



Common property maintenance requirements for homeowners



Jacques Robert
REAL ESTATE LAW

Homeownership brings with it many added responsibilities regarding the maintenance of property. The homeowner cannot turn a blind eye to repairing their property and allowing it fall into disrepair. The City of Ottawa's Property Standards By-Law and Property Maintenance By-Law apply to all properties. There are good reasons for these by-laws including health and safety

standards and preventing the infestation of vermin. The City broadly states that owners of a property shall repair, maintain and keep the property in accordance with the standards of the by-laws and eliminate unsafe conditions. This is a very broad requirement. Below we have summarized the most common property maintenance requirements for homeowners.

Yards

Since yards are visible to the general public, there are several rules which apply to yard maintenance for aesthetic reasons, in addition to the rules meant to ensure safety. A homeowner may not allow heavy undergrowth to overcome the property and the lawns must be trimmed. However, a homeowner cannot do away with a lawn altogether, as a cultivated or landscaped yard prevents soil erosion.

A homeowner also cannot use a yard as a storage area for discarded and abandoned items. Discarded vehicles and broken appliances, such as refrigerators and stoves, must

be disposed of appropriately. However, a vehicle which is being repaired for future use is permitted. A homeowner may store fire wood, building materials and garden materials, but no more than 15% of the year may be used for this purpose.

Pathways and Fencing

The area around the home is also regulated. Pathways and walkways must remain clear: in winter snow and ice must be removed; in summer, holes in the walkway must be repaired. Walkways must be illuminated at night for safe passage. Clearing pathways is important for the safety of oth-

ers coming onto the property, and protects the homeowner from being sued in slip and fall accidents on their property. Further, Canada Post will not deliver to the door if the pathway is unsafe for their employees.

Fences must be kept in good condition and cannot fall into disrepair. This includes fixing broken fencing and repainting chipped and worn paint. The City of Ottawa imposes a positive obligation on homeowners to remove unsightly marks and graffiti. Even if you are the victim of graffiti, there is the positive obligation on the homeowner to remove the graffiti under the Graffiti By-law.

Homeowners who do not dispose of refuse, maintain the yard, or clear the pathway face financial penalties. The City may cause the work to be done at the owner's expense or the city may impose a fine.

For more information regarding these requirements, please visit the City of Ottawa By-Laws website at <http://ottawa.ca/en/residents/laws-licenses-and-permits/laws/laws-z>

co-authored with Robin Goski, associate lawyer

Jacques Robert is an Ottawa real estate lawyer. For more information visit www.jacquesrobert.com

YOUR FIRST 3 MORTGAGE PAYMENTS ARE ON US!

Up to a max of \$1,500 monthly. Applicable to Towns and Condo Flats only. Speak with an agent for details*

UP TO A **\$25,000** DECOR BONUS

 <p style="text-align: center;">613-491-1819</p> <p style="text-align: center; font-size: small;">BARRHAVEN</p> <ul style="list-style-type: none"> ✓ UP TO \$5,000 DECOR BONUS ✓ Hardwood on main floor ✓ Central air conditioning ✓ Granite kitchen countertops <p style="text-align: right; font-size: small;">from the \$290's</p>	 <p style="text-align: center;">613-218-3501</p> <p style="text-align: center; font-size: small;">ORLÉANS</p> <p>Hottest location east of downtown Ottawa. Hillside Vista is close to Place d'Orléans & Petrie Island offering stunning views of the Gatineau Hills</p> <p style="text-align: right; font-size: small;">from the \$230's</p>	 <p style="text-align: center;">613-435-7062</p> <p style="text-align: center; font-size: small;">KANATA</p> <ul style="list-style-type: none"> ✓ UP TO \$25,000 DECOR BONUS ✓ Granite kitchen countertops ✓ Ceramic flooring in wet areas ✓ Ceramic backsplash in kitchen <p style="text-align: right; font-size: small;">from the \$340's</p>	
<p>Visit phoenixhomes.ca to view floorplans</p>			
<p>SINCE 1988</p> <p>POINTEWEST</p> <p style="font-size: x-small;">NEPEAN 613-723-9227 x 123</p>	<p>SHADOW RIDGE</p> <p style="font-size: x-small;">GREELY 613-831-9558</p>	<p>FELTON COURT</p> <p style="font-size: x-small;">BARRHAVEN 613-491-1819</p>	<p>WHITE TAIL RIDGE</p> <p style="font-size: x-small;">ALMONTE 613-461-0277</p>

