

Leeds, Grenville and Lanark District Health Unit
Update to Mayors/Reeves on the Ontario Building Code Part VIII Program
January 25, 2022

Health Unit and Ontario Building Code - Part VIII

The Board of Health is required to provide provincially mandated public health programs and services as outlined in the Ontario Public Health Standards (OPHS), and legislated within the Ontario Health Protection and Promotion Act. Boards are accountable to the Ministry of Health for a specific level of service as outlined in the provincial Accountability Agreement with the Board.

In addition to, and separate from the provincially mandated public health programs, the Board has had, since 1998, a formal arrangement with 19 of the 22 municipalities in Lanark, Leeds, and Grenville to provide Part VIII services under the Ontario Building Code Act (e.g. approval of new septic system installations) through the Land Control Program. This service is entirely self-funded through revenue generated by the program.

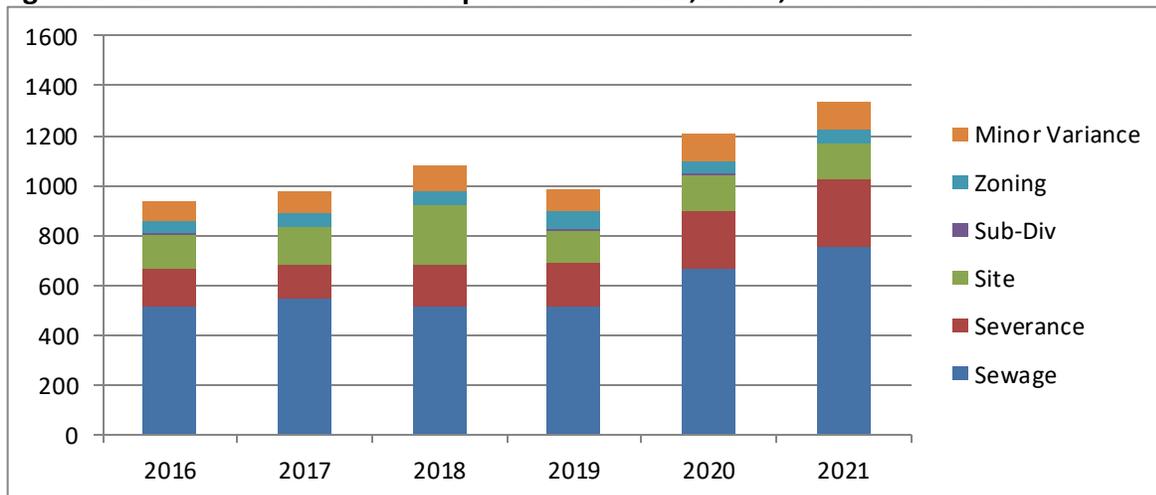
Notwithstanding this formal arrangement, it is the Municipalities who are legislated to provide the Part VIII service and several services that contribute to the health of the public and to prevent health problems such as municipal water and waste water treatment. This is one of the reasons municipalities are represented on the Board of Health.

Increased Service Requests

In 2020, the Part VIII service requests increased significantly, particularly for new septic systems (see Figure 1 Service Requests page 2), and then increased further in 2021 driven in part by the response to the COVID-19 pandemic. For example:

- addition of income apartments with increase in septic system requirements;
- addition of suites for the older and other members of the family with increase in septic system requirements; and
- movement from urban to rural areas with new construction of homes.

Figure 1 – Land Control Service Requests 2016- 2021, Leeds, Grenville and Lanark



Health Unit Response

In 2021, the Health Unit hired two additional Public Health Inspectors (PHIs) for the program to respond to the anticipated continued high level of service. Unfortunately, there is currently a very small pool of Public Health Inspectors available in Ontario for recruitment because PHIs are not trained in Part VIII work, and only four Health Units are still involved in Part VIII work.

Despite the addition of two new PHIs in 2021, the large increase in requests for service surpassed what the current Land Control Program staff of four PHIs and the Chief Building Official are able to do. Our PHIs who are driving long distances to cover the entire region, which is not efficient, and working a lot of overtime, have still not been able to keep up with the requests. As a result, we have had to use Public Health Inspectors with Part VIII certification for the regular OPHS public health program, to respond to Part VIII requests. This means we are not meeting our provincial Accountability Requirements for public health services. This situation is not sustainable.

From our experience with the PHI recruitment in 2021, we won't be able to hire enough Public Health Inspectors to do the Part VIII service work required now and in the future. The Health Unit must first and foremost deliver on the legislated mandate to provide the programs and services listed under the Ontario Public Health Standards.

Other Public Health Units, faced with this situation, have made the decision to divest the Part VIII program and return it to municipalities. With careful thought, we have recommended to the Board of Health that the Health Unit Land Control Program staff work with the 19 municipalities to transition the Part VIII program back to them effective Sept. 1, 2022.

Part VIII Transition to Municipalities

Three of the municipalities in Leeds, Grenville and Lanark currently either already manage their own Part VIII program, have another municipality do it for them, or have a Conservation Authority do the program for the municipality. These are all options for the 19 municipalities.

We recognize this is a big change for municipalities. Our Land Control Team has had two meetings with the CAO's/ Chief Building Officials on the transition, as well as one-on-one conversations. A letter was sent to municipalities and sewage system installers on Dec. 9, 2021.

The Health Unit's Chief Building Official and Deputy Building Official will be available to provide training, resources, and consultation to municipalities (see below).

Materials and Resources:

- On-site sewage system fee structure (supplied Jan. 5, 2022)
- Internal and external forms/memorandums/worksheets, etc.
- Inspection guidance documents to be provided to Building Officials if they are carrying out the Part VIII program in-house.
- Number of on-site sewage permits issued in last three years in your municipality (Provided Dec. 2, 2021).
- Number of severances and other tracked data can be provided to municipalities upon request.

Legal:

- Municipal Agreements
- Copies of Orders (these are the same as municipal "Order to Comply, Remedy Unsafe Building etc.)
- Copy of court approved Part 1 ticketing short-wording and set fines

Computer Support:

- Overview of software to deliver program
- Copies (faxed or emailed) have been provided to individual municipalities for all sewage permits issued since 1998.

Job Shadowing, Consultation:

- Sept. 1, 2022 to Sept. 1, 2023

The Leeds, Grenville and Lanark District Health Unit (LGLDHU) will continue to conduct all Part VIII duties on behalf of the 19 municipalities until Sept. 1, 2022. To ensure continuity for permit owners and contractors, the LGLDHU will *complete permits* that are issued or renewed by **Sept 1, 2022**. Final inspections are to be completed no later than **Sept 1, 2023**.

If there is a public health concern related to the leakage of a septic system, then the area Public Health Inspector would be involved in the investigation along with the municipality.

Questions

Dr. Paula Stewart and Board of Health Chair, Doug Malanka, will be available to answer questions about the Part VIII Program transition to municipalities on Friday, Jan. 28, 2022 after the 10 am municipal COVID-related call.

Please submit questions on the Part VIII transition to municipalities to Dr. Paula Stewart paula.stewart@healthunit.org by 4:00 pm Thursday, Jan. 27, 2022.