

# Report to Municipal Council



<b>Meeting Date:</b> November 20, 2024	<b>Report Date:</b> November 13, 2024
<b>Reason Before Council:</b> Policy Direction / Approval	<b>Priority:</b> Normal
<b>Department:</b> Planning & Development	<b>Type of Meeting:</b> Regular Meeting

**Report Title:** Proposal to Amend Building Code Reg. Re: Sewage Systems

## **Recommended Resolution:**

That Council pass the following resolution:

Whereas the Provincial Government passed O. Reg. 332/12: BUILDING CODE under the *Building Code Act, 1992*, S.O. 1992, c. 23 that assigns the responsibility for enforcement of sewage system inspections and permitting for our Municipality to the Public Health Sudbury Districts;

And whereas the Municipalities of Killarney, French River, St.-Charles, and Markstay-Warren have entered in a shared service agreement for Building and By-Law service;

And whereas the sewage system permitting and inspections can be easily integrated within this shared service model to promote better service to our residents and provide increased revenue stability;

And whereas the duplication of administration and traveling by staff comes at a financial burden to the taxpayers and increased carbon footprint;

And whereas the local elected officials have limited decision-making powers regarding sewage system inspection and re-inspection to better deal with local concerns such as blue green algae, housing and to improve department efficiencies;

And whereas the increasing cost of operation of our Building and By-Law Department could be considerably improved with a complimentary service such as sewage system inspection specifically during building construction with an end goal of approaching revenue neutral for this service;



Be it therefore resolved that the Municipality of St.-Charles requests the following amendment to O. Reg. 332/12: *BUILDING CODE* under *Building Code Act, 1992, S.O. 1992, c. 23 General 1.7.1.1 Table 1.7.1.1 item 5, column 2* be amended to read:

*“All municipalities and territory without municipal organization located in the Sudbury and District Health Unit*

- a) *except for the Corporation of the Municipality of St.-Charles, the Corporation of the Municipality of Markstay-Warren, the Corporation of the Municipality of French River, and the Corporation of the Municipality Killarney.”*

### **Analysis & Background:**

In Ontario, the responsibility for sewage system responsibility is assigned within the *Building Code* and specifically the principal authority for permitting and inspections of sewage systems in our area is prescribed in O. Reg. 332/12: *BUILDING CODE Building Code Act, 1992, S.O. 1992, c. 23 General 1.7.1.1 Table 1.7.1.1 item 5, column 2* to the local Public Health Unit.

The current structure of the Building and By-law service can only exist with a shared service as retention and remuneration of qualified staff is becoming onerous if we were not part of a shared service. Currently our residents have access five (5) days a week to qualified and competent staff, and with the increasing need for By-Law enforcement, dedicated staff can address many issues before they become uncontrolled.

New or alteration to sewage systems often come with the need of a building permit, we have staff that go to these sites regardless, the addition of sewage system permitting, and inspection would not be expected to be costly or significantly time consuming. This would allow for either reduced costs for the landowner or the municipality as the sewage permitting fees would be integrated with build / site inspection and permitting. The goal would be to approach revenue neutral for this service.

#### **Language found in a Reg under the Building Code**

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#### **O. Reg. 332/12: BUILDING CODE**

under [\*Building Code Act, 1992, S.O. 1992, c. 23\*](#)

1.7.1. General

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(1) The boards of health and conservation authorities listed in Column 1 of Table 1.7.1.1. are prescribed, for the purposes of subsection 3.1 (1) of the Act, as the boards of health and conservation authorities that are responsible for the enforcement of the provisions of the Act and this Code related to *sewage systems* in the *municipalities* and territory without municipal organization prescribed in Column 2 of Table 1.7.1.1.

Table 1.7.1.1.  
Enforcement of the provisions of the Act and this Code Related to Sewage Systems

Forming Part of Sentence 1.7.1.1.(1)

Item	Column 1 Board of Health or Conservation Authority	Column 2 Geographic Area
1.	Board of Health of the Northwestern Health Unit	All <i>municipalities</i> and territory without municipal organization located in the Northwestern Health Unit
2.	Board of Health of the Thunder Bay District Health Unit	All <i>municipalities</i> and territory without municipal organization located in the Thunder Bay District Health Unit
3.	Board of Health of the Porcupine Health Unit	All <i>municipalities</i> and territory without municipal organization located in the Porcupine Health Unit
4.	Board of Health of the Algoma Health Unit	All <i>municipalities</i> and territory without municipal organization located in the Algoma Health Unit
5.	Board of Health of the Sudbury and District Health Unit	All <i>municipalities</i> and territory without municipal organization located in the Sudbury and District Health Unit
6.	Board of Health of the Timiskaming Health Unit	All <i>municipalities</i> and territory without municipal organization located in the Timiskaming Health Unit
7.	North Bay-Mattawa Conservation Authority	All <i>municipalities</i> and territory without municipal organization located in:
		a. the District of Nipissing, except those parts of the District of Nipissing located in the Timiskaming Health Unit, and
		b. the District of Parry Sound, except for the Township of The Archipelago, the geographic Townships of Blair, Brown, Harrison, Henvey, Mowat and Wallbridge and the unsurveyed territory



		north of the geographic Township of Henvey to the French River.
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**Attachments:**

- Code Amendment Form

**Prepared By:** Denis Turcot, CAO