

Conducting Inspections – During COVID - 19

ONTARIO BUILDING CODE ACT (BCA)

1.1 Role of chief building officials (CBO)

- (6) It is the role of a chief building official,
- (a) to establish operational policies for the enforcement of this Act and the building code within the applicable jurisdiction;

Occupational Health and Safety Act, R.S.O. 1990, c. O.1 (OHSA)

Duties of the Employer

- (2) Without limiting the strict duty imposed by subsection (1), an employer shall,
- (a) provide information, instruction and supervision to a worker to protect the health or safety of the worker;

BACKGROUND

The City of Markham has a legal duty under the OHSA to protect the health and safety of its employees. The CBO has a responsibility under the BCA to establish operational policies for the enforcement of the Building Code.

OBJECTIVE

This Builder Tip provides for the safety of building inspection staff in performing their legislative duty to conduct inspections of buildings that are under construction or investigating unsafe buildings.

Furthermore, it is an objective to provide persons requesting an inspection with directions on how to prepare their construction site for an inspection for avoiding the spread of the COVID – 19 virus.

PRE-INSPECTION REQUEST

Prior to requesting an inspection, the owner/builder must consider the following four steps;

Step 1. Is the building permit associated with the care of persons within a health care setting or premise, such as a hospital or long term care facility?

Yes: An inspection will not occur. Reports from a professional must be submitted confirming construction is in conformance with the permit drawings, see Note 1. A virtual inspection may be possible, discuss with your inspector.

No: Proceed to Step 2.

Step 2. Is the construction within an occupied dwelling?

Yes: An inspection will not occur. Reports from a professional must be submitted confirming construction is in conformance with the permit drawings, see Note 1. A virtual inspection may be possible, discuss with your inspector.

No: Proceed to Step 3.

Step 3. All persons on the construction site must be able to answer 'No' to the following four questions:

Question 1

Is anyone at this address presenting with fever and/or new onset cough or difficulty breathing?

Question 2

Has anyone at this address have a history of travel to a COVID-19 impacted country within 14 days of onset symptoms?

Question 3

Has anyone at this address had close contact with a confirmed or probable case of COVID-19?

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Question 4

Has anyone at this address had close contact with a person with acute respiratory illness who has travelled to a COVID-19 impacted country with 14 days of onset of illness?

If the answer was 'Yes' to any of the four questions: An inspection will not occur, reports from a professional must be submitted confirming construction is in conformance with the permit drawings, see Note 1.

If the answer was 'No' to all four questions, proceed to Step 4.

Step 4. Are you prepared to ensure items (i), (ii), (iii) and (iv), as applicable, will be complied with for the duration of the inspection?

i) The inspector will conduct the inspection alone; and the owner/builder/workers will remain on the exterior of the dwelling or on another floor for other types of buildings,

(ii) For buildings with multiple floors, the elevator will be available for the inspector's use only and the floor(s) to be inspected will be vacant,

(iii) For buildings with multiple units, the floor area containing the unit for inspection has a direct entrance from the exterior or the floor containing the unit is vacated,

(iv) All persons on site will maintain at least two metres of separation from the inspector at all times

(v) All persons on site will wear a mask covering their mouth and nose at all times during the inspections;

Yes: An inspection will occur.

No: An inspection will not occur. The inspection request must be scheduled for a day that the above items (i), (ii), (iii), (iv) and (v) will be

complied with. Reports from a professional may be required to be submitted confirming construction is in conformance with the permit drawings, see Note 1.

PREPARATION FOR THE DAY OF THE INSPECTION

The building inspector will review your inspection request on or before the day of the inspection. He or she may contact you to review the Pre-Inspection Request requirements (Steps 1 to 4), including any other special arrangements, such as a specific time to perform the inspection to facilitate a vacant site or floor.

THE DAY OF THE INSPECTION

The building inspector will contact the person requesting the inspection once they arrive at the site. The inspector may request or verify that all of the Pre-Inspection Request items, as applicable, are complied with.

Upon arrival at the construction site and the inspector identifies the applicable items in Step 4 are not implemented, the inspection will be terminated and the owner/builder informed to re-schedule the inspection when the applicable items (i) to (iv) are in place.

Review the flow chart on the next page for a quick explanation of this Builder Tip.

Note 1: The inspection must be rescheduled by the owner/builder and comply with the requirements contained in this Builder Tip.

Where an inspection is not conducted or a virtual inspection is conducted, the inspection record will indicate that an actual in-person inspection was not performed and this information will be available to all future property transactions.

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