

ITEM 28
MANAGER'S REPORT NO. 55
COUNCIL MEETING 85/09/09

RE: BURNABY BUILDING BYLAW 1973 PROPOSED AMENDMENT

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER 1985 AUGUST 28

FROM: DIRECTOR PLANNING &
BUILDING INSPECTION

RE: "BURNABY BUILDING BY-LAW 1973"
PROPOSED AMENDMENT

RECOMMENDATION:

1. THAT a by-law amending Burnaby Building By-Law 1973 be prepared for Council's approval extending the right-of-entry to all Building Inspectors as outlined in this report.

REPORT:

Burnaby Building By-Law 1973 (By-Law No. 6333) presently gives the Chief Building Inspector authority to enter any building or premises at any reasonable time for the purpose of administering or enforcing the by-law. The Municipal Solicitor has recently pointed out that authority has not been extended to individual Building Inspectors, leaving the daily building inspection and enforcement operation open to challenge. As a consequence, an immediate housekeeping change to the by-law is sought.

Section 310 of the Municipal Act gives Council the authority to "...authorize appointed officers to enter, at all reasonable times, on any property subject to the regulations of the council, to ascertain whether the regulations or directions are being observed." The present Electrical, Plumbing and Gas By-Laws provide the right-of-entry to individual field inspectors, and for consistency the Burnaby Building By-Law 1973 should do the same.

Accordingly, it is requested that the Municipal Solicitor be authorized to prepare an appropriate amendment to Burnaby Building By-Law 1973 extending the right-of-entry to all Building Inspectors.


DHJ:lm

A.L. Parr
DIRECTOR PLANNING &
BUILDING INSPECTION

c.c. MUNICIPAL SOLICITOR
MUNICIPAL CLERK
CHIEF BUILDING INSPECTOR