

### **Amendments to Ontario Building Code – Building Inspector Entry Provisions**

**WHEREAS** the City's Building staff have received a number of complaints regarding property owners who may be converting a house from a single family dwelling to a multi-unit dwelling, without a permit, but have experienced difficulty obtaining entry to carry out inspections;

**AND WHEREAS** these construction projects are potentially putting occupants at risk due to poor construction or contravention of the fire code;

**AND WHEREAS** there is a prevalence in illegal construction activities across Mississauga in recent years;

**AND WHEREAS** according to section 12 of the *Ontario Building Code Act* (the "*Act*"), an inspector may enter upon land and into buildings at any reasonable time without a warrant for the purpose of inspecting the building or site to determine whether or not the *Act* and the *Building Code* have been complied with and, if contraventions are found, may make orders directing compliance;

**AND WHEREAS** according to section 16 of the *Act*, an inspector shall not enter or remain in any room or place actually being used as a dwelling without consent of the occupier, notwithstanding the section 12 right of entry;

**AND WHEREAS** there are instances where Building staff require access into a dwelling to determine whether the *Act* and *Building Code* are being complied with;

**AND WHEREAS** the City's Building staff are mindful of the privacy rights of residents related to dwellings but also understand that there are examples where access into dwellings is justified as set out in the exemptions described in section 16 of the *Act*;

**BE IT RESOLVED** that the Mayor send a letter on behalf of Council with a copy of this resolution to Minister Steve Clark of the Ministry of Municipal Affairs and Housing requesting that section 16 of the *Ontario Building Code Act* be amended to allow inspectors to enter into dwellings to ensure compliance with the *Act* where the inspector has reasonable grounds to believe that construction is taking place within the dwelling without a permit. Further, a copy of this resolution be provided to AMO.

A handwritten signature in blue ink that reads "Karen Ras". The signature is written in a cursive, flowing style.