

Building Maintenance Bylaw: Implementation Plan

Introduction

The Building Maintenance Bylaw will require building owners to periodically visually assess the condition of their building's exterior. The visual assessment is to be recorded in a form prescribed by the Chief Building Official, which is known as a Building Exterior Visual Assessment (BEVA).

The bylaw is focused on buildings five storeys and greater, and 10 or more years old. Responsibility for enforcing the bylaw rests with the Calgary Building Services business unit.

Timeline

The bylaw stipulates a phased approach to bring buildings under the purview of the bylaw. Currently there are 584 buildings that meet the criteria (five or more storeys, 10 or more years old).

The bylaw will come into effect January 01, 2017, and the first completed BEVAs will be due January 01, 2018.

The number of buildings in each cohort are as follows.

2018: 45 year old buildings and older as of Jan. 1, 2016	199 buildings
2019: 25 – 44 year old buildings as of Jan. 1, 2016	299 buildings
2020: 15 - 24 year old buildings as of Jan. 1, 2016	39 buildings
2021: 10 – 14 year old buildings as of Jan. 1, 2016	<u>47 Buildings</u>
Total:	584 Buildings

There are currently 90 buildings that are five storeys or more but not yet ten years old. Over time, when they reach the 10-year age threshold they will become subject to the bylaw. These buildings and any new buildings built in the future, will be required to have their initial BEVA completed no later than the 10th anniversary of the occupancy permit for the building.

Notification of requirement to prepare a Building Exterior Visual Assessment

Each year The City will mail out a reminder notice to building owners who require the Building Exterior Visual Assessment completed in that year. The letters will be sent to the registered owner of each building as per the City of Calgary Assessment database.

Auditing for Compliance

Administration will assign a team of Safety Code Officers (SCOs) who are trained as Bylaw Officers to carry out the enforcement of the bylaw.

The bylaw does not require building owners to file their BEVAs with The City. Rather, the owner will be required to provide a BEVA upon request by The City's Chief Building Official. In practice the SCO enforcement team will be responsible for making these requests.

It will not be possible to address every building on the list each year. Instead, Administration will set up criteria to audit selected buildings based on risk. An audit target of 20% of the buildings on the list is proposed.

The selection criteria may include:

- Age and height of buildings;
- Buildings with a history of issues and concerns;
- Type of construction; and
- Random sampling.

Method

1. **Request documentation:** SCOs will work from the audit list and contact the selected building owners and/or operators to make a request in writing for a copy of the Building Exterior Visual Assessment.
2. **Receive documentation:** The owner/operator would send the BEVA to the SCO for review.
 - a. When the BEVA is received, it will be reviewed by Administration (go to #3).
 - b. If there is no response from the owner or operator, a second request would be made.
 - c. If the BEVA is not provided a third request would be made, and if the BEVA is not produced, a charge could be laid under the bylaw.

3. **Review documentation:** Once the BEVA is received by The City, Administration will review the document for completeness. The qualifications of the person who prepared the visual assessment must be recorded in the BEVA.

If any elements are assessed “needs attention” the SCO may request follow-up information such as whether there is a plan for action and timeline.

If any elements are assessed “not acceptable” the SCO will ensure that follow-up action is taken and advise the building owner that the matter must be reported to the Chief Building Official.

The SCO may make further inquiries about any building for which a BEVA is submitted, regardless of the results recorded in the BEVA.

4. **Tracking:** BEVA documents will be stored in the City’s property and building database (POSSE). Over time, once initial baseline data has been gathered, it will be possible to run reports on compliance, the number of BEVAs audited and reviewed, time to follow up, and other performance metrics.