

Bill 49:
**The Building and Electrical
Permitting Improvement Act**

Technical Briefing
March 2020



Background

- The Government of Manitoba is committed to reducing red tape and duplication
- In Spring 2019, Treasury Board Secretariat conducted a review, *Planning Zoning and Permitting in Manitoba* and outlined 12 recommendations to improve planning, permitting and inspection processes and reduce unnecessary delays
- Legislation will enable key permitting recommendations from the Treasury Board Report

What will the laws cover?

- *Permit Dispute Resolution*
- *Building And Mobile Homes Permitting*
- *Manitoba Hydro Permitting*

Permit Dispute Resolution

- Creates a technical appeal mechanism for persons aggrieved by decisions of a building or electrical permitting authority including:
 - Permit denials, conditions, revocations, or suspensions; and
 - Orders or requirements imposed
- Also creates an enforcement mechanism for service standards that will be added by regulation

Permit Dispute Resolution

- Minister will appoint adjudicators to hear disputes
- Adjudicator will be technical expert in relevant code (i.e., building codes or the electrical code)
- Scope of appeals is limited to code compliance
- Adjudicator will also make determinations of compliance with adopted service standards

Permit Dispute Resolution

- Adjudicator will assign costs for the dispute resolution hearing, factoring in which party was “in the right”, and will bill the parties directly
- Adjudicators decisions will be published to provide guidance and improve consistency in code application

Buildings and Mobile Homes

- Cross reference Permit Dispute Resolution, and allow for service standards to be adopted by regulation
- Service standards will require permitting authorities to either issue a permit or provide written reasons for denial within timelines in regulation
- Based off Ontario model which allows 10 to 30 business days depending on building size and/or complexity

Buildings and Mobile Homes

- Director designated to carry out administrative responsibilities
- Director may review Manitoba government permitting decisions and imposed requirements
- References to “Fire Commissioner” and “mobile homes” are removed for consistency
- Future versions of national construction codes will be automatically adopted within prescribed timeframes

Manitoba Hydro

- Cross reference Permit Dispute Resolution, and allow for service standards to be adopted by regulation
- Create one “Manitoba Electrical Code”

Next Steps

- Work with the AMM and Manitoba Building Officials Association, to reach out to municipalities across the province to ensure they have the necessary information on the proposed changes
- Continue to collaborate with City of Winnipeg Officials and municipalities on addressing process improvements
- Consult with stakeholders on regulations to support permitting improvements
- Changes come into force upon proclamation along with accompanying regulatory changes