



**DEVELOPMENT OF A PROPOSED NEW BRUNSWICK BUILDING CODE ACT**  
**Stakeholder Meeting # 1**  
**Forestry Complex**  
**Fredericton, NB**  
**December 13, 2006**

**Summary of Discussions**

The presentation (as attached) was given to approximately 70 persons in attendance.

The following comments and concerns expressed at the meeting are intended as a general summary of discussions only:

- Having lower standards for smaller municipalities is inappropriate
- Owners and contractors lose money when inspectors make mistakes
- Government has two choices: either have a building by-law and enforce it or delete the by-law
- Not enough resources to do inspections properly
- Going to have great difficulty with a two-tier service
- Need to have a minimum level of qualifications of inspectors and a minimum level of service
- “Drive-by inspections” do not count as inspections; need written inspection reports
- A review of plans (mandatory) should be considered as an inspection
- With a mandatory review of plans, a sewage inspection, an electrical inspection, a plumbing inspection, and 3 building inspections, this is 7 inspections as a minimum
- Have to start somewhere with minimum service levels as there is no minimum currently
- Has to be (mandatory) call-ins for inspections and the inspections have to be completed within a time frame
- Was there discussion re: the complexity of the job with respect to number of inspections? Yes, minimums reflect smaller buildings such as houses
- Has to be a minimum level of training for inspectors because a contractor is not going to tell an inspector that they are not qualified
- New Brunswick needs to start a community college training program for inspectors similar to Ontario and Nova Scotia.
- Education is the key not just for inspectors but stakeholders as well. Need to bring up the education level in the industry. There is no quick fix.
- Municipalities do not want to end up in court. They are worried about liability. Training is good as it should reduce their liability.
- Need to have written minimum level to have consistency
- Provincial and supreme court cases indicate implied liability to local areas

- Ontario has provisions and requirements in their legislation for “Registered Code Agencies” (private firms or individuals) that can be hired on an as-needed basis for large buildings. As of now, none have been registered (liability insurance is the main issue). Municipalities may end up having to assume the liability of private inspectors they engage, the same as if the inspectors were employees.
- Having qualified inspectors or firms eases the burden of municipalities to seek out inspectors to can do work
- Difficult to control occupancy if the owner did not have a building permit in the first place
- Occupancy “mechanisms” should be occupancy “permits”
- Have occupancy “inspections”
- Occupancy is harder to enforce in rural areas—they do not have tools such as the ability to turn off water
- Consider licensing contractors in lieu of carpentry as a compulsory trade—they do the work
- Permanent Building and Fire Safety Advisory needs representation to address barrier-free accessibility
- The National Building Code has to include universal design and address “major” and “minor” renovations
- Barrier-free requirements are not being enforced consistently
- Barrier-free accessibility is more than just wheelchairs (hearing, sight, etc.)
- Parking is addressed in zoning by-laws not the National Building Code; it needs to be in the National Building Code as well
- Barrier-free requirements in Section 3.8 of the national Building Code are minimum requirements; need to lobby for enhancements
- The Building Safety Advisory Committee’s discussions to date have excluded third-party building code appeals
- Carpentry as a compulsory trade may be a difficult political sell
- The Building Safety Advisory Committee needs to be more specific about what education is being proposed
- Appeal process it will not work unless it is timely.
- Location of Building Code Appeal Board members should not be a consideration otherwise we will end up with incorrect rulings like other jurisdictions
- Code appeals are a democratic process; can live with bad decisions as long as they are consistent across the province
- There is no code appeal process now so anything would be better.
- A call to a Chief Building Inspector as a resource should end any dispute
- The Building Safety Advisory Committee should address the time it takes to get a building permit issued
- Having a public repository on a web-site similar to Ontario and Alberta is a good idea (web-links: Alberta : [http://www.municipalaffairs.gov.ab.ca/ss\\_ss-standata.htm](http://www.municipalaffairs.gov.ab.ca/ss_ss-standata.htm)  
Ontario: [http://www.obc.mah.gov.on.ca/scripts/index\\_.asp](http://www.obc.mah.gov.on.ca/scripts/index_.asp) )
- The public repository is a very good idea. The Provincial Planning Appeal Board rulings are difficult to find or access.
- Have to set the criteria for those persons serving on Building Code Appeal Board

- Have to address liability issues if the Provincial Chief Building Inspector or Building Code Appeal Board overrule a local decision, and potential liability of Building Code Appeal Board members
- Need to address time limits on liability
- Liability concerns the public as well as business
- Banks, insurance, and mortgage companies should be invited to sit on the permanent Building Safety Advisory Committee
- Government needs to provide assistance to this billion dollar/year industry
- It is critical that government follows all rules—government breaks more rules, more often. Government departments tend to work in isolation and without consultation. All departments need to know what is going on.
- A request was made that information be provided to stakeholders in advance of Stakeholder Meeting # 2 in April to allow more time to respond to the Building Safety Advisory Committee's draft recommendations prior to the final recommendations going to government.

Based on what I heard at the meeting, I believe that (generally) the work done to date by the Building Safety Advisory Committee was well received and that stakeholders continue to want to be kept informed of the progress and to have input into the recommendations.

Stakeholders are encouraged to make comments, either using the attached comment sheet or by contacting me. Comments can be made “anonymously” if desired.

Presentations of the initiative can be arranged for organizations or associations if desired. We are working with the municipal associations to hold meetings with municipal representatives, particularly the smaller municipalities.

**Next meeting:**

The Building Safety Advisory Committee intends to have a second meeting with stakeholders prior to taking their recommendations to the Minister of Public Safety.

*The meeting is tentatively scheduled for:*

**Stakeholder Meeting # 2**  
**1:30-4:30 PM**  
**Wednesday, April 18, 2007**  
**K.C. Irving Theatre**  
**Hugh John Fleming Forestry Centre**  
**1350 Regent Street**  
**Fredericton**  
*(Same location as Stakeholder Meeting # 1)*

I would like to thank, on behalf of the Building Safety Advisory Committee, all those who were able to take the time out of their busy schedules to attend and to those who were not able to attend but requested the information be sent to them to keep them current on the initiative.

Yours truly

*(sent by e-mail)*

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