

DATE OF MEETING MARCH 1, 2018

AUTHORED BY DARCY FOX, MANAGER, BUILDING INSPECTIONS

**SUBJECT RECONSIDERATION OF REMEDIAL ACTION ORDER –
1583 BARTLETT STREET**

OVERVIEW

Purpose of Report

To seek Council's direction on a request from the owner of 1583 Bartlett Street to reconsider the Remedial Action Order.

Recommendation

That Council direct Staff to proceed with the Remedial Action Order approved at its regular meeting held on 2017-NOV-06.

BACKGROUND

A roof structure was constructed over an existing landing and stairs at the main entrance of the dwelling without a building permit. The structure has not been constructed to the minimum standards of the BC Building Code, and therefore, represents a safety issue.

The matter was brought before Council at the 2017-SEP-11 Regular Council Meeting, at which time Council made a motion as follows:

“It was moved and seconded that Council to defer consideration of Remedial Action Order – 1583 Bartlett Street for 30 days.”

A visual inspection on 2017-OCT-11 found that the structure was still in place.

The matter was brought back to Council at the 2017-NOV-06 meeting, at which time Council made a motion as follows.

- “1. Issue a Removal Order at 1583 Bartlett Street pursuant to Sections 72 and 73 of the *Community Charter*;
2. Advise the owners that they may request that Council reconsider the Remedial Action Order by providing written notice within 14 days of the date on which notice of the remedial action requirement was sent; and,
3. Direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner's expense if the said remedial action is not undertaken within 30 days of Council's resolution.”

On 2017-NOV-16, the owner submitted a request that Council reconsider the Remedial Action Order.

OPTIONS

1. Council has the option of rescinding the remedial action order.
 - **Legal Implication:** The works completed do not comply with the requirements of the BC Building Code, and in the opinion of the building inspector, constitute a hazard. If a failure were to occur, the City would potentially be open to liability for not enforcing the order.
2. Enforce the Remedial Action Order.

SUMMARY POINTS

- The covered roof was constructed without a permit or the required inspections.
- Council gave the owner 30 days to rectify the issue.
- Council issued a remedial action order.
- The owner has requested reconsideration of the order.

ATTACHMENTS

ATTACHMENT A: Site Photo

Submitted by:

Darcy Fox
Manager, Building Inspections

Concurrence by:

Dale Lindsay
Direction, Community Development