarding, lodging or rooming house" means a building:

- (a) that has a building height not exceeding three storeys and a building area not exceeding 600 square metres;
- (b) in which lodging is provided for more than four persons in return for remuneration or for the provision of services or for both; and
- (c) in which the lodging rooms do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.

1.2 "City" means The Corporation of the City of Niagara Falls.

1.3 "carbon monoxide alarm" means a combined carbon monoxide detector and audible alarm device that:

- (a) is designed to sound an audible alarm upon detection of excessive concentrations of carbon monoxide;