



City of Richmond

Report to Committee

To: General Purposes Committee **Date:** November 28, 2023
From: Mark Corrado **File:** 12-8375-01/2023-Vol
 Director, Community Bylaws and Licencing 01
Re: **Amendments for Building Regulation Bylaw No.7230, Notice of Bylaw Violation Dispute Bylaw No. 8122, and Municipal Ticket Information Authorization Bylaw No. 7321**

Staff Recommendation

1. That Building Regulation Bylaw No.7230, Amendment Bylaw No. 10507, be introduced and given first, second and third readings;
2. That Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 10508, be introduced and given first, second and third readings; and
3. That Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 10509, be introduced and given first, second and third readings.

Mark Corrado
 Director, Community Bylaws and Licencing

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Building Approvals Law	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
SENIOR STAFF REPORT REVIEW	INITIALS: 	APPROVED BY CAO

Staff Report

Origin

Staff have conducted a review of the Buildings Regulations Bylaw No. 7230 and are proposing several housekeeping amendments to strengthen enforcement actions that Staff could use to ensure compliance with the Bylaw.

This report supports Council's Strategic Plan 2022-2026 Focus Area #3 A Safe and Prepared Community:

Community safety and preparedness through effective planning, strategic partnerships and proactive programs.

3.2 Leverage strategic partnerships and community-based approaches for comprehensive safety services.

This report supports Council's Strategic Plan 2022-2026 Focus Area #4 Responsible Financial Management and Governance:

Responsible financial management and efficient use of public resources to meet the needs of the community.

4.2 Seek improvements and efficiencies in all aspects of City business.

Analysis

Building Regulation Bylaw No. 7230 Amendment Bylaw No. 10507

The proposed amendments to the Building Regulation Bylaw No. 7230 are recommended after an internal bylaw enforcement investigative review including a comparison with other municipalities and their enforcement practices. Critically, these amendments enable efficient and effective bylaw enforcement by allowing staff to issue two types of violation notices for contraventions that are not available as per the current Bylaw.

Staff are also recommending that the current maximum fine amount that can be sought via long form prosecution from court action be increased from \$10,000 to \$50,000. This increase would align with the maximum fine amount of other municipalities and permitted under section 263(1) of the *Community Charter*. Amendments to the City's two ticketing bylaws are also required and noted below. The contraventions and proposed fine amounts are included in Schedule A.

Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 10508

The Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 10508 provides Bylaw Enforcement Officers and Building Inspectors with the ability to issue tickets of up to \$500 for violations of the Building Regulations Bylaw No 7230. These types of tickets may be disputed and are reviewed by an independent adjudicator at hearings held throughout the year.

Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 10509

The Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 10509, enables the issuing of municipal tickets up to a maximum fine amount of \$1,000. These types of tickets are additional tools that can be used in the escalation of enforcement actions as needed. These tickets may be disputed by the recipient and all disputes are reviewed in Provincial Court.

Financial Impact

None.

Conclusion

The proposed amendments will enable staff to better enforce and regulate the Building Regulations Bylaw No 7230. The proposed amendments provide staff with a continuum of enforcement options including an increase to the potential penalties that could be sought via long form prosecutions if needed.



Mark Corrado
Director, Community Bylaws and Licencing



**Building Regulation Bylaw No. 7230
Amendment Bylaw No. 10507**

The Council of the City of Richmond enacts as follows:

1. **Building Regulation Bylaw No. 7230**, as amended, is further amended at section 15.1, by deleting the word "\$10,000" and replacing it with the word "\$50,000".
2. **Building Regulation Bylaw No. 7230**, as amended, is further amended at Part Fifteen: Offences and Penalties, by adding the following after section 15.4:

"15.5 A violation of any of the provisions identified in this bylaw shall:

 - (a) result in liability for penalties and late payment amounts established in Schedule A of the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122*, as amended or replaced from time to time;
 - (b) be subject to the procedures, restrictions, limits, obligations and rights established in the *Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122* in accordance with the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c. 60, as they may be amended or replaced from time to time; and
 - (c) be subject to such fines as may be prescribed in the *Municipal Ticket Information Authorization Bylaw No. 7321*."
 3. **Building Regulation Bylaw No. 7230**, as amended, is further amended at section 12.8.4 by renumbering it as section number "13.8.4".
 4. This Bylaw is cited as "**Building Regulation Bylaw No. 7230, Amendment Bylaw No. 10507**".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

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

MAYOR

CORPORATE OFFICER



**Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122,
Amendment Bylaw No. 10508**

The Council of the City of Richmond enacts as follows:

1. Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, as amended, is further amended by:
 - (a) adding the following to the list in Section 1.1 in alphabetical order:
 “Building Regulation Bylaw No. 7230, as amended”
 - (b) adding the content of the table in Schedule A attached to and forming part of this bylaw, to Schedule A of Bylaw No. 8122 as a new “Schedule – Building Regulation Bylaw No. 7230”.
2. This Bylaw is cited as “**Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122, Amendment Bylaw No. 10508**”.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

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Schedule A to Bylaw No. 8122

Schedule – Building Regulation Bylaw No. 7230 (2002)							
Designated Bylaw Contraventions and Corresponding Penalties							
A1 Bylaw	A2 Description of Contravention	A3 Section	A4 Compliance Agreement Available	A5 Penalty	A6 Early Payment Option	A7 Late Payment Amount	A8 Compliance Agreement Discount
Building Regulation Bylaw No. 7230	Period of Time from Receipt (inclusive)		n/a	29 to 60 days	1 to 28 days	61 days or more	n/a
	Building or structure not in compliance with building code	2.1.1(a)	No	\$ 450.00	\$ 400.00	\$ 500.00	n/a
	Gas work not in compliance with gas code	2.1.1(b)	No	\$ 450.00	\$ 400.00	\$ 500.00	n/a
	Plumbing not in compliance with plumbing code	2.1.1(c)	No	\$ 450.00	\$ 400.00	\$ 500.00	n/a
	Failure to comply with Provincial statutes and applicable bylaws	2.1.2	No	\$ 450.00	\$ 400.00	\$ 500.00	n/a
	Construction activity without required building permit.	2.2.1(a)(i)	No	\$ 500.00	\$ 450.00	\$ 550.00	n/a
	Gas work without required gas permit	2.2.1(a)(ii)	No	\$ 500.00	\$ 450.00	\$ 550.00	n/a
	Plumbing without the required plumbing permit.	2.2.1(a)(iii)	No	\$ 500.00	\$ 450.00	\$ 550.00	n/a
	Change of use, or occupancy without obtaining a building permit	2.2.1(b)	No	\$ 500.00	\$ 450.00	\$ 550.00	n/a
	Failure to post civic address	2.2.1(c)	No	\$ 250.00	\$ 200.00	\$ 300.00	n/a

Occupancy without final inspection notice	2.2.1 (d)	No	\$ 500.00	\$ 450.00	\$ 550.00	n/a
Occupancy or use contrary to permit	2.2.1(e)	No	\$ 450.00	\$ 400.00	\$ 500.00	n/a
Tamper with site documents	2.2.1(f)	No	\$ 400.00	\$ 350.00	\$ 450.00	n/a
Unauthorized work deviating from permit	2.2.1(g)	No	\$ 400.00	\$ 350.00	\$ 450.00	n/a
Unauthorized modification of plans	2.2.1(h)	No	\$ 400.00	\$ 350.00	\$ 450.00	n/a
Repair damage without compliance with building code and bylaw	2.2.1(i)	No	\$ 400.00	\$ 350.00	\$ 450.00	n/a
Obstructing inspector access	2.2.1(j)	No	\$ 250.00	\$ 200.00	\$ 300.00	n/a
Denying inspector entry	3.3.1	No	\$ 250.00	\$ 200.00	\$ 300.00	n/a
Failure to comply with an order	3.5.1	No	\$ 450.00	\$ 400.00	\$ 500.00	n/a
Failure to obtain building permit	5.1.1(a)	No	\$ 500.00	\$ 450.00	\$ 550.00	n/a
Failure to obtain gas permit	5.1.1(b)	No	\$ 500.00	\$ 450.00	\$ 550.00	n/a
Failure to obtain plumbing permit	5.1.1(c)	No	\$ 500.00	\$ 450.00	\$ 550.00	n/a
Failure to keep plans on parcel	5.8.1	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Failure to maintain a hauling contract	8.6.1(a)	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Unauthorized modification or cancellation of a hauling contract	8.6.2	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Failure to maintain hauling contract log and produce upon request	8.6.3	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Cause or permit an unsanitary condition	8.10(d)	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Failure to adhere to the prohibitions related to the installation and use of a sewage holding tank	8.10.1	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a

Break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of any sewage holding tank system.	8.10.2	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Failure to enclose swimming pool	9.1.1(b)	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Failure to provide an undertaking to the City for the delayed demolition of the existing dwelling or conversion of the existing dwelling to a non-residential use.	11.1.1	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Moving a building without a permit	12.1.1	No	\$ 500.00	\$ 450.00	\$ 550.00	n/a
Salvage building materials without a permit	12.1.2	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Failure to obtain construction inspection	13.1.1	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Failure to obtain sewage holding tank inspection	13.2.1	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Failure to obtain gas inspection	13.3.1	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Failure to obtain plumbing inspection	13.4.1	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Failure to perform annual backflow preventer test	13.5.1	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a
Disobey stop work order	13.8.1	No	\$ 500.00	\$ 450.00	\$ 550.00	n/a
Failure to secure property within 48 hours of stop work order	13.8.2	No	\$ 450.00	\$ 400.00	\$ 500.00	n/a
Unauthorized work during stop work order	13.8.3	No	\$ 450.00	\$ 400.00	\$ 500.00	n/a
Unauthorized removal of stop work order notice	13.8.4	No	\$ 450.00	\$ 400.00	\$ 500.00	n/a
Unauthorized removal of posted notice from dangerous building	13.12.1(a)	No	\$ 350.00	\$ 300.00	\$ 400.00	n/a

	Permit occupancy of a dangerous building	13.12.1(b)	No	\$ 450.00	\$ 400.00	\$ 500.00	n/a
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**Municipal Ticket Information Authorization Bylaw No. 7321,
Amendment Bylaw No. 10509**

The Council of the City of Richmond enacts as follows:

1. Municipal Ticket Information Authorization Bylaw No. 7321, as amended, is further amended by:

- (a) adding the following to Schedule A in numerical order:

Column 1

Designated Bylaws

1. Building Regulation Bylaw No. 7230

Column 2

Designated Bylaw Enforcement Officers

- Bylaw Enforcement Officer
- Licence Inspector
- Police Officer

- (b) deleting Schedule B1 and replacing it with Schedule A attached to and forming part of this bylaw.

2. This Bylaw is cited as “**Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 10509**”.

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SECOND READING

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MAYOR

CORPORATE OFFICER

Schedule A to Bylaw No. 10509**SCHEDULE B 1****Building Regulation Bylaw No. 7230**

Column 1 Offence	Column 2 Bylaw Section	Column 3 Fine
Building or structure not in compliance with building code	2.1.1(a)	\$1,000
Gas work not in compliance with gas code	2.1.1(b)	\$1,000
Plumbing work not in compliance with plumbing code	2.1.1(c)	\$1,000
Failure to comply with Provincial statutes and applicable bylaws	2.1.2	\$1,000
Construction activity without required building permit.	2.2.1(a)(i)	\$1,000
Gas work without required gas permit	2.2.1(a)(ii)	\$1,000
Plumbing without the required plumbing permit.	2.2.1(a)(iii)	\$1,000
Change of use, or occupancy without obtaining a building permit	2.2.1(b)	\$1,000
Occupancy without final inspection notice	2.2.1 (d)	\$1,000
Occupancy or use contrary to permit	2.2.1(e)	\$1,000
Tampering with site documents	2.2.1(f)	\$1,000
Unauthorized work deviating from permit	2.2.1(g)	\$1,000
Unauthorized modification of plans	2.2.1(h)	\$1,000
Repair of damage without compliance with building code and bylaw	2.2.1(i)	\$1,000
Obstructing inspector access	2.2.1(j)	\$1,000
Denying inspector entry	3.3.1	\$1,000
Failure to comply with an order	3.5.1	\$1,000
Failure to obtain building permit	5.1.1(a)	\$1,000
Failure to obtain gas permit	5.1.1(b)	\$1,000
Failure to obtain plumbing permit	5.1.1(c)	\$1,000
Failure to keep plans on parcel	5.8.1	\$1,000
Failure to maintain a hauling contract	8.6.1 (a)	\$1,000

Unauthorized modification or cancelation of a hauling contract	8.6.2	\$1,000
Failure to maintain hauling contract log and produce upon request	8.6.3	\$1,000
Cause or permit an unsanitary condition	8.10.(d)	\$1,000
Failure to adhere to the prohibitions related to the installation and use of a sewage holding tank	8.10.1	\$1,000
Break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of any sewage holding tank system	8.10.2	\$1,000
Failure to enclose swimming pool	9.1.1(b)	\$1,000
Failure to provide an undertaking to the City for the delayed demolition of the existing dwelling or conversion of the existing dwelling to a non-residential use	11.1.1	\$1,000
Moving a building without a permit	12.1.1	\$1,000
Salvage building materials without a permit	12.1.2	\$1,000
Failure to obtain construction inspection	13.1.1	\$1,000
Failure to obtain sewage holding tank inspection	13.2.1	\$1,000
Failure to obtain gas work inspection	13.3.1	\$1,000
Failure to obtain plumbing inspection	13.4.1	\$1,000
Failure to perform annual backflow preventer test	13.5.1	\$1,000
Disobey stop work order	13.8.1	\$1,000
Failure to secure property within 48 hours of stop work order	13.8.2	\$1,000
Unauthorized work during stop work order	13.8.3	\$1,000
Unauthorized removal of stop work order	13.8.4	\$1,000
Unauthorized removal of posted notice	13.12.1(a)	\$1,000
Permit occupancy of a dangerous building	13.12.1(b)	\$1,000