




COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	January 8, 2024
SUBJECT:	Order to Comply - Fire Damage for Woodlands Park Washroom Located at 501 Barton Street East (CFEM2401) (Ward 3)
WARD(S) AFFECTED:	Ward 3
SUBMITTED BY:	Indra Maharjan Director of Corporate Facilities & Energy Management Public Works
SIGNATURE:	

The purpose of this Communication Update is to advise Council of a recent Order to Comply the City received in relation to the Building Code Act, from the Building Division January 2, 2024. The order has been sent to be posted on the City’s website: <https://www.hamilton.ca/city-council/news-notice/ministry-orders>. The order to comply was issued after a fire damaged the washroom structure at Woodlands Park, 501 Barton Street East requiring the site to be secured immediately. Please see the Order to Comply in Appendix “A” attached to Communication Update CFEM2401.

The site has been well secured to make the site safe and prevent access. In addition, an engineer will be engaged to complete a structural stability assessment and advise for further works per the order. At that time, we will move the order to the “Closed” tab. An order received from a regulatory authority is tracked through ARCHIBUS (Computerized Maintenance Management System) and will be discussed at Corporate Facility and Energy Management (CFEM) Management meetings.

We appreciate the efforts of City Staff as they continue to respond to protect public safety.

If you have any questions respecting this communication update, please contact Robyn Ellis, Manager of Strategic Planning & Capital Compliance at Robyn.Ellis@hamilton.ca or Extension 2616.

**SUBJECT: Order to Comply – Fire Damage for Woodlands Park Washroom
Located at 501 Barton Street East (CFEM2401) (Ward 3) - Page 2 of 2**

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to CFEM2401 – Order to Comply – Fire Damage for Woodlands Park
Washroom



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Building Division
71 Main Street West, 3rd Floor
Hamilton, Ontario, Canada L8P 4Y5
Phone: 905.546.3950 Fax: 905.546.3934
www.hamilton.ca

Order to Comply – Fire Damage

Date Order Issued: Jan. 2, 2024

Address to which Order applies:

501 Barton St. E.

Order issued to:

City of Hamilton
71 Main St. W.
Hamilton, ON L8P 4Y5

The inspection on or about Jan. 2, 2024 at the above-referenced address found the following contravention(s) of the By-law as noted below.

You are hereby ordered to correct the contraventions itemized below by immediately.

Item	Reference	Description	Required action and compliance date
1.	Subsection 15.9(2) of the Building Code Act, 1992	The fire damaged building/structure is: a) Structurally inadequate or faulty for the purpose for which it is used; <u>or and</u> b) In a condition that could be hazardous to the health or safety of persons outside the building or persons whose access to the building has not been reasonably prevented causing the building to be unsafe.	1) Secure building and make safe; 2) Provide Professional Engineer's letter for the structural stability of the building(s); 3) Obtain building permit. <u>or</u> <u>demolition permit.</u>

Order issued by:

Name: Collin Potter

BCIN: 12066

Signature: [Signature]

Telephone No.: 905.546.2424 ext. 1389

Note:

- It is illegal to obstruct the visibility of a posted Order. It is also illegal to remove a posted Order unless authorized by an inspector or Registered Code Agency. [Building Code Act, 1992 s. 20]
- An Order may be appealed to the Superior Court of Justice. [Building Code Act, 1992 s. 25]. It may also be appealed to the Building Code Commission concerning the sufficiency of compliance with the technical requirements of the Building Code. [Building Code Act, 1992 s. 24]
- Failure to comply with this Order may result in an Order to prohibit the use of or occupancy of the building and the Chief Building Official may cause the building to be renovated, repaired or demolished to remove the unsafe condition.
- Failure to comply with this Order is an offence which could result in a fine. [Building Code Act, 1992 s. 36]