



BUILDING BULLETIN

Building Services

Subject:	Refusal of Inspection Services
Building Bulletin No:	BD.BB.18.03
Date Issued:	July 3, 2018
Date Revised:	May 10, 2019
Reference:	s. 1.1(6) <i>Building Code Act</i>

A. Purpose

The purpose of this Building Bulletin is to ensure that the construction industry, contractors, owners and consultants are clearly informed of the Town's position regarding situations where a refusal of building inspection services may be required in order to eliminate safety hazards and to minimize work related injuries to Building Inspectors when conducting their inspection duties within buildings and related construction sites.

B. Background and Definitions

Demolition and construction sites can be of particular concern, especially when all aspects of the project are not carefully and competently managed. Under the *Occupational Health and Safety Act* regulations, O. Reg. 213/91, contractors are directly responsible for the safe work practices of their employees.

Likewise, the Town has responsibility for the safe work practices of its staff including the time spent on construction sites while performing inspection duties.

A **refusal of a building inspection service** refers to a situation in which a Building Inspector refuses a requested building inspection due to health and safety concerns, site conditions or situations that may pose a threat to their health and safety.

C. General Interpretation and Requirements

C.1. Inspector Safe Work Practice

The following safe work practices for Town Building Inspectors is follows:

1. Building Inspectors shall not enter or continue inspecting any construction site that to their knowledge is not in compliance with the Ontario Occupational Health & Safety Act regulations.
2. Building Inspectors shall refuse inspection services to any unsafe site and shall provide written notification with an explanation of service refusal. The Ministry of Labour may be notified of the unsafe conditions.
3. Projects which are refused inspection service(s) due to unsafe site conditions may be automatically charged a re-inspection fee. Note that construction shall not proceed until authorized by the required inspection.

C.2. Examples of Unsafe Conditions on a Construction Site

Examples of most common issues that create an unsafe work conditions on a construction site include, but not limited to, the following:

- Openings in floors such as stair openings which do not have temporary guards in place that are compliant with OHS regulations.
- Open staircases that do not have temporary handrails or guards in place.
- Open decks or balconies which do not have temporary guards and which are required to be accessed for a requested inspection.
- Construction sites that are cluttered with construction debris which presents a tripping hazard or potential for other injuries (e.g. nails).
- Trips hazards such as cables, wires, chords, construction debris and materials.
- Unsecured overhead hazards.
- Unstable work platforms.
- Perceived health hazards, such as disturbed asbestos containing material or uncontrolled silica dust.
- No fall protection system in place where workers are exposed to a fall of 3 m (10 feet) or greater.
- Any other obvious hazard which could jeopardise the safety a Building Inspector.

D. Reference Information

O. Reg. 213/91

E. Attached

N/A

F. Review Cycle

This building bulletin will be reviewed annually by the Chief Building Official.

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The information in this bulletin is the interpretation and standard practice in the administration of the Town's Ontario Building Code Program and is provided for convenience only. Existing or proposed construction or other works shall comply with all applicable bylaws, codes and applicable law.