



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 308 - 2012

A By-law to Repeal and Replace By-law 191-2003, as amended,
being a By-law to Appoint a Chief Building Official
and Inspectors for the Enforcement of the
Building Code Act, 1992 and its Regulations
and Municipal By-laws

RECITALS:

Subsection 3(2) of the *Building Code Act, 1992*, S.O. 1992, c.23, as amended requires the Council of each municipality to appoint a Chief Building Official and such inspectors as are necessary for the purposes of the enforcement of the *Building Code Act, 1992*;

Subsection 77(b) of the *Legislation Act, 2006*, S.O. 2006, c. 21, Sch. F, as amended states that the power to appoint a person to a public office includes the power to appoint a deputy who has all of the same powers as the office holder subject to specified conditions;

Subsection 8(1) of the *Municipal Act 2001*, S.O. 2001, c.25, as amended, provides that the powers of a municipality under the *Municipal Act, 2001* or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

Section 15 of the *Police Services Act* R.S.O. 1990, c.P.15, as amended, authorizes a municipal council to appoint Municipal By-law Enforcement Officers, who shall be peace officers for the purpose of enforcing municipal by-laws;

Section 436 of the *Municipal Act, 2001*, provides for the right of entry and inspection and the inspection powers to determine compliance with by-laws made under the act, directions or orders made under the act or a by-law passed under the act, or a condition of a licence issued under a by-law made under the act;

Section 49 of the *Planning Act*, R.S.O. 1990, c. p.13, as amended provides for the right of entry and inspection of any property where there is reasonable grounds to believe a contravention of a zoning by-law is occurring;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

PART I – SHORT TITLE

1. This By-law shall be known as the "Building Division Appointment By-law".

PART II – APPOINTMENT OF CHIEF BUILDING OFFICIAL

2. Brenda Campbell is appointed as the Chief Building Official for the City of Brampton.
3. (1) Lillyan McGinn and Rick Conard are appointed as Deputy Chief Building Officials for the City of Brampton and in accordance with this section shall exercise all of the powers and authority of the Chief Building Official during her absence.
 - (2) The Chief Building Official may select, for any given period of time, one of the Deputy Chief Building Officials to exercise all of her powers and authority during her absence.
 - (3) If the Chief Building Official has not selected, or is unable to select one of the Deputy Chief Building Officials under subsection (2), each Deputy Chief Building Official shall, on a two week alternating basis, exercise all of the powers and authority of the Chief Building Official.

PART III – APPOINTMENT OF BUILDING INSPECTORS

4. The persons named in Schedule 1 of this By-law are hereby appointed as inspectors pursuant to subsection 3(2) of the *Building Code Act, 1992* (and regulations made thereunder) for the City of Brampton.

PART IV – APPOINTMENT OF MUNICIPAL LAW ENFORCEMENT OFFICERS

- 5 (1) The persons named in Schedule 2 of this By-law are appointed as Municipal Law Enforcement Officers for the City of Brampton for the enforcement of all City by-laws including the City's Zoning By-law 270-2004.
 - (2) A Municipal Law Enforcement Officer appointed by this By-law may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - (a) The Corporation of the City of Brampton's Zoning By-law 270-2004, as amended;
 - (b) a by-law of The Corporation of the City of Brampton passed under the *Municipal Act, 2001*, as amended;
 - (c) a direction or order made under the *Municipal Act, 2001*, as amended, or made under a by-law passed under the act;
 - (d) a condition of a license issued under a by-law passed under the *Municipal Act, 2001*, as amended; or
 - (e) an order made under section 431 of the *Municipal Act, 2001*, as amended.
 - (3) A Municipal Law Enforcement Officer exercising a power of entry to determine whether subsections 5 (2) (b) to (e) of this By-law are being complied with may:

- (a) require production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information from any person concerning a matter related to the inspection; and
 - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- (4) These sections do not restrict any rights conferred by the *Municipal Act, 2001*, as amended, or any other Act or regulation, respecting entry to land.

PART V – SCHEDULES

6. Schedules 1 and 2 attached to this By-law form part of this By-law.

PART V - REPEAL

7. By-law 191-2003, as amended, is hereby repealed.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this **24TH** day of ~~24TH~~ **October**, 2012 .

Ede

Approved as to form.
2012/10/05
RE

Approved as to content.
2012/10/01
RE

Susan Fennell
Susan Fennell, Mayor

Earl Evans, Deputy Clerk
Peter Fay, City Clerk

Schedule 1

Building Division Appointment By-law

List of inspectors.

Ahmad, N.	Garratt, M.	Pratt, W.
Ali, N.	Godin, E.	Puccinelli, F.
Atapattu, P.	Godley, D.	Radley, A.
Balenzano, F.	Gougeon, D.	Ramkissoon, M.
Biasini, A.	Hammond, C.	Rizzo, J.
Bick, G.	Hanna, S.	Rosa Gastaldo, C.
Blonda, J.	Horsley, R.C.	Santarossa, E.
Brown, R.	Jejeran, D.	Savini, L.
Carter, M.	Joseph, O.	Simonato, M.
Cheeseman, P.	Kalaeswaran, G.	Small, N.
Conard, R.	Kardos, J.	Spagnuolo, C.
Crisan, M.	Lin, J.	Spychalska, A.
DeOliveira, R.	Magnone, A.	Steer, R.
Derksen, M.	Marino, M.	Tadros, S.
DiBerardino, C.	McGinn, L.	Taraborrelli, M.
DiGiacinto, B.	Messih, G.	Therrien, L.
DiMambro, J.	Mihaila, F.	Thomson, P.
Evans, G.	Monaco, J.	Tymoshuk, M.
Fabrizio, E.	Paradis, F.	Walker, K.
Fischbach, A.	Paradis, J.	West, B.
Garas, L.	Penna, S.	
	Povse, J.	

Schedule 2

Building Division Appointment By-law

List of Municipal By-law Enforcement Officers.

Ahmad, N.	Garas, L.	Penna, S.
Ali, N.	Garratt, M.	Povse, J.
Atapattu, P.	Godin, E.	Pratt, W.
Balenzano, F.	Godley, D.	Puccinelli, F.
Biasini, A.	Gougeon, D.	Radley, A.
Bick, G.	Hammond, C .	Ramkissoon, M.
Blonda, J.	Hanna, S.	Rizzo, J.
Brown, R.	Horsley, R.C.	Rosa Gastaldo, C.
Bruno, R.	Jejeran, D.	Santarossa, E.
Campbell, B.	Joseph, O.	Savini, L.
Campbell, R.	Kalaeswaran, G.	Simonato, M.
Carter, M.	Kardos, J.	Small, N.
Cheeseman, P.	Lin, J.	Spagnuolo, C.
Conard, R.	Magnone, A.	Spychalska, A.
Corazzola, E.	Maina, G.	Steer, R.
Crisan, M.	Marino, M	Tadros, S.
DeOliveira, R.	McColl, J.	Taraborrelli, M.
Derksen, M.	McGinn, L.	Therrien, L.
DiBerardino, C.	Messih, G.	Thomson, P.
DiGiacinto, B.	Mihaila, F.	Tymoshuk, M.
DiMambro, J.	Monaco, J.	Wade, A.
Evans, G.	Paradis, F.	Walker, K.
Fabrizio, E.	Paradis, J.	West, B.
Fischbach, A.	Payne, T.	