

LEARN THE LAWS

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.

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.

According to the Ontario Landlord and Tenant Board, a copy of the Information for new Tenants must be given to the tenant on or before the date tenancy begins <http://www.ltb.gov.on.ca/>

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 at 60 East Main Street, Welland ON, L3B 3X4, Or by phone at 905-735-1700, Extension 2251 or 2257

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

Welland is a recycle friendly community. Waste management is organized by Niagara Region. Information is available, as well as brochures that outline recycling, organics, and garbage collection. Please provide appropriate information to tenants so that they can contribute to Niagara Region's aim to redirect waste from landfills. Please contact Niagara Region Solid Waste Management Service for information or to request information brochures at (905) 356-4141 or 1-800-594-5542.

CARBON MONOXIDE ALARMS

Carbon Monoxide alarms are now mandatory in all homes with an attached garage or fuel burning appliances, (for example, natural gas furnaces, gas or wood fireplaces or stoves). Landlords who fail to install or maintain carbon monoxide alarms, may be ticketed \$355.00. Tenants can be fined \$355.00 for not notifying landlords whenever the smoke alarm(s) or carbon monoxide alarm is not working.

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.

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 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 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, 2113. 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 refuse (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.



GOOD NEIGHBOUR GUIDE

STUDENT OFF-CAMPUS HOUSING INFORMATION

AN INFORMATION PUBLICATION FROM THE CORPORATION OF THE CITY OF WELLAND



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 a broader perspective of the issues.

STUDENTS

Welcome to the City of Welland. We congratulate you on selecting Niagara College Canada as your educational institution, and the City of Welland as your community. Now is the most important time in your life, in which 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 brings responsibility. Be a good neighbour, respect others, and please understand many neighbours have lived in this area all their lives.

Most City residents welcome the changing student population each year, because many residents were once students themselves. Take the time to learn who your neighbours are, introduce yourself, and say hello.

To better understand the community's expectations, read this pamphlet in its entirety including the sections on residents and landlords to gain a 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 also contributing to the community. Many students bring a lot more than a passionate and active lifestyle to Welland. 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. Most students are friendly and optimistic about their lives 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 a broader perspective of the issues.

- 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.
- Ensure 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.
- Be aware of concern and anxiety of local residents about new neighbours.
- Have a presence at the property. Tenants tend to be better neighbours and more respectful with a landlord presence.
- 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.

- Be friendly and introduce yourself.
- 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 has a negative impact on your presence in the neighbourhood.
- Discuss yard maintenance such as lawn mowing, leaf raking and snow shovelling with your landlord to see who is responsible and ensure that it gets done.
- 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.
- 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.
- Respect neighbours' rights to peace and enjoyment of their property.
- 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 offcampus 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.

- 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.
- If you have an issue with your student neighbours, discuss the situation with them.
- 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 through confrontation.

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. To lodge a non-emergency complaint call (905) 735-2211ext/ 4330

RENTAL PROPERTY LAND USE ZONING BY-LAW

Ensure that both the property and the building are properly zoned for the proposed use. Is it a single-detached, semi-detached dwelling, basement dwelling unit, a room within a boarding house, or other type of dwelling? Fines for contravening Zoning By-law can be up to a maximum of \$25,000, if convicted.

ONTARIO FIRE CODE

It is the Landlords responsibility to provide and maintain working smoke alarms on every floor level in a residential unit, and also the tenants responsibility to notify the landlord when alarms are not working. Fines for failing to do so are \$230 - \$355 if ticketed, and up to \$50,000 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 \$50,000 if convicted in a court of law.

INSTALLING A SWIMMING POOL?

Swimming Pool Permits are mandatory before the installation of an above ground and in ground swimming pools. When you obtain a pool permit from the City of Welland, an inspection will be done by qualified By-Law Enforcement Staff to ensure safety. This includes blow-up pools.

"Pool" means any body of water which is:

- Located on private property.
- Wholly or partially contained by artificial means.
- Capable of holding water in excess of 0.61 meters (2 feet) in depth at any point.
- Above Ground Pool Permit Fee: \$90 with a \$250 deposit.
- In-ground Pool Permit Fee: \$120 with a \$500 deposit.

BACKYARD FIRES

Should you, your neighbours, or tenants want to have a campfire, chiminea, barbecue, grill fire, or simply light patio torches, the rules set out in the Open-Air Fire By-Law must be followed.

For more information visit:

www.welland.ca/Fire/OpenAirFires or contact Welland Fire & Emergency Services at 905-735-9922 ext. 2403

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 2250 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 2250. For barking dogs or other pet-related issues, please contact the Welland & District Humane Society at (905) 735-1552.

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

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

RECOVERY OF COSTS

The Municipal Act, Fire Protection & Prevention Act, and the Building Code Act give municipalities the authority to have a matter remedied where a City by-law or the Ontario Fire Code require action to be taken. 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.

PARKING PERMITS

To reduce the amount of vehicles parked on-street, the City of Welland and Town & Gown Committee implemented "Residential Parking Only" on specific streets in the Niagara College area.

Residents can request Residential Permits to place in their vehicles, which exempt them from the parking restrictions where signs are posted.

The first Resident Permit registered to a household is FREE and additional permits can be purchased for \$20.00.

For questions on the Residential Permit Parking, please contact the Traffic & Parking Technician at (905) 735-1700 ext. 2212. To report vehicles parked onstreet without a permit contact By- law Enforcement at (905) 735-1700 ext. 2250.

Clean Yards Issues

For complaints related to excessive waste on property or excessively high uncut grass, report to City Hall at (905) 735-1700 ext 2250.

Rental Property Land Use Issues

Zoning By-Laws regulate land use including building use. Student boarders may or may not be permitted use depending on the zoning classification of the property and how the building is used.

If you believe the use of a property may not be permitted, please contact the City at (905) 735-1700 extension 2243 or 255.

