

## Building Inspections

# Grow Operations - Procedure for the Remediation of Buildings Illegally Converted

---

**1. City Process** (Applies to grow operations identified to City staff after 2001-AUG-15)

Where an illegal grow operation has been identified to City staff by the RCMP, City staff attend the site to determine whether the building has been damaged and requires remediation. The implementation of "COST RECOVERY BYLAW 2006 NO. 7029" transfers the hourly cost of City staff time, RCMP attendance, and equipment utilized for the initial attendance at the property to the property owner. If the building requires remediation, staff take the following steps:

- a) Post a 'Stop Work' placard at the front entrance to the building (no entry permitted).
- b) Disconnect the water and remove the water meter (\$100 fee).
- c) Recommend to Council a notice be placed on the property title.
- d) Recommend to Council that removal/upgrade order be pursued on the property.

**2. Property Owner's Responsibility**

After the initial removal of growing equipment by the enforcement authorities, the building must be vacated and secured by the property owner. The building must not be occupied until remediation is complete. No work shall commence prior to the issuance of the Building Permit.

The property owner must contact a qualified consultant and arrange for an environmental assessment of the building interior. From the assessment, a Scope of Work is generated by the consultant.

With an approved Scope of Work, the property owner is to apply for a Building Permit. Only after the Building Permit has been issued can work commence in the building. If hydro has been disconnected from the building, an application to the Provincial Electrical Inspector can be made for reconnection only after the Building Permit is issued. Each Building Permit is issued with specific conditions. It is important that each property owner read and understand all of the conditions that are noted on the Building Permit.

After all of the work outlined in the Scope of Work has been completed, the property owner must contact the consultant to request an Air Quality Test. Upon completion of this test, the consultant will prepare a report confirming the values obtained.

After the consultant has confirmed that the air quality meets acceptable values, the property owner must submit the consultant's report to City of Nanaimo Building Inspections and request a final inspection from the Building Inspector. The Building Inspector will be inspecting the building for compliance with the current *BC Building Code* as it relates to fire/safety issues (partial list noted on Building Permit Conditions).

After the property owner receives an approval from the Building Inspector, the property owner must provide the Building Inspector's approved inspection report to Building Inspections. This will enable Building Inspection staff to initiate the reconnection of the water service to the building. A reconnection fee of \$200.00, including disconnect fee, is required at this time.

If the property owner is seeking removal of the legal notation that is registered on the property (see City Process, Item #3), the consultant must confirm "*that the condition that gave rise to the filing of the notice under Section 57, has been rectified*". The legal notation cannot be removed from the property title without this additional statement. The City of Nanaimo's fee for the removal of a legal notation from the property title is currently \$300.00.

### **3. Consultant**

In 2001, the City established a process for the remediation of grow operation structures. One of the first criteria was to determine the qualifications for the Consultants involved:

1. Certified Industrial Hygienist (CIH), or
2. Registered Occupational Hygienist (ROH), or
3. Registered Professional Biologist (RPBio), or
4. Professional Engineer (APEG) with expertise in this field.

To be recognized as a qualified remediation consultant, the City must be provided with a resumé identifying education, qualifications and experience in mould abatement and building remediation.

The Canada Health Guideline is the document of reference for air contamination. The consultant is to confirm that the remediation conforms to the current edition of Health Canada's Standard: *Fungal Contamination in Public Buildings* (i.e. up to 150 CFU/m<sup>3</sup> is acceptable if there is a mixture of species reflective of outdoor air spores). Collected air samples are to be cultured and analysed by an accredited laboratory and includes enumeration/identification of the Colony Forming Units (CFU's). Non-viable analysis of the collected sample is not the accepted process for the remediation. Air samples are to be obtained from the affected areas within the building as well as an exterior sampling.

When the initial environmental assessment of the building is complete, the consultant provides to the property owner a Letter of Supervision. The Letter indicates the findings of the assessment, the qualified persons that may perform the work, confirms agreement with the Scope of Work, and outlines all work being performed by the consultant, including supervision of contractors' work. The Scope of Work may be compiled by the consultant, the authorized contractor or the property owner. If the Scope of Work is being undertaken by the contractor or property owner, the consultant must state in their Letter of Supervision that they have reviewed the Scope of Work and agree with it or have it amended.

When the remediation is complete, the consultant must provide a Letter of Completion that indicates that compliance with the Scope of Work has been attained. This Letter must contain a summary of remedial work performed at the site and a final summary of the analytical results. The Letter of completion must also state that the City of Nanaimo can rely on the Report for making any decisions pertaining to the remediation of the grow operation and that any reoccurrence of an amplification site for mould spores has been eliminated.

**4. Contractor**

Please provide the City with the contractor's resumé identifying education, qualifications and experience in mould abatement and building remediation.

The contractor must work under the supervision of the consultant during the project.

The contractor may define the Scope of Work for the property owner, if agreed to by the consultant.

**5. Requirements for Building Permit Application**

Please provide the City with the following information:.

- a) The Scope of Work, which indicates the work to be undertaken in each room of the building.
- b) A Letter of Supervision from a recognized consultant.

**6. Final Approval**

The property owner must request a final inspection from the Building Inspector when the work is complete. The consultant's Letter of Completion is required for the final inspection. City water will be reconnected only after final inspection approval is granted.