KITCHENER

Your city rules

Answers to common questions around city bylaws and enforcement

Whether you just moved to Kitchener or you're a longtime resident, you may have questions on municipal bylaws and enforcement as they relate to what is -- and what is not -- permitted to take place within the city's limits.

The City of Kitchener has compiled a list of the top questions most often received from residents around local bylaws and enforcement; as well as responses to each inquiry. The questions and answers cover a wide range of topics from parking and property standards to noise complaints and swimming pools.

This brochure is intended to be a quick resource for you. More information on each item referenced in this brochure is available by calling the enforcement division at 519-741-2330 or by visiting www.kitchener.ca

Animal control

Q: I am a new dog owner. What do I need to know so that I can raise my dog in keeping with the city's bylaws?

A: There are five facets of the city's dog-control bylaw that you must adhere to:

- No dog is permitted to run at large in the city;
- Every dog owner must remove any excrement left by their dog on any property other than the owner's personal property. Any excessive accumulation of excrement on your property is also a problem;
- All dogs over the age of 12 weeks must be licensed;
- An owner must register their dog and purchase an annual dog tag on or before March 1 each year; license fees range from $15 to $45;
- A maximum of three dogs are allowed in a household.

Dog licenses and tags can be purchased at the Kitchener-Waterloo Humane Society, 250 Riverbend Dr., Kitchener, and at various veterinary clinics and pet stores. For a complete list, please visit the humane society's website at http://www.kwhumane.com/html/bylaw.asp#fees

Q: Am I allowed to own a pitbull terrier?

A: No. Pitbull terriers and American bull terriers are prohibited in Kitchener. All other potentially dangerous dogs that are showing signs of aggression must be reported to the Kitchener-Waterloo Humane Society.

Backyard fires/fire pits

Q: Am I allowed to use an outdoor fireplace in my backyard?

A: Yes. An outdoor fireplace may be operated without a permit between 7 a.m. and 11 p.m. provided there is at least five (5) metres of distance between the fireplace and any structure, property line, fence, tree, roadway, overhead wires or any combustible material; the fire does not create a nuisance; and a portable fire extinguisher or operable water hose is available. Outdoor fires must be supervised by the owner or occupant of the property who is at least 18 years of age. Even though the back yard fire may comply with all other regulations, it cannot interfere with or create a nuisance to neighbouring residents. If this occurs, you may be requested to extinguish it.

Fences

Q: I want to build a fence in my yard. Are there a standard set of rules for me to follow?

A: Yes. There are regulations for heights and locations on your property. Please contact the city's zoning division at 519-741-2317 or visit http://www.kitchener.ca/pdf/fence_brochure.pdf for more regulations governing fences.

If the city's bylaw enforcement office receives a complaint regarding a fence violation on your property, you may have to make modifications to your fence to bring it into compliance. This can result in you having to undo work that you have already paid to have done. In addition, anyone who is in violation of the city's bylaw or who does not comply with a notice that is issued by the city may be subject to legal action. The maximum fine for non-compliance with city's bylaw is $5,000.

Graffiti

Q: How do I report a problem with graffiti?

A: You can report graffiti problems, either on public or private property using the City's Graffiti Busters Hotline at 519-741-2320 or on-line at: http://www.kitchener.ca/graffiti_busters/graffiti_main.html Please provide the location of the graffiti. Staff will take the information and contact the appropriate agency or owner to have it removed. If you see someone spraying graffiti, please report the incident to Waterloo Regional Police at 519-653-7700.

Noise

Q: How do I file a noise complaint; and how do I know when noise is considered too loud?

A: The City's Noise By-law prohibits making noise that is likely to disturb a resident. This by-law is in effect 24 hours a day, however there is typically a bit more tolerance for noise during the day and early evenings. If you are charged and found guilty of an infraction under the noise bylaw, you will be fined a minimum of $125 for each offence.

Noise bylaws are enforced on a complaint basis by the city and the Waterloo regional police. To file a noise complaint, please call the police at 519-653-7700 and ask for dispatch. The police will then contact the city's enforcement division.

Parking

Q: Is there a limit as to how long I can park on a city street, where on-street parking is permitted?

A: Yes. No vehicle can be parked on any street in Kitchener for more than three (3) hours unless signs are posted to indicate otherwise. Also, vehicles are also never permitted to park on sidewalks or city boulevards -- whether paved or grass; within fire routes or within three (3) metres of a fire hydrant; or within a space designated for disabled persons without displaying a proper permit.

Q: Can I park my car on the street overnight any time of the year where on-street parking is permitted?

A: No. Vehicles are not permitted to be parked on city streets between the hours of 2:30 to 6:30 a.m. from Dec. 1 through to March 31 each year. Overnight on-street parking is permitted the rest of the year, provided there are signs indicating on-street parking is allowed.

Q: Can I leave my car parked on the street, in a designated parking area, during a snowstorm -- day or night?

A: No. The city's tag-and-tow bylaw prohibits parking on any city street at any time when a "snow event" is declared by the city's director of operations, to provide safe and efficient access for the city's operations crews to plow the streets. The declaration will be based on credible weather forecast information, when a minimum of eight centimetres is forecast to fall.

Parking continued

Q: If I park on the street during a snow event, will my vehicle definitely be towed?

A: Maybe. Enforcement will only tow the number of vehicles necessary to allow access for the snow-removal equipment. It is possible that only a certain number of vehicles on a street will be removed, regardless of how many are actually present and in violation of the bylaw. Vehicles will be ticketed and relocated to another area in close proximity when it is possible and practical to do so. Vehicles will be towed at the owners' expense.

Q: If my vehicle is not towed from the street during a declared snow event, will I still be ticketed?

A: Yes. In the event that some, but not all, vehicles are towed away, the remaining vehicles found in violation will be ticketed. The fine for parking on the street during a snow event is $80. Any parking tickets and towing charges issued cannot be cancelled or withdrawn at any time.

It should be understood that certain types of parking violations are enforced on a proactive basis; while others are only enforced on a complaint basis.

City property and parkland encroachments

Q: Am I allowed to build or extend a structure from my property onto city-owned land and/or parkland?

A: No. Encroachment onto any city-owned property is not permitted.

Snow removal

Q: Do I have to shovel snow and ice from sidewalks that abut my property?

A: Yes. Under the city's snow-clearing bylaw, if you own or occupy a building, you must clear and remove snow and ice from all of the sidewalks immediately in front of, beside or behind the building within 24 hours after the snow stops falling. If you are found to be in violation of the bylaw, a notice will be issued instructing you to remove the snow/ice within a prescribed time. If you fail to comply, the city will clear the walk and invoice you on the basis of labour, equipment and an administration charge.

Property standards and lot maintenance

Q: Do I have the right to keep anything I want on my property, given I own the land?

A: No. Lot maintenance standards have been established for the safety and visual condition of yards and vacant lands. Yard maintenance includes the removal of: rubbish, garbage, litter and debris; excessive growth of grass, weeds and bushes, damaged or decaying trees, and bushes and brush which pose a safety hazard to pedestrians and motorists; wrecked, dismantled unlicensed and inoperative vehicles, trailers, machinery and appliances.

Q: What is the penalty if I'm found in violation of the city's lot maintenance bylaw?

A: If you fail to comply with the provisions of this bylaw, city staff have the authority to take whatever action is required to remove the debris, and fill in or drain a dangerous area or accumulation of water. Any costs associated with city work on these health and safety issues will be applied to the tax rolls of the subject property. The maximum fine for non-compliance with the lot maintenance bylaw is $5,000. To file a complaint in relation to a property you suspect is in violation of this bylaw, please call 519-741-2330.

The City's Lot Maintenance and Property Standards By-laws are predominantly enforced on a complaint basis. It is important to know that information pertaining to the person who has lodged a complaint is kept confidential.

Swimming pools

Q: Do I need a permit to install a swimming pool in my backyard?

A: Yes. A permit is required for all types of pools (in-ground, on-ground, above-ground and temporary) that have a water depth greater than 88.9 centimetres (36 inches). Often construction of a pool involves having to cross over a city boulevard or parkland. Any damage to a city boulevard must be repaired. Also, permission must be obtained to cross over parkland to construct your pool. For further information, please contact the city's parks operations staff at 519-741-2557.

Q: Do I have to have a fence or another type of enclosure around my pool?

A: Yes. The fence/enclosure must:

- Be a minimum of 1.5 metres (five feet) in height;
- Not permit access by climbing, crawling, jumping or through an unlocked entrance. For chain-link fencing, the maximum size of the opening of the chain link shall not exceed 4.5 centimetres (1.5 inches);
- Be equipped with locking devices on all gates or doors opening into the swimming pool or the swimming pool area. All gates and doors that can be opened from the outside must be locked unless a responsible adult is present and supervising the swimming pool;
- Be maintained in a safe structural manner;
- Apply to all swimming pools regardless of the date of construction of the pool;
- Be completely constructed before the swimming pool is filled with water.

Note: Hot tubs must be adequately secured by a cover with a locking device and locked when not in use.

Other By-law Matters

Q: I understand there are a number of by-law matters that the city is not responsible for enforcing, even though they apply in Kitchener. What are those bylaws and who is responsible for their enforcement?

A: The Region of Waterloo's licensing and enforcement services department is responsible for the enforcement of the following by-laws and by-law related programs:

Enforcement of:

- Garbage and yard-waste collection bylaw
- Recycling programs – blue boxes and green bins
- Smoke-Free Ontario Act
- Water Conservation bylaw

Licensing / Permits for:

- Taxi-cabs, Limousines, and Special Transportation Vehicles (child transport)
- Salvage Yards, Second-Hand Goods (Pawn) Shops
- Woodland Tree Cutting

Q: How often will my garbage be collected?

A: Check the Waste Management Section in the front of your Phone book or call 519-883-5100.

Q: I have bags of grass clippings, leaves and other yard waste. Can I put these bags out with the rest of my garbage for pick-up?

A: Yes, but only on designated weeks, check phone book or call 519-883-5100.

Region of Waterloo

Q: Can I smoke cigarettes in enclosed public places or work places?

A: No, for information or to report non-compliance, contact 519-883-2279.

Q: My grass is dying. Can I spray it with pesticides?

A: Contact the Ministry of Environment, Guelph District Office at 1-800-265-8658 or the Hamilton District Office at 1-800-668-4557.

Q: When can I water my outdoor gardens or lawns?

A: Contact 519-575-4495 between 8.30 a.m. and 4.30 p.m.

Q: I want lodge a complaint about my taxi-cab ride?

A: First, try to resolve matter with Taxi-cab Company; and if unsuccessful, contact: 519-575-4591.

For more information on these bylaws and others the Region of Waterloo enforce, please call the regional bylaw enforcement department at 519-575-4591 or lrs@region.waterloo.on.ca or view the Regional By-laws at: www.region.waterloo.on.ca tab over to Government, then tab By-laws and scroll down.

If you require further clarification on the above please contact the city's bylaw enforcement division by calling 519-741-2330 or visiting www.kitchener.ca/city_hall/departments/corp_services/bylaw_enforcement/bylaw_enforce.html

Region of Waterloo

Bylaw general inquiries
City of Kitchener
519-741-2330