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## Property Maintenance & Repair (Grow-Op) Amendment Bylaw

The Council of the City of Richmond enacts the following amendments to the *Property Maintenance & Repair (Grow-Op) Bylaw No. 7897*:

1. Part One is amended by adding, in the introductory clause of subsection 1.1.3, the words “**grow operation or**” before the words “**controlled substance property**”.
2. Part Two is amended by deleting paragraph (b) from subsection 2.4.1 and substituting the following:

“(b) the building complies with the requirements of *British Columbia Building Code*, the *British Columbia Fire Code*, the *Safety Standards Act* of British Columbia, the *City’s Building Regulation Bylaw*, this bylaw, all as amended from time to time, and all other health and safety requirements established by law;”
3. Part Three is amended as follows:
  - (a) by deleting the word “and” in paragraph (c) of subsection 3.1.1 and adding the following paragraph to subsection 3.1.1:

“(c.1) for a **special safety inspection**, the owner or occupier must pay the fee specified in Schedule A; and”
  - (b) and by deleting paragraph (d) of subsection 3.1.1 and substituting the following:

“(d) in addition, every owner whose parcel is used for a **grow operation or controlled substance property** must pay to the **City** all **service costs** incurred by or on behalf of the **City**, calculated in accordance with Schedule D and which are deemed to be service fees as identified in Schedule D, unless that **owner** has delivered to the **City** notice pursuant to subsection 1.3, prior to any entry by the **City** onto the **parcel**.”
4. Part 4 is amended by deleting subsection 4.1.2 and substituting the following:
  - 4.1.2. “Subject to the provisions of the *Community Charter*, an **inspector** may
    - (a) inspect and determine whether all regulations, prohibitions and requirements under this bylaw or other safety enactments are being met in relation to any matter for which the Council, a municipal officer or employee or a person authorized by the Council has exercised

authority under this or another enactment to regulate, prohibit or impose requirements;

- (b) coordinate a **special safety inspection** of a **parcel** or **parcels**;
- (c) carry out a **special safety inspection** of a **parcel** or **parcels** pursuant to paragraph (b) of this subsection;
- (d) take action authorized under Part Seven; and
- (e) inspect, disconnect or remove a water service pursuant to section 4.2.

5. Part Six is amended at subsection 6.1 as follows:

(a) by deleting paragraph (b) from the definition of INSPECTOR and substituting the following:

(b) the City's Manager of Building Approvals and every employee or agent appointed by the City to inspect buildings in respect of building, plumbing, electrical or gas standards;

(b) by deleting the definition of SERVICE FEES and substituting the following:

**SERVICE COSTS** means all direct and indirect costs incurred

- a. by the Richmond Fire Rescue Department;
- b. by the Richmond detachment of the Royal Canadian Mounted Police;
- c. by the City's Business Licensing Department and Building Approvals Department;
- d. under a contract for services by an independent contractor, service provider, consultant or agent, including without limitation, a qualified electrical inspector, a hazardous materials professional, a professional engineer, a health professional, a person retained to carry out construction or demolition, and
- e. for associated administration and overhead expenses

in relation to an inspection of a **parcel** that has apparently been used for a **grow operation** or **controlled substance property**;

f. for the lawful dismantling, disassembly, demolition, removal, clean-up, transportation, storage and disposal of structures, equipment, substances, materials and other paraphernalia associated with a **grow operation** or with the use, trade, business or manufacture of any controlled substance;

g. for the replacement of consumables used, or the replacement of equipment following exposure to contaminants; and

h. as a result of the analysis of the materials found at the property and the health and safety conditions at the **parcel**,

all of which are determined in accordance with Schedule D of this bylaw;

(b) and by adding the following definition:

**“SPECIAL SAFETY INSPECTION** means an inspection coordinated with any municipal departments, provincial or federal authorities, and independent professionals or contractors as may be necessary to ascertain hazardous conditions or contraventions that may exist under the *British Columbia Building Code*, the *British Columbia Fire Code*, the *Safety Standards Act*, the *Health Act*, bylaws of the City or other applicable enactments, but does not include an inspection pursuant to an emergency call for police, fire or ambulance services or an inspection carried out under a warrant as part of a criminal investigation.”

- 6. Part Seven is amended by deleting the word “costs” where it appears in subsection 7.2 with the words “**service costs**”.
- 7. The *Property Maintenance & Repair (Grow-Op) Bylaw No. 7897* is amended by deleting Schedule A and substituting “Schedule A” attached to and forming part of this bylaw.
- 8. If a portion of this bylaw is for any reason held to be invalid by a court of competent jurisdiction, that portion will be severed and the remainder of the bylaw will remain valid and in effect.
- 9. This Bylaw is cited as “**Property Maintenance & Repair (Grow-Op) Amendment Bylaw No. 8231**”.

FIRST READING

APR 23 2007

SECOND READING

APR 23 2007

THIRD READING

APR 23 2007

ADOPTED

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

\_\_\_\_\_  
MAYOR

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CORPORATE OFFICER

**SCHEDULE A to BYLAW No. 7897****INSPECTION, CONFIRMATION & RE-OCCUPANCY FEES**

The following fees apply to all inspections and related administrative actions carried out under this Bylaw:

1. each time the City enters on a **parcel** to inspect pursuant to section 4.1.2 (a):
  - (a) \$300.00; and
  - (b) an additional \$300.00 for each subsequent inspection undertaken if the **owner** or **occupier** has failed to undertake action ordered by the **Fire Chief**, the **City**, or a person authorized under this bylaw to order the action;
2. each time a **special safety inspection** is carried out pursuant to section 4.1.2.(c), the owner or occupier must pay \$3,5000.00.
3. before confirmation is provided under section 2.4.1 (d), the **owner** must pay all applicable fees under the City's *Building Regulation Bylaw* and any amendments thereto; and
4. to obtain a **re-occupancy permit**, the **owner** or **occupier** must pay \$250.00.