

THE PROPERTY STANDARD

FALL 2019 NEWSLETTER

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PRESIDENT'S MESSAGE

PRESIDENT PHILIP CASSATA

I would like to take this opportunity to thank our membership for another great Annual Training Session this year. It was a great success for both the participants and the venue.

I hope our membership had a great summer and are looking forward to a beautiful fall and a Christmas season full of love and laughter spending time with family and friends.

Our Board is hard at work preparing for the 2020 Annual Training Session.

The 2020 Annual Training Seminar and Annual General Meeting will be held at Fanshawe College in London, Ontario from May 24 to May 29, 2020.

We are committed to provide the best possible experience to our participants next year through our education, training, networking and social events planned throughout the week.

I look forward to seeing many familiar faces return to continue with their training and ongoing achievement of their C.P.S.O designation and having the opportunity to meet our newest members.

Sincerely,

A handwritten signature in black ink, appearing to be 'P. Cassata', written in a cursive style.

Philip Cassata, B.A.A. (Hons), C.M.M. III Executive, C.P.S.O



PROFESSIONAL ACCOMPLISHMENTS

On behalf of the Ontario Municipal Management Institute and the Ontario Association of Property Standards Officers, we are pleased to advise that Ken Andrus has achieved the following Certified Municipal Manager Accreditation with the Property Standards Enhancement:

Ken Andrus

Recognized and Awarded

CMM III, Property Standards Executive

Please join me us in congratulating Municipal Law Enforcement/Property Standards Officer Christian Teixeira for successfully completing the 3-stage OAPSO (Ontario Association of Property Standards Officers) certification training program earlier this year and who has now been awarded the CPSO designation as a Certified Property Standards Officer by OAPSO.

Christian joins several other colleagues within Brantford's By-law Enforcement Division and within the City's entire Building Department who have also attained this designation as part of their training regime. Congratulations Christian!

Christian Teixeira

Recognized and Awarded

Certified Property Standards Officer (CPSO)



OAPSO'S MULTI-STAGE TRAINING COURSE

The OAPSO Certification Training Program consists of three one week courses, Part One (Basic), Part Two (Intermediate), and Part Three (Advanced) which are offered annually at the Annual Training Session and Conference.

Each course consists of three classroom components; an investigation component, a legal component, and a construction component.

Part One (Basic) Course Overview

Investigation: Provides instruction in basic investigation techniques, evidence gathering, note taking, and preparation for an appeal before a Property Standards Appeals Committee.

Legal: Addresses the Canadian legal system from the British North American Acts and the Baldwin Act right up to the current Building Code Act.

Construction: Follows the construction of a single family dwelling unit, as referenced in the Ontario Building Code Part 9 from footings to chimney.

Part Two (Intermediate) Course Overview

Investigation: Center's around the process of an Emergency Order under Section 15.7 of the Building Code Act, and Orders for expert examination under Section 15.8 of the Building Code Act, as well as preparation for trial.

Legal: Examines the court justice system, including the physical layout of a courtroom, the roles of the different judicial officers, how to prepare for court, how to give evidence and court decorum.

Construction: Looks at services including electrical, plumbing and H.V.A.C.

Part Three (Advanced) Course Overview

Investigation: Center's around the process of a search warrant conducted under the provisions of the Building Code Act.

Legal: Examines current and relevant case laws and how they impacts our processes.

Construction: Looks at poured concrete construction, and the building envelope.

****Please note:** it is recommended to take the course in sequence so you can have the full benefit of the content presented and a comprehensive understanding of the course material.



INSTRUCTOR RECRUITMENT

OAPSO is currently recruiting instructors for its legal and investigation components. The requirements are as follows:

- Consistency of message, instructors that understand the mission statement of OAPSO
- Current in their field - Updating material to keep topics current and relevant
- Commitment - Attend the ATS, Dedicated training as needed, education meetings and travelling across Ontario as required
- Excellent Communication, interpersonal and presentation skills.
- Thorough knowledge and understanding of their topic of instruction and enthusiasm for the subject
- Experience in a classroom environment preferable
- Ability to take feedback and constructive criticism
- C.P.S.O designation is preferred
- 5-10 years of experience in property standards administration and enforcement
- Written approval/support by employer authorizing their participation as an instructor

Any inquiries can be made to Allison Henshall education chair at education@oapso.ca

2020 ANNUAL TRAINING SESSION



The planning of the 2020 Annual Training Session and Conference is well underway. This year OAPSO will be travelling to London, Ontario where will be staying and training at Fanshawe College. It's been quite some time since OAPSO visited London Ontario, but we can assure you that we are making it a week you will surely remember.

As always, space is limited, with 35 spots available for Part 1, 2 and 3 and 40 spots available for Part 4. OAPSO thrives to ensure that each of our members gets the most out of their training. By providing smaller class sizes, we allow for more interaction between instructor and students.

Because of the limited space, it is recommended that you get your applications in as soon as possible. The closing date for the ATS is April 15, 2020. Applications will be available January 2020, so please ensure that you visit www.oapso.ca, the OAPSO Facebook page, or take a read of the Property Standard to find out more about how to apply.

Some of the activities you can look forward to are the Sunday night welcome BBQ being put on by Fanshawe College staff, the Annual William Smith Charitable Raffle with all monies raised going to the Law Enforcement Torch Run/Youths Games 2020, the Monday night networking venue, to be hosted at The Factory and of course the Annual General Meeting and Presidents dinner running through Wednesday afternoon till the evening.

The OAPSO Board is working diligently to ensure that you are once again provided with the best service and training our Association can provide. We look forward to seeing those that will be returning, as well as those that are making the leap into Municipal Enforcement and Property Standards.

For further information on the up and coming 2020 ATS, please contact Kristen Bickers at 519-831-0047 or vicepresident@oapso.ca.



LEGISLATIVE UPDATES

Canibis act

Federal law

The federal government's Bill C-45, also known as the *Cannabis Act*, (the "Act") sets out the general principles regarding non-medical cannabis use in Canada. Cannabis is broadly defined under the Act to include every part of the cannabis plant and any substance or mixture that contains part of a cannabis plant. The Act allows for the personal cultivation of up to four plants per household.

Provincial law

In anticipation of the Act, the provincial government enacted the *Cannabis Control Act* (the "CCA"). The purpose of the CCA is to regulate the lawful purchase, possession, and sale of cannabis in Nova Scotia. The CCA authorizes cannabis sales and sets out specific regulations regarding distribution of cannabis.

The CCA amends several provincial statutes. Nova Scotia will allow the non-medical sale of cannabis through the Nova Scotia Liquor Corporation. The CCA specifically allows landlords to decide whether smoking or growing cannabis is appropriate via tenant agreements.

Municipal law

There are significant areas where changes in cannabis legislation will fall within municipal jurisdiction that are not addressed by the CCA. Municipalities must be prepared to draft appropriate bylaws to address gaps in the regulatory regime set out under this legislation.

Land Use Planning

The Act requires all cannabis producers to be federally licensed. However, as issues of land use planning and zoning fall squarely within municipal jurisdiction, municipalities will have to determine how to regulate cannabis agricultural operations, including whether to forbid cannabis agriculture in certain areas altogether. Some measures could include setting minimum setbacks for cannabis agricultural operations and other proximity issues, particularly if

municipalities are concerned about the public impact of these operations.

Large-scale commercial cultivation and production of cannabis will have to comply with municipal bylaws. Municipalities should be aware of the potential for industrial zoning requirements for some operations. For example, butane is used in the extraction of cannabis oil.

Municipalities may impose restrictions on cannabis-related businesses as long as those restrictions do not run counter to the terms of the CCA. Similarly, municipalities seeking to allow some public consumption, such as "cannabis cafés", will want to legislate accordingly.

Home cultivation

Unlike some provinces such as Quebec, Nova Scotia has not placed further restrictions on personal cultivation of cannabis beyond the Act. Municipalities, however, may regulate or even ban the personal cultivation of cannabis.

Land use or nuisance bylaws may be used to address issues surrounding the home cultivation of cannabis plants. Municipalities may also consider regulating "accessory" or "ancillary" use. Growing cannabis plants may be regarded as an accessory or secondary use of a home, allowing municipalities to set standards around home operations.

Public consumption

Municipalities should update their smoking bylaws to ensure they capture cannabis smoke or vapour. Particular care should be given to regulating the use of cannabis in public spaces such as sidewalks. Under the CCA, consuming cannabis, including smoking it, is permitted in public spaces. However, the CCA leaves it open for municipalities to restrict or regulate smoking cannabis further if they choose. HRM recently decided to ban smoking on municipal property, including sidewalks.

Conclusion

Monitoring and enforcing compliance of cannabis regulations will be challenging. There are numerous concerns surrounding home cultivation, including monitoring the safe and proper usage of utilities,

building code compliance, and other health and safety concerns.

Municipalities should review their existing bylaws and policies and assess whether they comply with both the Cannabis Act and the CCA and consider whether they want to impose further restrictions.

You may grow up to four cannabis plants per residence (not per person) if:

- you are 19 years of age and older
- it is only for your personal use
- the starting material was purchased from the Ontario Cannabis Store or an authorized retail store



Amendment to the Building Code

As of May 2, 2019

Ontario Regulation 88/19

The ministry amended Ontario's Building Code (O. Reg 332/12) to further harmonize Ontario's Building Code with the 2015 National Codes. These changes will help reduce red tape for businesses and remove barriers to interprovincial trade throughout the country. The amendments are based on code change proposals the ministry consulted in 2016 and 2017.

Changes come into effect on three dates:

- May 2, 2019: requirements to the Building Code came into effect in the following areas:
 - removal of outdated references to repealed legislation
 - removal of technical requirements related to electric vehicle charging infrastructure in houses and non-residential large buildings, such as workplaces

- January 1, 2020: the majority of the amendments come into effect, including:
 - fire safety measures that include fire prevention and early detection and warning systems
 - structural sufficiency of buildings to withstand external forces and improve resilience
 - water conservation improvements to plumbing fixture
 - public health and safety requirements
 - accessibility requirements for barrier-free access
- January 1, 2022: new Building Code requirements related to stair dimensions, guards and handrails come into effect.

Ontario Regulation 87/19

This regulation amends the Building Code to address farm buildings with cannabis operations and comes into effect July 1, 2019:

- the requirements address farm buildings containing hazardous extraction operations where flammable liquids, combustible liquids or flammable gases are used as extraction solvents related to cannabis processing
- the amendments are consistent with the Fire Code requirements in Ontario Regulation 33/19



Planning Act Amendments

The following new and amending regulations under the *Planning Act* were filed on August 29, 2019 and came into force on September 3, 2019 or will come into force when the related legislative provisions are brought into force:

- New **Ontario Regulation 299/19 – “Additional Residential Units”**

- **Ontario Regulation 296/19** – amending Ontario Regulation 174/16 “Transitional Matters - General”
- **Ontario Regulation 297/19** – amending Ontario Regulation 543/06 “Official Plans and Plan Amendments”
- **Ontario Regulation 298/19** – amending Ontario Regulation 544/06 “Plans of Subdivision”
- **Ontario Regulation 301/19** – amending Ontario Regulation 173/16 “Community Planning Permits”
- **Ontario Regulation 300/19** – amending Ontario Regulation 232/18 “Inclusionary Zoning

- animals in distress and to hold owners accountable;
- Giving government the ability to empower others, beyond inspectors, to take action when an animal is in imminent risk of serious injury or death when a pet is left in a hot car;
- Significantly increasing penalties for serious, repeat and corporate offenders. These new penalties would be the strongest in Canada;
- Improving oversight and ensuring increased transparency and accountability, including establishing a one-window complaints mechanism for the public; and
- Establishing a multi-disciplinary advisory table made up of a wide range of experts, including veterinarians, agriculture representatives, academics, animal advocates and others to provide ongoing advice to the ministry to improve animal welfare.

NEWS RELEASE

ONTARIO ADOPTS NEW ANIMAL WELFARE SYSTEM

October 29, 2019

MADE-IN-ONTARIO MODEL OFFERS MORE INSPECTORS AND STRONGER PENALTIES

TORONTO — Today, Ontario is introducing legislation to better protect animals from abuse and neglect by proposing the strongest penalties in Canada for offenders, and a more robust enforcement system.

"We made a commitment to take action and develop a modern animal welfare enforcement system to keep animals safe. I am proud to say we are delivering on that commitment with new legislation that includes the toughest penalties in Canada," said Solicitor General Sylvia Jones. "Ontarians can be confident the government is proposing a system that will better protect animals from negligent care."

The proposed Provincial Animal Welfare Services (PAWS) Act, 2019 would improve animal welfare by:

- Introducing new offences to combat activities such as dog fighting;
- Giving inspectors necessary powers to help

As well as the proposed legislative changes, the system will be strengthened by hiring more provincial inspectors to ensure better coverage across the province, including specialists in livestock, agriculture, horses, zoos and aquariums.

"The PAWS Act would introduce the strongest penalties in Canada for offenders and make Ontario the first jurisdiction in Canada to implement a full provincial government-based animal welfare enforcement model," said Parliamentary Assistant Christine Hogarth. "This made-in-Ontario model demonstrates that our government understands how significant the well-being of animals is to the people of this province."

The proposed new animal welfare system was developed based on input from municipalities, police, industry, technical experts, veterinarian organizations, animal sheltering and advocacy organizations, and the public.

If passed, the government would continue to work with partners to ensure the best protection and support for

animals.



QUICK FACTS

- Concerns about animal distress or abuse can be reported to the Ontario Animal Protection Call Centre at 1-833-9-ANIMAL (264625).
- Nearly 17,000 people responded to a public survey earlier this year asking how animal welfare in Ontario could be improved.
- After over 100 years of enforcing the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) Act, the OSPCA stopped providing enforcement services as of June 28, 2019.
- In June, the government passed the [Ontario Society for the Prevention of Cruelty to Animals \(OSPCA\) Amendment Act \(Interim Period\), 2019](#), a temporary measure to keep animals safe during the transition to the new animal welfare model.

2019 REGIONAL CONFERENCE

Friday, November 15, 2019

Markham Civic Centre (Canada Room), 101 Town Centre Boulevard, Markham, ON

Registration: 8:15 a.m. to 8:45 a.m.

Workshop: 9:00 a.m. to 3:30 p.m. (lunch is provided)

Presenters and Topics:

- Hans Saamen: By-law Drafting
- Philip Cassata: Crown Brief Preparation
- Altohelix: Use of Drone Legislation
- David Chatwell: Site Alteration/Use of Drone in Municipal Law Enforcement

BACKGROUND INFORMATION

- [Ontario's New Animal Welfare Model](#)



2020 OAPSO MEMBERSHIP APPLICATION

MEMBERSHIP TYPE:

- Individual-** Municipality- _____
Full Membership - \$78.00 Individual Member (1 vote)
- Associate-** Associate Membership - \$31.00 Individual Member (no vote)
- Venerable-** Venerable Membership- \$31.00 Individual Member (1 vote)

Corporate- Municipality- _____

• **Population** _____ Fees are listed in the chart below based on population

POPULATION	ANNUAL FEE	VOTING DELEGATES
Less than 15,000	\$78.00	1 vote
15,001 to 50,000	\$144.00	2 votes
Over 50,000 population	\$144.00 plus \$78.00 for every 50,000 in population (or portion thereof)	1 vote for every 50,000 population (or portion thereof)

IMPORTANT: In order to ensure the accuracy of our records for Membership, please provide an *updated* list of all individuals in your municipality who are involved in property standards enforcement and wish to be included in the corporate membership, as well as their positions within the municipality and their email address.

• **Number of Members for this Corporate Membership** _____

MAIN CONTACT PERSON: (e.g. Manager of Property Standards or By-law Enforcement)

Last First Initial

EMAIL: _____

JOB TITLE: _____

MAILING ADDRESS: _____

BUSINESS PHONE: _____

Please note that voting at the Annual General Meeting is restricted to paid members only.

Please return this form and the staff list with your payment, made payable to:

Ontario Association of Property Standards Officers Inc.

C/O Jennifer Therkelsen, Director, Membership
735 Industrial Avenue 2nd floor, Ottawa, ON K1G 5J1

Email: membership@oapso.ca

Important Information to Applicants

The Ontario Association of Property Standards Officers is the only organization within the Province of Ontario authorized by the Provincial Government to Certify Property Standards Officers. This is achieved by successful completion of three components:

1. Completing successfully the three OAPSO certification training programs, (Parts 1, 2, & 3),
2. Presenting proof to the OAPSO Certification Chair of two years experience in the enforcement of a Property Standards By-law
3. Submitting the applicable Certification Fee

The certification program is offered yearly at our annual conference and training sessions. Each certification course consists of one week of classroom instruction along with practical exercises and a final examination. As we are a Provincial Association, the venue for the annual conference and training seminar changes every year.

Accommodation is predominately in a college/university residence setting. The accommodation usually consists of two or more private bedrooms, with a shared bathroom and kitchen area. Each delegate will therefore have their own private room.

As a result of being hosted at different locations each year, the Association, its delegates and guests are required to abide by the rules of the institution.

CODE OF CONDUCT

The Members of the ONTARIO ASSOCIATION OF PROPERTY STANDARDS OFFICERS (OAPSO) accept this Code as a desirable method of achieving increased professional status for the Association. This Code is based on principles that the Members accept as necessary for maintaining high standards of behavior to which the membership adheres. This Code will be applied, under stated guidelines, to ensure the protection of the rights of any member of the Association and other individuals attending or participating in Association sanctioned activities or events and those authorized to use the designation C.P.S.O. or C.P.S.O.(A), whose conduct allegedly violates said Code.

- (a) No Member of the Association shall conduct themselves in a manner as to bring discredit and/or embarrassment to themselves or any other Member or the Association. This shall include violations of any code of conduct for any facility being used by the Association and includes, but is not limited to, the commission of a criminal offence.
- (b) No Member of the Association shall commit any offence or serious misconduct pertaining to property and/or funds of any branch of their employer.
- (c) No Member of the Association shall be guilty of serious and improper action in the performance of his or her duties that may bring discredit and/or embarrassment to other Members.
- (d) No Member shall participate directly in any political activity which would impair the Member's impartiality in the performance of his or her respective duties.
- (e) No Member shall disclose to others or use to further his or her personal interest, confidential information acquired in the course of his or her official duties.
- (f) No Member shall hold an investment directly or indirectly in any commercial enterprise or engage in any private transaction which creates a conflict with his or her official duties.
- (g) No Member shall engage in, solicit, negotiate for or promise to accept private employment or render his or her services for private interests or conduct a private business when such employment, service or business when such employment, service or business creates a conflict with or impairs proper discharge of his or her official duties.



ONTARIO ASSOCIATION OF PROPERTY STANDARDS OFFICERS

CODE OF ETHICS

A Property Standards Officer owes certain duties to the public, to his/her employers, to other members of his profession, and to him/herself and shall act at all times with:

- a) Fairness and loyalty to his associates, employers, and the public
- b) Fidelity to public needs
- c) Devotion to high ideals of personal honour and professional integrity.

A PROPERTY STANDARDS OFFICER SHALL:

- a) Regard his duty to public welfare as paramount.
- b) Endeavour at all times to enhance the public regard for his/her profession and his/her Municipality, by extending the public image thereof.
- c) Not give opinions or make statements on matters relating to property maintenance unless he/she clearly discloses on whose behalf he/she is giving the opinion or making these statements.
- d) Not express publicly or while he/she is serving as a witness before a court, commission or other tribunal, opinions on property maintenance matters that are not founded on adequate knowledge or honest conviction.
- e) Make effective provisions for safety of life and health of a person who may be affected by work for which he/she has ordered and at all times shall act to correct or report any situation which he/she feels may endanger the safety or the welfare of the public.
- f) Make effective provision for meeting lawful standards, rules or regulations relating to environmental control and protection, in connection with any work he has ordered.

A PROPERTY STANDARDS OFFICER FOR HIS EMPLOYER SHALL:

- a) act as a faithful agent or trustee and shall regard as confidential, any information obtained by him/her as to the business affairs, methods or processes of his/her employer and avoid or disclose any conflict of interest which might influence his/her actions or judgment.
- b) Present clearly to his/her employers, the consequences to be expected from any deviation proposed in the administration of his/her duties and responsibilities as designated by statutes, where he/she is responsible for the technical adequacy of professional work.
- c) Have no interest, direct or indirect, in any materials, supplies of equipment used by his/her employer or in any person or firms receiving contracts from his/her employer unless he/she informs his/her employer in advance of the nature of the interest.
- d) Discloses immediately, any interest, direct or indirect which might in any way be construed as prejudicial to his/her professional judgment.
- e) Carry out his/her work in accordance with applicable statutes, regulations, codes and by-laws.
- f) Co-operate as necessary in working with other professionals as may be engaged on a project.

A PROPERTY STANDARDS OFFICER SHALL:

- a) Maintain the honour and integrity of his/her profession and without fear or favour expose before the proper tribunals' unprofessional or dishonest conduct by any other member of the profession.
- b) Undertake only such work as he/she is competent to perform by virtue of his/her training and experience and where advisable, retain and co-operate with other professionals or specialists.

ADVERTISE YOUR BUSINESS WITH US



2020 ADVERTISING RATES	Single Issue	Multiple Issues Cost per issue
Full Page	\$270.00	\$200.00
Half Page	\$160.00	\$120.00
Quarter Page	\$95.00	\$75.00
Eighth of a page	\$70.00	\$50.00
Website – 1 Page Ad	N/A	85.00 No more than 4 weeks



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