



# Planning & Building Safety Department Standard Operating Procedure (SOP)

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**Standard Operating Procedure:** Stop Work Orders

\* Supplementary document to the City of Brandon Zoning By-law No. 7124

**Effective Date:** February 1, 2016

**Subject:** Stop Work Orders Issuance Procedures

**Purpose:**

In order to ensure public safety and to address adverse impacts on neighbouring properties, public infrastructure, and rights-of-way within the City of Brandon, for development activity that is in contravention of the City of Brandon Zoning By-law, the following course of action will be undertaken by the Planning & Building Safety department.

**1 Stop Work Orders**

**1.1. Application**

- a) This procedure applies to development activities governed by the City of Brandon Zoning By-law. (See section 16 of the City of Brandon Zoning By-law)

**1.2. Stop Work Notice**

- a) A Stop Work Notice will be served where any activities on a property are deemed to be in contravention of the Zoning By-law; work must be stopped immediately until all conditions and/or deficiencies are corrected within a predetermined amount of time. This will apply to one of more of the following conditions:
  - i) work is proceeding in contravention of the City of Brandon Zoning By-law
  - ii) work is proceeding in contravention of any condition under which the permit was issued, or
  - iii) where no permit was issued.
- b) When the Director or designee has determined that conditions listed in Section 1.2(a). exist, a Stop Work Notice will be issued in person, by telephone, email or written letter to
  - i) the applicant,
  - ii) the contractor, or
  - iii) the owner.

- c) The Director or designee will take photos of the job site to document the work conditions at the time of issuing the Notice.

**1.3. Stop Work Order**

- a) If conditions listed in section 1.2. persist, a Stop Work Order will be issued by the Director or designee.
- b) The applicant, contractor, or the owner will be subject to the Stop Work Order Issuance Fee as part of the Stop Work Order in the amount of \$1,000 as set out in the City of Brandon Schedule of Fees Bylaw No. 7082.
- c) The Director or designee will take photos of the job site to document the work conditions and to monitor the conditions at the time of issuing the Stop Work Order.

**1.4. Penalties For Continued Violation**

- a) Pursuant to section 16 of the City of Brandon Zoning By-law, if the owner, and/or his/her agents fails to comply with the Order issued by the Planning & Building Safety Department, or allows a condition that violates the Zoning By-law to continue, he/she is subject to further penalties as set out in section 18.
- b) If the owner, and/or his or her agents knowingly violates an Order issued by the City of Brandon Planning & Building Safety Department, may be found guilty of an offense, on summary conviction, of fines not exceeding five thousand dollars (\$5,000) in the case of an individual, and twenty thousand dollars (\$20,000) in the case of a corporation, for each day the condition exists, pursuant to sections 18(d)1 and 18(d)2 of the City of Brandon Zoning By-law.

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Planning & Building Safety Department