

1.3.3. Occupancy of Buildings

1.3.3.1. Occupancy Permit — General

(1) Except as permitted in Sentence 1.3.3.2.(1), a person may occupy or permit to be occupied any *building* or part of it that has not been fully completed at the date of occupation where the *chief building official* or a person designated by the *chief building official* has issued a permit authorizing occupation of the *building* or part of it prior to its completion in accordance with Sentence (3).

(2) Sentence (1) does not apply in respect of the occupancy of a *building* to which Article 1.3.3.4., 1.3.3.5. or 1.3.3.7. applies or a *building* or part of it to which Article 1.3.3.8. applies.

(3) The *chief building official* or a person designated by the *chief building official* shall issue a permit authorizing occupation of a *building*, where,

- (a) the structure of the *building* or part of it is completed to the roof,
- (b) the enclosing walls of the *building* or part of them are completed to the roof,
- (c) the walls enclosing the space to be occupied are completed, including balcony *guards*,
- (d) all required *fire separations* and *closures* are completed on all *storeys* to be occupied,
- (e) all required *exits* are completed, including all *fire separations*, doors, door hardware, self-closing devices, *guards* and handrails, from the uppermost floor to be occupied down to *grade* level and below if an *exit* connects with lower *storeys*,
- (f) all shafts including *closures* are completed to the floor-ceiling assembly above the *storey* to be occupied and have a temporary *fire separation* at such assembly,
- (g) measures have been taken to prevent access to parts of the *building* and site that are incomplete or still under construction,
- (h) floors, halls, lobbies and required *means of egress* are free of loose materials and other hazards,
- (i) if *service rooms* should be in operation, required *fire separations* and *closures* are completed,
- (j) all *building drains*, *building sewers*, *water systems*, *drainage systems* and *venting systems* are complete and tested as operational for the *storeys* to be occupied,
- (k) required lighting, heating and electrical supply are provided for the *suites*, rooms and common areas to be occupied,

- (l) required lighting in corridors, stairways and *exits* is completed and operational up to and including all *storeys* to be occupied,
- (m) required standpipe, sprinkler and fire alarm systems are complete and operational up to and including all *storeys* to be occupied, together with required pumper connections for such standpipes and sprinklers,
- (n) required fire extinguishers have been installed on all *storeys* to be occupied,
- (o) main garbage rooms, chutes and ancillary services are completed to all *storeys* to be occupied,
- (p) required firefighting access routes have been provided and are accessible, and
- (q) the *sewage system* has been completed and is operational.

(4) Where a *registered code agency* has been appointed to perform the functions described in clause 4.1 (4) (b) or (c) of the Act in respect of the *construction* of the *building*, the *chief building official* or a person designated by the *chief building official* shall issue the permit referred to in Sentence (3) after receipt of a *certificate for the occupancy of a building not fully completed* issued by the *registered code agency* in respect of the *building*.

(5) Where applicable, the *chief building official* or a person designated by the *chief building official* shall not issue a permit authorizing occupation of the *building* or part of it, unless compliance with section 168.3.1 of the *Environmental Protection Act* has been achieved.

1.3.3.2. Conditions for Residential Occupancy

(1) A person may occupy or permit to be occupied a *building* intended for *residential occupancy* that has not been fully completed at the date of occupation provided that,

- (a) the *building*,
 - (i) is of three or fewer *storeys* in *building height* and has a *building area* not exceeding 600 m²,
 - (ii) has not more than 1 *dwelling unit* above another *dwelling unit*,
 - (iii) has not more than 2 *dwelling units* sharing a common *means of egress*,
 - (iv) has no accommodation for tourists, and
 - (v) is not used for a *retirement home*,
- (b) the following *building* components and systems are complete, operational and inspected:
 - (i) required *exits*, handrails and *guards*, fire alarm and detection systems, and *fire separations*,
 - (ii) required exhaust fume barriers and self-closing devices on doors between an attached or built-in garage and a *dwelling unit*,

- (i) water supply, sewage disposal, lighting and heating systems, and
 - (ii) protection of foamed plastics required by Article 9.10.17.10. of Division B,
- (c) the following *building* components and systems are complete, operational, inspected and tested:
 - (i) *water systems*,
 - (ii) *building drains* and *building sewers*, and
 - (iii) *drainage systems* and *venting systems*, and
 - (iv) where applicable, the *building* conforms to Article 9.1.1.7. of Division B.

(2) Sentence (1) does not apply in respect of the occupancy of a *building* to which Article 1.3.3.4. or 1.3.3.5. applies or a *building* or part of it to which Article 1.3.3.8. applies.

(3) Where applicable, a person shall not occupy or permit to be occupied a *building* or part of it, unless compliance with section 168.3.1 of the *Environmental Protection Act* has been achieved.

1.3.3.3. Notification

(1) Where a person has occupied or permitted the occupancy of a *building* under Article 1.3.3.1. or 1.3.3.2., such person shall notify the *chief building official* forthwith upon completion of the *building*.

1.3.3.4. Occupancy Permit — Certain Buildings of Residential Occupancy

(1) No person shall occupy or permit to be occupied a *building* described in Sentence (3), or part of it, unless the *chief building official* or a person designated by the *chief building official* has issued a permit authorizing occupation of the *building* or part of it in accordance with Sentence (4).

(2) This Article does not apply in respect of the occupancy of

- (a) an existing *building*, or part of it, that has been subject to extension or material alteration or repair, or
- (b) a *building* or part of it to which Article 1.3.3.8. applies.

(3) A *building* referred to in Sentence (1) is a *building* intended for *residential occupancy* that,

- (a) is of three or fewer *storeys* in *building height* and has a *building area* not exceeding 600 m²,
- (b) has no accommodation for tourists,
- (c) does not have a *dwelling unit* above another *dwelling unit*,
- (d) does not have any *dwelling units* sharing a common *means of egress*, and

- (e) does not contain a *retirement home*.

(4) The *chief building official* or a person designated by the *chief building official* shall issue a permit authorizing occupation of a *building* described in Sentence (3), where,

- (a) the structure of the *building* with respect to the *dwelling unit* to be occupied is substantially complete and ready to be used for its intended purpose,
- (b) the *building* envelope, including, but not limited to, cladding, roofing, windows, doors, assemblies requiring *fire-resistance ratings*, *closures*, insulation, *vapour barriers* and air barriers, with respect to the *dwelling unit* to be occupied, is substantially complete,
- (c) the walls enclosing the *dwelling unit* to be occupied conform to Sentence 9.25.2.3.(7) of Division B,
- (d) required electrical supply is provided for the *dwelling unit* to be occupied,
- (e) required firefighting access routes to the *building* have been provided and are accessible,
- (f) the following *building* components and systems are complete and operational for the *dwelling unit* to be occupied:
 - (i) required *exits*, floor access and egress systems, handrails, *guards*, *smoke alarms*, *carbon monoxide alarms* and *fire separations*, including, but not limited to, *fire stops*,
 - (ii) required exhaust fume barriers and self-closing devices on doors between an attached or built-in garage and the *dwelling unit*,
 - (iii) water supply, sewage disposal, lighting and heating systems, and
 - (iv) protection of foamed plastics required by Article 9.10.17.10. of Division B,
- (g) the following *building* components and systems are complete, operational and tested for the *dwelling unit* to be occupied:
 - (i) *water system*,
 - (ii) *building drain* and *building sewer*, and
 - (iii) *drainage system* and *venting system*,
- (h) required *plumbing fixtures* in the *dwelling unit* to be occupied are substantially complete and operational, and
- (i) where applicable, the *building* conforms to Article 9.1.1.7. of Division B with respect to the *dwelling unit* to be occupied.

(5) Where a *registered code agency* has been appointed to perform the functions described in clause 4.1 (4) (b) or (c) of the Act in respect of the *construction* of a *building*

described in Sentence (3), the *chief building official* or a person designated by the *chief building official* shall issue the permit referred to in Sentence (4) after receipt of a *certificate for the occupancy of a building* described in Sentence 1.3.3.4.(3) of Division C issued by the *registered code agency* in respect of the *building*.

(6) Where applicable, the *chief building official* or a person designated by the *chief building official* shall not issue a permit authorizing occupation of the *building* or part of it, unless compliance with section 168.3.1 of the *Environmental Protection Act* has been achieved.

1.3.3.5. Occupancy Permit — Buildings within the scope of Article 3.2.2.51. or 3.2.2.60.

(1) No person shall occupy or permit to be occupied a *building* within the scope of Article 3.2.2.51. or 3.2.2.60. of Division B, or part of it, unless the *chief building official* or a person designated by the *chief building official* has issued a permit authorizing occupation of the *building* or part of it in accordance with Sentence (3).

(2) This Article does not apply in respect of the occupancy of

- (a) an existing *building*, or part of it, that has been subject to extension or material alteration or repair, or
- (b) a *building* or part of it to which Article 1.3.3.8. applies.

(3) The *chief building official* or a person designated by the *chief building official* shall issue a permit authorizing occupation of a *building* described in Sentence (1), where,

- (a) the structure of the *building* is completed to the roof,
- (b) the *building* envelope, including, but not limited to, cladding, roofing, windows, doors, assemblies requiring *fire-resistance ratings*, *closures*, insulation, *vapour barriers* and air barriers, is complete,
- (c) the walls enclosing the space to be occupied are completed, including balcony *guards*,
- (d) all required *fire separations* and *closures* are completed,
- (e) all required *exits* are completed, including all *fire separations*, doors, door hardware, self-closing devices, *guards* and handrails,
- (f) all shafts including *closures* are completed,
- (g) measures have been taken to prevent access to parts of the *building* and site that are incomplete or still under construction,
- (h) floors, halls, lobbies and required *means of egress* are free of loose materials and other hazards,

- (i) if *service rooms* should be in operation, required *fire separations* and *closures* are completed,
- (j) all *building drains, building sewers, water systems, drainage systems* and *venting systems* are complete and tested as operational for the *storeys* to be occupied,
- (k) required lighting, heating and electrical supply are provided for the *suites, rooms* and common areas to be occupied,
- (l) required lighting in corridors, stairways and *exits* is completed and operational,
- (m) required standpipe, sprinkler and fire alarm systems are complete and operational, together with required pumper connections for such standpipes and sprinklers,
- (n) required *smoke alarms* and *carbon monoxide alarms* are complete and operational,
- (o) required fire extinguishers have been installed,
- (p) main garbage rooms, chutes and ancillary services are completed to all *storeys* to be occupied,
- (q) required firefighting access routes have been provided and are accessible, and
- (r) the *sewage system* has been completed and is operational.

(4) Where a *registered code agency* has been appointed to perform the functions described in clause 4.1 (4) (b) or (c) of the Act in respect of the *construction* of a *building* described in Sentence (1), the *chief building official* or a person designated by the *chief building official* shall issue the permit referred to in Sentence (3) after receipt of a *certificate for the occupancy* of a *building* described in Sentence 1.3.3.5.(1) of Division C issued by the *registered code agency* in respect of the *building*.

1.3.3.6. Occupancy Permit — Buildings in the Lower Don Area of Toronto

(1) Except as provided in Sentence (2), this Article applies to *buildings* constructed on land in the City of Toronto being the land outlined in red on a map numbered 230 and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

(2) This Article does not apply to a *building* that complies with,

- (a) the official plan of the City of Toronto approved under section 17 of the *Planning Act* as the official plan read on the day Ontario Regulation 388/18 is filed, or
- (b) a by-law made by the City of Toronto under section 34 of the *Planning Act* as the by-law read on the day Ontario Regulation 388/18 is filed.

(3) No person shall occupy or permit to be occupied a *building* or part of it to which this Article applies, unless the *chief building official* or a person designated by the *chief building official* has issued a permit authorizing occupation of the *building* or part of it in accordance with Sentence (4).

(4) The *chief building official* or a person designated by the *chief building official* shall not issue a permit authorizing occupation of a *building* or part of it unless,

- (a) hydraulic modelling carried out by or on behalf of the Toronto Region Conservation Authority demonstrates that the lot or parcel of land on which the *building* is constructed is no longer susceptible to flooding due to the completion of the flood protection features described in Section 4.5 of WT, “Port Lands Flood Protection and Enabling Infrastructure Due Diligence Report”,
- (b) the *construction* of the *building* or part of it is in compliance with Clauses 1.3.3.1.(3)(a) to (q), 1.3.3.2.(1)(a) to (d), 1.3.3.4.(4)(a) to (i), 1.3.3.5.(3)(a) to (r) or 1.3.3.7.(8)(a) to (y), as applicable, and
- (c) where development charges in respect of a *building* or part of it are payable in accordance with subsection 26.1 (3.1) of the *Development Charges Act, 1997*, the development charges have been paid in accordance with that section.

1.3.3.7. Occupancy Permit — Super Tall Buildings

(1) This Article applies to a *building*,

- (a) that is 65 or more *storeys* in *building height* or more than 250 m in height, and
- (b) for which the applicant for the permit has provided notice in accordance with Sentence (6) to the *chief building official* that they intend to occupy or permit the *building* or part of the *building* to be occupied in accordance with this Article.

(2) This Article applies to the occupation of a *building* where the structure and enclosing walls of the *building* are not completed to the roof.

(3) For greater certainty, once the structure and enclosing walls of the *building* are completed to the roof, Article 1.3.3.1. applies to the authorization of occupation of the remainder of the *building*.

(4) This Article does not permit the occupation of exterior balconies, podiums, terraces, platforms and contained open spaces.

(5) This Article does not permit occupation if the *means of egress* are located on faces of the *building* where there is overhead lifting of heavy construction materials, elements and equipment.

(6) The notice described in Clause (1)(b) must have been provided to the *chief building official* at the time the first application for a permit under section 8 of the Act is made in respect of the *building*.

(7) No person shall occupy or permit to be occupied a *building* or part of a *building* described in Sentence (1) unless the *chief building official* or a person designated by the *chief building official* has issued a permit authorizing occupation of the *building* or part of it in accordance with Sentence (8).

(8) The *chief building official* or a person designated by the *chief building official* shall issue a permit authorizing occupation of a *building* where,

- (a) the structure of the *building* or part of it is completed to the floor of the *storey* that is 10 *storeys* above the uppermost *storey* to be occupied, other than parts of the floor-ceiling assemblies that are unable to be completed because of the ongoing *construction*,
- (b) the enclosing walls of the *building* or part of the enclosing walls are completed to the floor of the *storey* that is 5 *storeys* above the uppermost *storey* to be occupied,
- (c) the walls enclosing the space to be occupied are completed, including balcony guards,
- (d) all required *fire separations* and doors, including door hardware and self-closing devices, are completed on all *storeys* up to the floor of the *storey* that is 5 *storeys* above the uppermost *storey* to be occupied,
- (e) all required *closures* are completed on all *storeys* up to and including the uppermost *storey* to be occupied,
- (f) all required *exits* are completed, including all *fire separations*, doors, door hardware, self-closing devices, *guards* and handrails, from the uppermost floor to be occupied down to *grade* level and below if an *exit* connects with lower *storeys*,
- (g) all shafts, including *closures*, are completed to the floor-ceiling assembly that is 5 *storeys* above the uppermost *storey* to be occupied and have a temporary *fire separation* at such assembly,
- (h) all shafts in the parts of the *building* that are incomplete or are still under *construction* are protected against falling objects,
- (i) where there is a crane mast inside the *building*, walls acting as *guards* shall,
 - (i) separate the crane mast from the parts of the *building* to be occupied, and
 - (ii) be designed and constructed to withstand the loading values specified in Sentence 4.1.5.15.(1) of Division B, where the crane mast or part of the crane mast is located in a *storage garage*,

- (j) the ceiling of the floor-ceiling assembly above the uppermost *storey* to be occupied is complete and weather-tight and the floor-ceiling assembly is insulated to prevent condensation,
- (k) measures have been taken to,
 - (i) separate the parts of the *building* to be occupied from the parts of the *building* and site that are incomplete or still under *construction*,
 - (ii) prevent access to parts of the *building* and site that are incomplete or still under *construction*, and
 - (iii) protect occupants and members of the public while *construction* is ongoing,
- (l) floors, halls, lobbies and required *means of egress* are free of loose materials and other hazards,
- (m) if *service rooms* should be in operation, required *fire separations* and *closures* are completed,
- (n) all *building drains*, *building sewers*, *water systems*, *drainage systems* and *venting systems* are complete and tested as operational for the *storeys* to be occupied,
- (o) required lighting, heating and electrical supply are provided for the *suites*, rooms and common areas to be occupied,
- (p) required lighting in corridors, stairways and *exits* is completed and operational up to and including all *storeys* to be occupied,
- (q) required ventilation is installed and operational for the *floor areas* to be occupied,
- (r) required sprinkler, fire alarm and smoke control systems, along with required pumper connections for the sprinklers, are complete and operational up to and including the *storey* to be occupied,
- (s) required standpipe systems are installed and operational up to the *storey* below the uppermost *storey* for which the structure of the *building* is complete, including required pumper connections for such standpipe systems,
- (t) required fire extinguishers have been installed on all *storeys* to be occupied and for which the structure of the *building* is complete,
- (u) main garbage rooms, chutes and ancillary services are completed to all *storeys* to be occupied,
- (v) required firefighting access routes have been provided and are accessible,

- (w) required elevators for use by firefighters are complete and tested as operational up to and including the *storey* immediately above the uppermost *storey* to be occupied,
- (x) a covered way is installed and complete over all required *means of egress* from the *building*, and all other areas on the property that can be accessed by occupants of the *building*, that,
 - (i) has an unobstructed height of at least 2400 mm,
 - (ii) has an unobstructed width of at least the width of the *means of egress*,
 - (iii) is capable of supporting any loads likely to be encountered as determined by a *professional engineer*, including snow loads and impact loads from *construction*,
 - (iv) has a weather-tight roof,
 - (v) has partitions with smooth surfaces on the side accessible to occupants,
 - (vi) has adequate lighting within the covered way, and
 - (vii) otherwise complies with the requirements in Articles 3.8.1.3., and 3.8.2.2. of Division B, as applicable, and
- (y) the requirements set out in Sentences (9) to (14) are complied with.

(9) The person to whom a permit under section 8 of the Act is issued in respect of the *building*, and such other person as the *chief building official* determines, shall,

- (a) agree in writing with the *municipality* to assume all risk in occupying or authorizing the occupation of the *building* or part of it in accordance with this Article and comply with such other conditions as the *chief building official* considers necessary, including the provision of security, indemnities and evidence of insurance, and
- (b) submit to the *chief building official*,
 - (i) a plan for phasing of *construction* and occupancy,
 - (ii) a site safety plan addressing the means to ensure safety of the occupants and public while *construction* is ongoing, including,
 - A. measures to protect occupants and the public from risks associated with the lifting of heavy construction materials, elements and equipment,
 - B. measures for safeguarding occupant wellbeing while *construction* is ongoing, including the disposal of construction debris, noise, dust, odour, harmful airborne

chemicals, non-airborne contaminants, pests and vibrations, including the transfer of vibrations from concrete pumping and pouring to the parts of the *building* to be occupied, and

- C. measures to address risks, hazards and occupant comfort associated with the proximity of exterior crane masts, concrete pumping pipes and exterior hoists and their tie-back systems,
- (iii) a report from a *professional engineer* that attests,
 - A. to the adequacy of the measures to safeguard life, health and property,
 - B. that ongoing *construction* will not adversely impact the structural adequacy of the parts of the *building* to be occupied, and
 - C. that the design of the climbing barriers, fall protection systems and horizontal and vertical safety nets meets the requirements of Sentence (11),
- (iv) a report from a third-party *professional engineer* that has reviewed the adequacy of the measures to safeguard life, health and property, if that review is required by *chief building official*, and
- (v) the report arising from the review conducted in accordance with Sentence (12).

(10) Measures described in Clause (8)(k) shall include,

- (a) providing heat, hot water, cold water, gas, electricity, plumbing or other utility services for the parts of the *building* to be occupied separate from the services that serve the parts of the *building* that are incomplete or still under *construction*,
- (b) providing access to the parts of the *building* to be occupied, including access for occupants, vehicles and deliveries, that is separate and independent from access to the parts of the *building* and site that are incomplete or still under *construction*,
- (c) ensuring that elevators that serve the parts of the *building* to be occupied are not used for *construction*,
- (d) ensuring that access to the construction area, including any construction staging and loading areas, shall be on a different face of the *building* than the access to and within the parts of the *building* to be occupied,
- (e) installing temporary or permanent physical barriers to protect the parts of the *building* to be occupied from falling machinery, equipment, tools, construction materials and any other material or debris, and

- (f) installing climbing physical barriers, fall protection and horizontal and vertical safety nets in accordance with Sentence (11).

(11) The climbing physical barriers, fall protection systems and horizontal and vertical safety nets referred to in Clause (10)(f), shall,

- (a) in the case of horizontal fall protection systems and safety nets, extend not less than 3 m from the face of the *building*,
- (b) be installed where there is *construction* on the exterior of the *building* or a *storey* that is unenclosed, and
- (c) be located immediately below the *storey* where the *construction* is located.

(12) Prior to occupancy, the *construction* of the parts of the *building* to be occupied shall be reviewed by a *professional engineer* or an *architect* in accordance with Article 1.2.2.1.

(13) Where a *registered code agency* has been appointed to perform the functions described in clause 4.1 (4) (b) or (c) of the Act in respect of the *construction* of the *building*, the *chief building official* or a person designated by the *chief building official* shall issue the permit referred to in Sentence (8) after receipt of a *certificate for the occupancy of a building not fully completed* issued by the *registered code agency* in respect of the *building*.

(14) Where development charges in respect of a *building* or part of it are payable in accordance with subsection 26.1 (3.1) of the *Development Charges Act, 1997*, the development charges have been paid in accordance with that section.

1.3.3.8. Occupancy Permit — Deferred Development Charges

(1) Where development charges in respect of a building or part of it are payable in accordance with subsection 26.1 (3.1) of the *Development Charges Act, 1997*, no person shall occupy or permit to be occupied a *building* or part of a *building* unless the *chief building official* or a person designated by the *chief building official* has issued a permit authorizing occupation of the *building* or part of it in accordance with Sentence (2).

(2) The *chief building official* or a person designated by the *chief building official* shall not issue a permit authorizing occupation of a *building* or part of it unless,

- (a) all development charges that are payable under the *Development Charges Act, 1997* before the issuance of the permit have been paid, and
- (b) the *construction* of the *building* or part of it is in compliance with Clauses 1.3.3.1.(3)(a) to (q), 1.3.3.2.(1)(a) to (d), 1.3.3.4.(4)(a) to (i), or 1.3.3.5.(3)(a) to (r), as applicable.

(3) Where a *registered code agency* has been appointed to perform the functions described in clause 4.1 (4) (b) or (c) of the Act in respect of the *construction* of the *building*,

the *chief building official* or a person designated by the *chief building official* shall issue the permit referred to in Sentence (2) after receipt of a *certificate for the occupancy of a building not fully completed* issued by the *registered code agency* in respect of the *building*.

(4) Where applicable, the *chief building official* or a person designated by the *chief building official* shall not issue a permit authorizing occupation of the *building* or part of it, unless compliance with section 168.3.1 of the *Environmental Protection Act* has been achieved.

Other amendments:

Division A

1.4.1.3. Applicable Law

(1) For the purposes of clause 8(2)(a) of the Act, applicable law means,

(b) the following provisions of Acts and regulations:

(ii) subsection 28 (a) and section 53 of the Development Charges Act, 1997,

Division C

1.3.5.1. Prescribed Notices

(2) The person to whom a permit under section 8 of the Act is issued shall notify the *chief building official* or, where a *registered code agency* is appointed under the Act in respect of the *construction* to which the notice relates, the *registered code agency* of,

(o) completion of *construction* and installation of components required to permit the issue of an occupancy permit under Sentence 1.3.3.1.(3) or to permit occupancy under Sentence 1.3.3.2.(1), if the *building* or part of the *building* to be occupied is not fully completed,

(p) completion of *construction* and installation of components required to permit the issue of an occupancy permit under Sentence 1.3.3.4.(4), 1.3.3.5.(3) or 1.3.3.7.(8), and

(q) completion of *construction* and installation of components required to permit the issue of an occupancy permit under Sentence 1.3.3.8.(2).

1.3.5.2. Additional Notices

(1) A by-law, resolution or regulation made by a *principal authority* under clause 7(1)(e) of the Act may require that notice of one or more of the following stages of *construction* be given by the person to whom a permit is issued under section 8 of the Act:

(j) completion of a *building* for which an occupancy permit is required under Article 1.3.3.4., 1.3.3.5., 1.3.3.7. or 1.3.3.8.

1.3.5.3. Prescribed Inspections

(1) Except as provided in Sentences (2) and (2.1), an *inspector* or *registered code agency*, as the case may be, shall, not later than two days after receipt of a notice given under Sentence 1.3.5.1.(2), undertake a site inspection of the *building* to which the notice relates.

(2) Where a notice given under Sentence 1.3.5.1.(2) relates to matters described in Clause 1.3.5.1.(2)(l) or (m), an *inspector* or *registered code agency*, as the case may be, shall, not later than five days after receipt of the notice, undertake a site inspection of the *sewage system* to which the notice relates.

(2.1) Where a notice given under Sentence 1.3.5.1.(2) relates to matters described in Clause 1.3.5.1.(2)(q), an *inspector* or *registered code agency*, as the case may be, shall, not later than ten days after receipt of the notice, undertake a site inspection of the *building* to which the notice relates.**(3)** When undertaking an inspection required under Sentence (1), (2) or (2.1), the *inspector* or *registered code agency*, as the case may be, may consider reports concerning whether the *building* or a part of the *building* complies with the Act or this Code

(4) For greater certainty, when undertaking an inspection required under Sentence (1) (2) or (2.1), the *inspector* or *registered code agency*, as the case may be, may choose to not attend at the physical site of the *building* and may instead undertake the inspection using other means.

(5) The time periods referred to in Sentences (1), (2) and (2.1) shall begin on the day following the day on which the notice is given.

(6) The time periods referred to in Sentences (1), (2) and (2.1) shall not include Saturdays, holidays and all other days when the offices of the *principal authority* are not open for the transaction of business with the public.