



Illegal Marijuana Grow Operations (MGOs) – Notification & Protocol

In 2006, the City of Brampton, together with Peel Regional Police, established a Marijuana Grow-Op Inspection Protocol. The divisions and agencies involved in the administration of this protocol are:

- City of Brampton Enforcement & By-law Services
- City of Brampton Building Division
- Brampton Fire & Emergency Services
- Peel Regional Police
- Region of Peel – Public Health, Regional Clerk
- Hydro One
- Electrical Safety Authority Technical Standards and Safety Authority

An MGO is most commonly identified to the City by Peel Regional Police. It can also be identified when Brampton Fire & Emergency Services responds to a fire caused by an illegal MGO.

Roles & Responsibilities

Peel Regional Police

- Conducts criminal investigation of alleged MGO
- Obtains a search warrant and attends the premises
- Gathers physical and photographic evidence and dismantles the MGO
- Contacts Hydro One and requests the disconnection of the electrical service if the system has been by-passed
- Contacts Region of Peel and requests the disconnection of the water service
- Prepares notification attaching written and photographic evidence regarding any potential risks associated with the premises, such as: structural alteration/damage; chemicals or fuels; mould/water damage; electrical wiring/fire damage
- Forwards the notification to the City Clerk
- Will attend property standards appeal hearings and court proceedings when an Order to Comply is challenged or not complied with.

Brampton Fire & Emergency Services

If Brampton Fire & Emergency Services responds to a fire caused by an illegal MGO, they will:

- Contact Peel Regional Police
- Contact Hydro One and request disconnection of electrical service

- Contact Enbridge Gas and request disconnection of gas service
- Notify Enforcement & By-law Services, and advise them of requests to Hydro One and Enbridge Gas.

City Clerk

- Receives notification from Peel Regional Police of an illegal MGO and dismantle
- Prepares the Clerk's Notice including the police notification and any attached photographic evidence, and sends to Brampton Fire & Emergency Services, City of Brampton Building Division, City of Brampton Enforcement & By-law Division, City of Brampton Corporate Communications, Region of Peel – Public Health, Region of Peel – Regional Clerk, the Mayor, and the City and Regional Councillors for the Ward where the property is located.

Enforcement & By-law Services (Lead Role)

- Receives notification from the City Clerk of an illegal MGO and dismantle
- Generates a file and assigns to a Property Standards Officer within 1-2 days of receiving notice
- Enforcement Clerk executes a title search and ascertains the identity of the owner of the property, updates the file
- Property Standards Officer attends the premises to ascertain if the premises are occupied, performs an exterior inspection and if the building is not secure, forwards this information to Brampton Fire & Emergency Services to attend to secure the building.
- The Property Standards Officer will issue an Order to Comply pursuant to 15.2(2) & 15.8(1)(f) of the Building Code Act, S.O. 1992, c. 23, as amended to the property owner and encumbrance(s) outlining any deficiencies found on the exterior of the building and/or surrounding yards requiring attention and based on police evidence the Order to Comply will also require reports be submitted for the potential risks/violations that are ordinarily associated with a MGO. The order is for 30 days to comply – if no reports are received or commitment from the owner to provide reports within a reasonable time, a request for prosecution is sent.

Order To Comply

The Order to Comply will require the following reports to be submitted by the property owner:

Air Quality Report; Structural/Mechanical Report; Electrical/Fire Safety Report.

The Property Standards Officer sends the Order by registered mail to the property owner(s) and the holder(s) of any encumbrance(s). The Property Standards Officer also placards the premises with a copy of the Order and arranges for the Order to be placed on the property title. The Property Standards Officer will have MGO Orders discharged from title when appropriate.

Air Quality Report

A report from an Environmental Engineer or consultant regarding air quality in the building, outlining all potential hazards and a plan for remediation to deem the building habitable. Remediation includes, but is not limited to, a residential indoor air quality assessment

undertaken by a person who is qualified in the assessment of mould and other indoor air quality problems.

The qualified person is required and must be able to demonstrate current and active membership in a related professional organization or certifying body of expertise, e.g., Environmental Health or Indoor Air Quality. The laboratory used for the testing must be certified as an Environmental Microbiology Accredited Laboratory with a competence in moulds/other comparable accreditation/or demonstrated routine participation and acceptable performance in an Environmental Microbiology proficiency Analytical Testing program for both culturable and direct examination determination of fungi, or other comparable accreditation. Documentation of qualifications and accreditation of the consultant and laboratory, respectively, must be provided.

- The Property Standards Officer receives reports from environmental engineer/consultant and forwards it to a Region of Peel – Public Health Inspector for comment and evaluation of the remediation plan.

Structural/Mechanical Report

A report from a Professional Engineer regarding the condition of the structural systems of the building, and a report from a Professional Engineer regarding the condition of the mechanical/heating system in the building, outlining all potential hazards or defects to the building and a plan for remediation.

- The Property Standards Officer receives reports from a Professional Engineer and forwards it to the City of Brampton – Building Division for comment and evaluation of the remediation plan.

Electrical/Fire Safety Report

A report showing evidence of testing by an Electrical Engineer or the Electrical Safety Authority regarding the condition of the electrical system in the building, outlining all potential hazards and a plan for remediation; and,

A report showing evidence of testing from a Fire Safety Consultant, outlining all potential hazards or contraventions to the Ontario Fire Code, and a plan for remediation.

- The Property Standards Officer receives reports from an Electrical Engineer or Electrical Safety Authority and the Fire Safety consultant and forwards them to Brampton Fire & Emergency Services for comment and evaluation of the remediation plan.

Region of Peel – Public Health

- Receives the Environmental Engineers report from Enforcement & By-law Services for review, comment, and evaluation of the remediation plan.

- Advises Enforcement & By-law Services in writing that the property is clear of any hazardous conditions related to the air quality of the building, or if remediation is required due to any hazardous conditions related to the air quality of the building
- Will attend court proceedings when an Order to Comply requiring remediation for air quality deficiencies has not been complied with.

Health Protection and Promotion Act (HPPA) order – Considered for multi-unit dwellings:

- Where a health hazard exists as a result of: mould, and/or water damage, and/or chemical contamination;
- Region of Peel – Public Health will placard the premises and,
- Serve an order pursuant to HPPA on the owner of the premises.
- Region of Peel – Public Health will provide a copy of the Region of Peel – Public Health Guidelines for Indoor Air Quality Assessment of former MGO's which will require any one or more of the following:
 - Prohibition of occupancy,
 - An environmental engineer/consultant's report assessing the risks with the premises,
 - An environmental engineer/consultant's remediation work plan (to be approved by Region of Peel – Public Health),
 - An environmental engineer/consultant's verification report confirming that the repair work is completed in accordance with the approved remediation plan.

City of Brampton – Building Division

- Receives the Professional Engineers report from Enforcement & By-law services for review, comment, and evaluation of the remediation plan
- Advises Enforcement & By-law Services in writing that the property is clear of any hazardous conditions related to the structure or mechanical systems of the building, or if remediation is required due to any hazardous conditions related to the structure or mechanical systems of the building; and, if a building permit is required to undertake any of the repairs and if there are any other Building Code deficiencies that may render the premises unsafe
- May, in certain cases, issue an Unsafe Order, which could be followed by the issuance of an order prohibiting occupancy, pursuant to the Building Code Act, prohibiting occupancy of the building and requiring remedial action to be taken
- Informs Enforcement & By-law Services in writing regarding the issuance or non-issuance of an order pursuant to the Building Code Act
- Receives a report from the Professional Engineer that the remediation of the property has been satisfactorily completed, and subsequently, provides Enforcement & By-law Services with a clearance report
- Will attend court proceedings when an Order to Comply requiring remediation for structural/mechanical deficiencies has not been complied with.

Brampton Fire & Emergency Services

- Receives the Electrical Safety Authority and Fire Safety reports from Enforcement & By-law Services for review, comment, and evaluation of the remediation plan
- Advises Enforcement & By-law Services in writing that the property is clear of any hazardous conditions related to the electrical system or Fire Code, or if remediation is required due to any hazardous conditions related to the electrical system or Fire Code of the building
- May investigate and follow up on any violations of the Fire Code should the Fire Safety Consultants report indicate the possibility of the presence of combustible or volatile chemicals or liquids, or other Fire Code violation
- Is the designated agency to contact the Technical Standards and Safety Authority regarding possible fuel safety issues
- Informs Enforcement & By-law Services in writing regarding the issuance or non-issuance of an a Fire Safety Inspection report for violations of the Fire Code
- Will attend court proceedings when an Order to Comply requiring remediation for structural/mechanical deficiencies has not been complied with.