

Member Heads Up

November 16, 2017

Heads Up	Effective December 1, 2017, administrative penalties under the <i>Safety Codes Act</i> may be issued for non-compliance.
Details	<ul style="list-style-type: none">• Administrative penalties are aimed at offenders who repeatedly disregard requirements of the Act. The focus of the program is to gain compliance.• Penalties under the Act can be up to a maximum of \$100,000 or \$10,000 per day, per offence, for continuing offences.• Any person or persons who have failed to comply with an order under the <i>Act</i> may be subjected to a penalty. This includes:<ul style="list-style-type: none">○ Owners○ Contractors○ Vendors○ Manufacturers• When considering whether to issue a penalty, the Administrator will factor:<ul style="list-style-type: none">○ The risk of the infraction;○ Whether a person repeatedly ignores requirements under the Act;○ The economic benefit the person may gain from not complying with the Act; and○ Whether appropriate enforcement actions have been taken by the accredited municipality.• Penalties may vary depending on whether an offender has taken steps to become compliant with the Act.
Background	The government of Alberta proclaimed administrative penalties under Section 31 of the <i>Safety Codes Amendment Act, 2015</i> , the Administrative Penalties Regulation and amendments to the New Home Buyer Protection (Ministerial) Regulation.
Resources	Notice: Introduction of Administrative Penalties: http://www.municipalaffairs.gov.ab.ca/documents/Notice%20of%20Administrative%20Penalties-November9-2017.pdf Request for Administrative Penalty Checklist: http://www.municipalaffairs.alberta.ca/administrative-penalties