

(5) Registration. Any agreement entered into under clause (3)(c) may be registered against the land to which it applies and the municipality, upper-tier municipality, board of health, planning board, conservation authority or the Province of Ontario, as the case may be, is entitled to enforce its provisions against the owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land. 1999, c.12, Sched. M, s.5(2); 2002, c.17, Sched. F, Table

(6) Enforcement of Agreement. If the chief building official determines that a building has not been removed or a site restored as required by an agreement under clause (3)(c), the chief building official may cause the building to be removed and the site restored and for this purpose the chief building official, an inspector and their agents may enter upon the land and into the building governed by the agreement at any reasonable time without a warrant. 1992, c.23, s.8(6)

(7) Lien. If the building is in a municipality, the municipality shall have a lien on the land for the amount spent on the removal of the building and restoration of the site under subsection (6) and the amount shall have priority lien status as described in section 1 of the *Municipal Act, 2001*. 2002, c.17, Sched. F, Table

(8) Deemed Taxes. If the building is in territory without municipal organization, the amount spent on the removal of the building and restoration of the site under subsection (6) shall be deemed to be taxes imposed under section 3 of the *Provincial Land Tax Act* for the purposes of sections 26 and 27 of that Act. 1992, c.23, s.8(8)

(9) Referral of Plans. Upon reasonable grounds the chief building official may, and upon the request of the Association of Professional Engineers of Ontario or the Ontario Association of Architects the chief building official shall, refer drawings, plans and specifications accompanying applications for permits to those associations for the purpose of determining if the *Professional Engineers Act* or the *Architects Act* is being contravened. 1992, c.23, s.8(9)

(10) Revocation of Permits. Subject to section 25, the chief building official may revoke a permit issued under this Act,

- (a) if it was issued on mistaken, false or incorrect information;
- (b) if, after six months after its issuance, the construction or demolition in respect of which it was issued has not, in the opinion of the chief building official, been seriously commenced;
- (c) if the construction or demolition of the building is, in the opinion of the chief building official, substantially suspended or discontinued for a period of more than one year;
- (d) if it was issued in error;

- (e) if the holder requests in writing that it be revoked; or
- (f) if a term of the agreement under clause (3)(c) has not been complied with. 1992, c.23, s.8(10)

(11) Prohibition. No person shall construct or demolish a building or cause a building to be constructed or demolished except in accordance with this Act and the building code. 1992, c.23, s.8(11)

(12) Notice of Change. No person shall make a material change or cause a material change to be made to a plan, specification, document or other information on the basis of which a permit was issued without notifying, filing details with and obtaining the authorization of the chief building official. 1992, c.23, s.8(12)

(13) Prohibition. No person shall construct or demolish a building or cause a building to be constructed or demolished except in accordance with the plans, specifications, documents and any other information on the basis of which a permit was issued or any changes to them authorized by the chief building official. 1992, c.23, s.8(13)

9.- (1) Equivalents. The chief building official may, subject to such conditions as may be set out in the building code, allow the use of materials, systems and building designs that are not authorized in the building code if, in his or her opinion, the proposed materials, systems and building designs will provide the level of performance required by the building code. 1992, c.23, s.9

(2) Conditions. The chief building official may make the use of the materials, systems or building designs under subsection (1) subject to such conditions as he or she consider necessary, including conditions relating to the construction, operation or maintenance of the building. 1997, c.30, Sched. B, s.8

(3) Same. The chief building official may alter or revoke a condition. 1997, c.30, Sched. B, s.8

10.-(1) Change of Use. Even though no construction is proposed, no person shall change the use of a building or part of a building or permit the use to be changed if the change would result in an increase in hazard, as determined in accordance with the building code, unless a permit has been issued by the chief building official. 2002, c.9, s.16

(2) Permit. The chief building official shall issue a permit under subsection (1), unless,

- (a) the building if used as proposed would result in a contravention of this Act or the building code or any other applicable law;
- (b) the application for it is incomplete; or
- (c) any fees due are unpaid. 1992, c.23, s.10(2)