

October 2, 2014

Re: City of Brandon Planning & Building Safety Department Stop Work Order Protocol

The procedure that the City of Brandon Building Safety Department implements for stop work orders is detailed below. For all projects that proceed in contravention of the 2010 Manitoba Building Code, or the City of Brandon Building Bylaw Number 6018/55/92, the following course of action will be strictly adhered to by the Planning & Building Safety Department;

Step 1: Where in the opinion of the Authority having jurisdiction or his designate, work is proceeding in contravention of the Building Code or the City of Brandon Building Bylaw, or any condition under which the permit was issued, where no permit was issued, or if there is deemed to be an unsafe condition, notice will be served to the applicant, the contractor and the owner, that work must be stopped until all conditions and/or deficiencies are corrected within a predetermined amount of time. In the case where an unsafe condition exists, the Authority having jurisdiction will immediately notify Manitoba Workplace Safety and Health. A stop work notice may be served in either the form of an email, written letter, in person or by telephone. The Authority having jurisdiction will take photos of the job site to document the work conditions at the time of issuing the notice.

Step 2: Pursuant to Article 73 of the City of Brandon Building Bylaw, where in the opinion of the Authority having jurisdiction or his designate, work continues to proceed in contravention of the Code or the City of Brandon Building Bylaw, or any condition under which the permit was issued, where no permit was issued, or if there is deemed to be an unsafe condition, a stop work order will be issued, accompanied with a Stop Work Order Issuance Fee, in the amount of \$1,000, as set out in the City of Brandon Schedule of Fees Bylaw No. 7082. The Authority having jurisdiction will take photos of the job site to document the work conditions at the time of issuing the Stop Work Order.

Step 3: Pursuant to Article 74 of the City of Brandon Building Bylaw, if the owner, and/or his/her agents fails to comply with the order issued by the Planning and Building Safety Department, or allows a condition that violates the Building Bylaw or Building Code to continue, he/she is subject to penalties as set out in Part VI of the City of Brandon Building Bylaw. If the owner, and/or his or her agents knowingly violates an order issued by the City of Brandon Planning and Building Safety Department, may be found guilty of an offense, on summary conviction, of fines not exceeding five Thousand Dollars (\$5,000) for each day the condition exists, pursuant to Articles 113 and 116 of the City of Brandon Building Bylaw. If such a case exists, the Authority having jurisdiction will monitor the conditions at the work site on a daily basis by taking photos and documenting any changes.

In the interest of public and building safety, the City of Brandon Planning & Building Safety strives to work towards ensuring that all job sites are in full compliance will all National, Provincial and local codes, standards and Bylaws. In doing so, the Authority having jurisdiction will use these steps to ensure that the safety of all buildings and their occupants, those that work within them can come to experience a consistent and high level of safety. Together, with the joint effort of the City of Brandon Planning & Building Safety Department, owners, contractors, and occupants, all buildings will achieve a high level of safety.