



## 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:

1. Post a Do Not Occupy Order at the front entrance to the building (no entry permitted)
2. Disconnect the water and remove the water meter (\$100 fee)
3. Recommend to Council a notice be placed on the property title
4. Recommend to Council that a removal/upgrade order be pursued on the property

### 2. **Property Owner's Responsibilities**

After the Do Not Occupy Order has been posted, 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 a 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. 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 a 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 a report confirming the completion of the Scope of Work.

After the consultant has confirmed the completion of the Scope of Work, the property owner must submit the consultant's report to City of Nanaimo Building Inspections and request a final inspection from Building Inspections. A 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 the building permit conditions).

If the property owner is seeking removal of the legal notation that is registered on the property title (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 a property title is currently \$300.00.

### **3. Consultant Requirements**

The City requires one of the following qualified consultants be involved during the process of remediation for a structure with a grow operation:

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.

When the initial environmental assessment of the building is complete, the consultant must provide a Letter of Supervision to the property owner. This letter should indicate 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 Requirements**

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. Building Permit Application Requirements**

Please provide the City with the following information:.

- a) The Scope of Work, indicating 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 Building Inspections when the work is complete. The consultant's Letter of Completion is required for the final inspection.