City of Richmond

Report to Committee

To Community Safety - Dec. 10/02

To:	Community Safety Committee	**Date:**	December 3, 2002
From:	Rick Bortolussi, Mgr Building Approvals Alan Clark, Mgr, Zoning	**File:**	8060-20-7265
Re:	**Safety Inspection Policy**		

Staff Recommendation

That the Building Regulation Bylaw No.7230, Amendment Bylaw No. 7265, be introduced and given first, second and third readings.

Rick Bortolussi
Manager, Building Approvals

Alan Clark
Manager, Zoning

Att. 1

FOR ORIGINATING DIVISION USE ONLY	
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Law ..... Y ☐ N ☐ Integrated Service Team ..... Y ☑ N ☐ RCMP ..... Y ☑ N ☐ Fire Rescue ..... Y ☑ N ☐	

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Staff Report

Origin

Currently the Building Regulations Bylaw and the Local Government Act do not provide a mechanism to efficiently respond to situations to ensure that buildings that are damaged by fire or other causes are not occupied until the building is repaired and made safe.

This deficiency was brought to our attention when, in May of 2001, an Integrated Service Team was formed to work on a combined response to marihuana cultivation in the City of Richmond. Involved with the Team were representatives from Building Approvals, Richmond Fire-Rescue, Richmond RCMP, Zoning, and Law.

Throughout this process it became apparent that the issue of unsafe houses or buildings due to fire, electrical, or structural related damages needed to be included. Presently there is no way for the City to prevent future occupants from re-occupying an unsafe building due to alterations, which contravene the Building Code.

The safety inspection policy is one that will hopefully prevent future occupants of residences or buildings from living or working in an unsafe building.

Analysis

The City of Richmond is concerned with the safety of its citizens and wishes to work with the residents to ensure houses and buildings are built and occupied in a safe manner.

Once buildings are built, alterations can occur which are not guided by the Richmond Building Regulations Bylaw. The concern of staff occurs when, for whatever reason, the structure has been altered and creates an unsafe or a dangerous condition.

This bylaw amendment is designed to ensure that any future occupants of the building are not at risk as a result of the unauthorized alterations.

Purpose of Bylaw 7265:

Bylaw 7265 before Council, sets up a system whereby, if an alteration has made a building unsafe, staff will post a sign that it is unsafe to occupy, and can not be re-occupied until the building has been deemed safe and all costs of the City and other agencies relating to inspections have been paid.

Financial Impact

Adopting Bylaw 7265, will allow the City and other agencies to recover inspection costs that result from dangerous situations, including marihuana grow operations, created by unauthorized alterations contravening the Building Code.

Conclusion

The bylaw amendment proposed for Richmond addresses the danger inherent with a property that has been deemed unsafe, and informs future tenants of the danger. The associated cost relates to covering the administrative and human resource expense incurred by the City of Richmond.

Anne Stevens

Integrated Service Team

City of Richmond

LEGAL NOTICE

NOT SAFE TO OCCUPY

Date Posted.....

The work in connection with.....

.....

does not conform to the regulations of the ..... By-Law.

You are hereby ordered that such building or designated part shall NOT BE OCCUPIED until the building conforms to the requirements of the said By-Law

Building Inspector

Per:.....

No person shall reverse, alter, deface, cover, remove or in any way tamper with this Notice unless authorized by the Building Inpector.

City of Richmond

Bylaw 7265

Building Regulation Bylaw No. 7230, Amendment Bylaw No. 7265

The Council of the City of Richmond enacts as follows:

1. Part Twelve of Building Regulation Bylaw No. 7230 is amended by adding the following as Sections 12.11 and 12.12:

12.11 Dangerous Buildings

12.11.1 If a **building** is found to be dangerous or potentially dangerous due to modifications to the electrical or **gas** services, or to any structural components, or due to a condition that causes a health hazard or potential health hazard, the **Building Inspector** may order that:

(a) if the supply of electricity or **gas** has been disconnected that it must not be reconnected;

(b) the **owner** must not permit the **building** to be occupied; and

(c) a **City** notice indicating that the building is not safe to occupy be affixed, and remain affixed, to the **building** in a clearly visible location,

until:

(i) the **owner** has obtained any permits required to carry out the work necessary to bring the **building** into compliance with the requirements specified in clause (iii), and has paid the applicable permit fees;

(ii) all of the work referred to in clause (i) has been completed and the **building** has been brought into compliance with the requirements specified in clause (iii); and

(iii) the **building** has been inspected and approved by the **Building Inspector**, the **Electrical Inspector**, the **Medical Health Officer** and where applicable, the **Fire Chief,** for compliance with this bylaw, other bylaws of the **City**, and any provincial statute or regulation relating to **building**, electrical, **gas**, health or fire safety, and the owner has paid any costs relating to those inspections, and any initial inspections carried out to ascertain the condition of the **building.**

12.12 Offences Relating to Dangerous Buildings

12.12.1 A person must not:

(a) remove any notice affixed pursuant to clause (c) of subsection 12.11.1 unless authorized to do so by the **building inspector**; or

(b) occupy, or permit to be occupied, any **building** while there is a notice pursuant to clause (c) of subsection 12.11.1 affixed to the said **building**.

2. Section 15.1 of Bylaw No. 7230 is amended by adding the following definitions in alphabetical order:

ELECTRICAL INSPECTOR	means the electrical inspector as defined in the *Electrical Safety Act*.
FIRE CHIEF	means the Fire Chief of the **City** or his designate.

3. This Bylaw is cited as **"Building Regulation Bylaw No. 7230, Amendment Bylaw No. 7265".**

FIRST READING _____

SECOND READING _____

THIRD READING _____

ADOPTED _____

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

_____
MAYOR

_____
CITY CLERK

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