

Item	15
Manager's Report No.	28
Council Meeting	00/10/30

TO: CITY MANAGER 2000 October 18
FROM: DIRECTOR FINANCE
DIRECTOR PLANNING AND BUILDING

SUBJECT: RESTORATION OF MARIJUANA GROW OPERATION RESIDENCES

PURPOSE: To report on the feasibility and advisability of establishing an inspection process to address life safety issues in buildings where significant, unauthorized alterations have been made, as found with marijuana grow operations.

RECOMMENDATION:

1. **THAT** the Burnaby Building Bylaw be amended to provide for an inspection process to address hazardous building situations created by the unauthorized alteration of the building structure or its electrical or gas services.

REPORT

At the August 28, 2000 Open Council meeting, Council adopted a resolution directing staff to report on the feasibility and advisability of establishing a City inspection process for residences where marijuana grow operations have existed. In addition, staff are to advise on the possibility of recovering the costs of the inspection process. This report is provided in response to the resolution.

BACKGROUND

The illegal cultivation of marijuana in a residential or commercial building is commonly referred to as a marijuana grow operation. The last five years have seen a significant increase in the number of grow operations found throughout the region. To the end of August of this year, the Burnaby RCMP report 393 grow operation investigations resulting in 109 property searches. For the same period last year, 185 grow operation investigations resulted in 75 property searches. Grow operations are found in all neighbourhoods of the City and predominantly in single family rental houses.

In addition to the criminal issues relating to grow operations, building safety issues are also a major concern, particularly where grow operations are established in residential properties. Alterations to the electrical and gas services, plumbing and venting systems and building structure undertaken to accommodate a grow operation, create hazards and life safety issues for any current and future occupants of the property. Of primary concern is the electrical shock and fire hazard from tampered or overloaded electrical systems, a characteristic of virtually all grow operations. Carbon monoxide also poses a serious health risk where growers divert the exhaust vents of the hot water tank and furnace to enhance growing conditions.

RESIDENTIAL GROW OPERATION INSPECTION PROCESS

Where marijuana grow operations have been located in residential properties, unauthorized alterations to the building and its services create serious life safety issues. The rental nature of many of these properties presents a situation where the extent of the unauthorized modifications may be unknown to the property owner and therefore, not identified and repaired. This can result in conditions that may be extremely prejudicial to subsequent tenants as has been noted in a recent situation in South Burnaby. To provide for a comprehensive repair program, a City inspection process is proposed for properties where hazardous conditions maybe present, as in residences where marijuana grow operations have been found.

City knowledge of properties where grow operations have existed would come from the RCMP after they have searched the property and from B.C. Hydro when the electrical service has been disconnected for theft of power. In grow operation situations where the electrical service remains connected, an order will be issued to B.C. Hydro to disconnect service to eliminate any electrical related hazards. Similarly, the gas service to the residence would be cut off for safety purposes.

When electrical and gas service disconnections have taken place, a comprehensive inspection of the property will be conducted by the Building, Electrical and Gas Inspection Divisions of the Building Department and the Fire Department. Property owners will be contacted to coordinate the inspection process. Following the inspection, a detailed letter will be sent to the property owner detailing the work to be completed before City approval will be granted to reconnect the electrical and the gas services to the house. The property will be declared unsafe to occupy until the life safety issues have been corrected and the electrical and gas services have been restored.

INSPECTION FEES

Fees for the proposed inspection process will be \$300. This fee is based on the current special inspection rate of \$75 per hour and four hours of total inspection time. Repairs to the property will

be completed under the regular permit process. This will also include permits to reconnect the electrical and gas services. Regular fees for the permits will be applied.

STAFF RESOURCES

It is proposed at this time that the inspection process would be absorbed into the current inspection functions of the participating departments. Building inspection services would be monitored to determine the ability to maintain regular service levels with the inclusion of the new program.

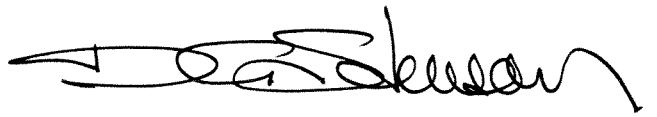
SUMMARY

Marijuana grow operations involve unauthorized alterations to residential properties. These alterations or damages can effect the electrical and gas installations and the structural integrity of a residence, thereby creating hazards and life safety issues for occupants of the property. A comprehensive inspection process is proposed for identified marijuana grow operations and any other buildings where building alterations have created a potentially hazardous condition, to ensure that repairs to the property comply with City Bylaws and safety codes. Property owners would be charged for the inspection process as per the Building Bylaw's special inspection fees.

An amendment to the Burnaby Building Bylaw is recommended to establish the City authority to carry out this inspection process.



Rick Earle
for Rick Earle
DIRECTOR FINANCE



D. G. Stenson
DIRECTOR PLANNING AND BUILDING

CMC:dh

- cc: Chief Building Inspector
- Fire Chief
- City Solicitor
- O.I.C., R.C.M.P.

