

City of Kingston By-Law Number 2025-100

**By-Law to Amend City of Kingston By-Law Number 2005–100,
A By-Law for Prescribing Standards for the Maintenance and Occupancy of
Property within the City of Kingston**

Whereas:

The Corporation of the City of Kingston (the “**City**”) is a single-tier municipality incorporated pursuant to an order made under section 25.2 of the *Municipal Act*, R.S.O. 1990, c. M.45.

The powers of a municipality must be exercised by its council (*Municipal Act, 2001*, S.O. 2001, c. 25 (the “**Municipal Act, 2001**”), s. 5 (1)).

A municipal power must be exercised by by-law unless the municipality is specifically authorized to do otherwise (*Municipal Act, 2001*, s. 5 (3)).

A single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public (*Municipal Act, 2001*, s. 10 (1)).

On May 17, 2005, council for the *City* passed *City of Kingston By-Law Number 2005–100*, “*A By-Law for Prescribing Standards for the Maintenance and Occupancy of Property within the City of Kingston*”.

Council for the *City* (“**council**”) considers it necessary and desirable for the public to amend *City of Kingston By-Law Number 2005–100*.

Therefore, council enacts:

1. Amendment

1.1 *City of Kingston By-Law Number 2005-100* is amended as follows:

- (a) section 1 is amended by adding the following definition of “Air-Conditioning System” in alphabetical order:

“**Air-Conditioning System**” means a mechanical system designed to cool air from a central location and distribute it to and from rooms by one or

By-Law to Amend By-Law Number 2005–100

more fans and ductwork”; and

- (b) by adding a new section entitled “Air-Conditioning Systems” after subsection 5.80, as follows:

“Air-Conditioning Systems

- 5.81 The landlord of every rented or leased Dwelling or living accommodation equipped with an Air-Conditioning System must operate, or permit the operation of, the Air-Conditioning System so as to maintain an indoor air temperature of not more than 26 degrees Celsius from June 1 to September 30 in each calendar year.
- 5.82 The landlord of every rented or leased Dwelling or living accommodation equipped with an Air-Conditioning System must Maintain the Air-Conditioning System in good working condition so as to be capable of cooling the Dwelling or living accommodation safely to the standard required by this By-Law.
- 5.83 For purpose of determining compliance with subsection 5.81, the indoor air temperature may be measured at any point within the occupied living space of the Dwelling or living accommodation, provided that the location of the measurement is not directly influenced by localized heat sources, such as ovens or stoves, or in direct sunlight.”

2. Coming into Force

- 2.1 This by-law will come into force and take effect on the date that it is passed.

By-Law to Amend By-Law Number 2005–100

1 st Reading	date
2 nd Reading	date
3 rd Reading	date
Passed	date

Janet Jaynes
City Clerk

Bryan Paterson
Mayor