



Corporation of the Municipality of Temagami

Memo No.
2020-M-142

Memorandum to Council

Subject:	Proposed amendments to the Building By-law 08-782, as amended
Agenda Date:	October 29, 2020
Attachments:	Building By-law 08-782, as amended

RECOMMENDATION

BE IT RESOLVED THAT Council approve the proposed changes to the Building By-Law;

AND FURTHER THAT Council directs Staff to bring the appropriate by-Law to the next meeting for Council's consideration.

INFORMATION

Staff have been addressing issues with building projects in the Municipality of Temagami. Staff have encountered projects being built without the benefit of a Building Permit or work progressing without the benefit of required inspections as prescribed in the Ontario Building Code Act (BCA). The BCA has provisions to charge double fees when work is commenced without a building permit. The BCA allows for an inspector who finds jobs that have proceeded without the prescribed inspections, the ability to issue work orders to uncover or proceed to court action. This provides limited inspection ability and could result in court actions.

Staff have reviewed other municipalities and found that this practice has been adopted to assist and better manage their enforcement practices. The issuance of Part 1 Provincial Offence Notices serves to gain compliance without the additional time require to move forward with costly court time, thus making them more effective in the short term. Sudbury has moved into short form wordings and set fines which they applied to the BCA for administrative purposes. Oher municipalities have applied changes applied to the Building by-laws. The maximum fine for a Part 1 Provincial Offence is \$500, the ability to issue a Part 1 Ticket on the spot, will serve to gain compliance with the Building By-law 08-872, as amended.

Staff recommend making application to the Chief Justice for approval of set fines and short form wordings for the Building By-law 08-782, as amended.

Furthermore Staff recommend amending the Building By-law 08-782, to include a penalty clause which is inclusive of set fines and short form wordings as approved by the Chief Justice.

Respectfully Submitted:
Daryl Bell,
Municipal Law Enforcement Officer