

1992

## c Pr7 Ottawa (City of) Act, 1992 (No. 1)

Ontario

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## CHAPTER Pr7

An Act respecting the  
City of Ottawa*Assented to June 25th, 1992*

Preamble	<p>The Corporation of the City of Ottawa, referred to in this Act as the Corporation, has applied for special legislation in respect of the matters set out in this Act.</p> <p>It is appropriate to grant the application.</p> <p>Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:</p>	<p>services is provided to rented or leased dwellings.</p>	
By-laws respecting vital services	<p>1.—(1) The council of the Corporation may pass by-laws for requiring every landlord of a building or part of a building which is rented or leased as a dwelling to provide an adequate and suitable supply of fuel, electricity, gas, hot water, water or other vital service to each part used as a dwelling.</p>	<p>2.—(1) If a landlord fails to provide vital services contrary to a by-law passed under section 1, the Corporation may arrange to provide the vital services and the Corporation shall have a lien for any amount so spent, and for an administrative fee of 10 per cent of the amount spent.</p> <p>(2) The certificate of the clerk of the Corporation as to the total amount spent is admissible as proof, in the absence of evidence to the contrary, of the total amount spent.</p> <p>(3) The total amount spent together with the administrative fee shall be deemed to be municipal real property taxes and shall be added to the collector's roll and shall be subject to the same penalty and interest charges as real property taxes and shall be collected in the same manner and with the same remedies as real property taxes.</p> <p>(4) Before the certificate of the clerk of the Corporation is issued, an interim certificate shall be sent by registered mail to the registered owner of the property that is subject to the lien and to all mortgagees or other encumbrancers registered on title.</p> <p>(5) The affected owner, mortgagees or other encumbrancers may, within two weeks from the date of mailing of the interim certificate, appeal the amount shown on it to the council of the Corporation.</p>	<p>Default</p> <p>Certificate</p> <p>Deemed taxes</p> <p>Service</p> <p>Appeal</p> <p>Payments transferred</p>
Exception	<p>(2) A landlord is not required to provide a service referred to in subsection (1) if a tenant has expressly assumed the obligation to provide that service in a tenancy agreement.</p>		
Contents of by-law	<p>(3) A by-law passed under this section may,</p> <p>(a) define the term "an adequate and suitable supply";</p> <p>(b) prohibit the landlord from disconnecting, shutting off or discontinuing any gas, water, steam, electric power, fuel oil or other service serving a dwelling except where it is necessary to safely make repairs in or alterations to the dwelling and then only during the minimum time necessary to complete them;</p> <p>(c) provide that, for the purposes of clause (b), a person liable for service or utility rates who fails to pay the rates with the result that the service is disconnected, shut off or discontinued shall be deemed to have caused the disconnection, shutting off or discontinuance; and</p> <p>(d) authorize an official named in the by-law to enter into agreements on behalf of the Corporation with the suppliers of vital services to ensure that an adequate and suitable supply of those vital</p>	<p>(2) The rent or any portion of it remaining after the payment of rates by the Corporation together with an administrative fee not to exceed 10 per cent of the rates shall be paid to the person entitled to receive it.</p>	<p>Idem</p>

Commence-  
ment

**4. This Act comes into force on the day it receives Royal Assent.**

**5. The short title of this Act is the *City of Ottawa Act, 1992.*** Short title