



FORT ST. JOHN

The Energetic City

THE CITY OF FORT ST. JOHN

BUILDING BYLAW NO. 2589, 2024

CITY OF FORT ST. JOHN

Building Bylaw No. 2589, 2024

WHEREAS Section 8 of the British Columbia *Community Charter* authorizes the City of Fort St. John, by bylaw, to regulate, prohibit and impose requirements in relation to buildings and other structures;

AND WHEREAS the Province of British Columbia has adopted a *Building Code* to govern standards in respect of the construction, alteration/renovation, repair and demolition of buildings in British Columbia;

AND WHEREAS the City deems it necessary to regulate, prohibit and impose requirements in relation to buildings and other structures, and to provide for the administration of the *Building Code*;

NOW THEREFORE, pursuant to the above-referenced and other authority, Council of the City of Fort St. John, in open meeting assembled, enacts as follows:

TITLE:

This Bylaw may be cited as “City of Fort St. John Building Bylaw No. 2589, 2024”.

CONTENTS

PART ONE – INTRODUCTORY PROVISIONS	5
DEFINITIONS	5
PURPOSE OF BYLAW	9
PERMIT CONDITIONS.....	10
SCOPE OF BYLAW.....	11
PROHIBITIONS.....	11
OWNERS AND AUTHORIZED AGENTS.....	13
BUILDING OFFICIAL.....	13
PART TWO - APPLICATIONS FOR PERMITS	14
APPLICATIONS.....	14
PROFESSIONAL PLAN CERTIFICATION AND FIELD REVIEW.....	15
APPLICATIONS FOR STANDARD BUILDINGS	16
APPLICATIONS FOR COMPLEX BUILDINGS.....	18
MOVING PERMITS	21
FIRE SPRINKLER PERMITS	22
DEMOLITION PERMITS.....	22
SOLID FUEL BURNING APPLIANCE PERMITS.....	23
PLUMBING PERMITS.....	23
SECURITY FENCE PERMIT, DECK AND SHED BUILDING PERMITS	24
RETAINING STRUCTURES	25
SWIMMING POOLS.....	25
PART THREE - OWNER REQUIREMENTS	25
RESPONSIBILITIES OF THE OWNER	25
SITE STANDARDS.....	26
WATER METERS AND WATER SERVICES.....	28
PART FOUR – ISSUANCE OF PERMITS AND PERMIT FEES	28
PERMIT FEES	28
SECURITIES.....	29
ISSUANCE OF PERMITS	31
PART FIVE - INSPECTIONS AND FIELD REVIEWS	32
PROFESSIONAL DESIGN AND FIELD REVIEW.....	32
INSPECTIONS OF STANDARD BUILDINGS.....	32
FIELD REVIEWS OF COMPLEX BUILDINGS.....	34

PART SIX - OCCUPANCY	36
OCCUPANCY	36
SECONDARY SUITES	36
PART SEVEN – NOTICES AND ENFORCEMENT	36
STOP WORK NOTICES	36
NO OCCUPANCY NOTICES	37
PENALTIES AND ENFORCEMENT	37
SEVERABILITY	38
SECTION HEADINGS	38
SCHEDULES	38
REPEALS	39

PART ONE – INTRODUCTORY PROVISIONS

DEFINITIONS

- 1) In this Bylaw, the following words have the following meanings;
 - a) **“ALTERATION/RENOVATION”** means changes made to an existing *building* or *structure* to;
 1. construction of, cutting into, or removal of a wall, partition, column, beam, joist or floor within the existing *building* or *structure*;
 2. a change to, or closing of, any means of access (windows and doors);
 - b) **“ARCHITECT”** means an individual who is a member in good standing, licensed by the Architectural Institute of British Columbia, to practice as an Architect in the Province of British Columbia.
 - c) **“BASEMENT”** means that portion of a *building* between two floor levels which is partly underground, the lower floor of which is placed more than 0.3 m (1 ft.) below the average *finished grade*.
 - d) **“BUILDING”** means any *structure* used or intended for supporting or sheltering any use or *occupancy*, and includes a *manufactured home*.
 - e) **“BUILDING CODE”** means the *British Columbia Building Code* adopted pursuant to the *Building Act*, as such codes may be amended or re-enacted from time to time.
 - f) **“BUILDING OFFICIAL”** means a person who is qualified as a building official under s. 11 of the *Building Act* or is an exempt building professional under s. 10 of the *Building Act*, and who has been appointed to perform the duties of a building official under this Bylaw.
 - g) **“BUILDING PERMIT”** means a *permit* issued under this Bylaw authorizing construction, *reconstruction*, *repair* or *alteration/renovation* of a *building* or *structure*.
 - h) **“BYLAW ENFORCEMENT OFFICER”** means any person appointed by Council or their designate to administer and enforce the provisions of this law.
 - i) **“CITY”** means the City of Fort St. John, or the lands within the corporate boundaries of the City of Fort St John, as the context may require.
 - j) **“COMPLEX BUILDING”** means a *building* or *structure* used for or intended to be used for, in whole or in part, commercial, industrial, or institutional purposes, or a multi-family residential *building* containing five or more *dwelling units*

PART ONE – INTRODUCTORY PROVISIONS (continued)

- k) “**CONTRACTOR**” means a person who contracts with an *Owner* to undertake a project, and includes an *Owner* who contracts with more than one person for the work on a project or undertakes the work on a project or any part thereof.
- l) “**DAMAGE**” means physical harm caused to property resulting in loss of value or the impairment of usefulness, and includes, but is not limited to, damage to roads, curbs, gutters, boulevards, sidewalks, hydrants, valves, other, street lighting, street furnishings, trees or the placement, dropping, or deposit of any dirt, debris, plants, materials, objects, or substances.
- m) “**DECK**” means a *structure* attached to a dwelling, with no walls except for visual partitions and railings, which is constructed with a floor on posts and beams above grade for use as an outdoor living area.
- n) “**DECK PERMIT**” means a *permit* issued under this Bylaw authorizing the construction, reconstruction, repair or alteration/renovation of a *deck*;
- o) “**DEMOLITION PERMIT**” means a *permit* issued under this Bylaw authorizing the demolition, or partial demolition, of a *building* or *structure*;
- p) “**DO NOT OCCUPY NOTICE**” means a directive issued under this Bylaw by the *Building Official* to the *Owner* to cease *occupancy* of a *building*.
- q) “**DUPLEX**” means a building that is divided horizontally or vertically into two separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.
- r) “**DWELLING**” and “**DWELLING UNIT**” means a unit or suite that is used or intended to be used as a residence by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.
- s) “**FENCE**” means a structure serving as an enclosure, a barrier or a boundary, usually made of posts or stakes, joined together by boards, wire or rails and includes gate, screen, trellis and wall.
- t) “**FIELD REVIEW**” means a review of the work at a project site of a development to which a *Building Permit* relates by a *registered professional*.
- u) “**FINISHED GRADE**” means the final elevation of the ground surface after development.
- v) “**FIRE SPRINKLER**” means part of a fire sprinkler system that discharges water when the effects of a fire have been detected, such as when a predetermined temperature has been reached.

PART ONE – INTRODUCTORY PROVISIONS (continued)

- w) **“FIRE SPRINKLER PERMIT”** means a *permit* issued under this Bylaw authorizing the installation of fire sprinklers within a *building* or *structure*;
- x) **“GARAGE”** means a detached accessory building or a portion of a principal building which is above grade and enclosed on three sides and is used for the sheltering of motor vehicles and the storage of household goods incidental to the residential use of a dwelling unit.
- y) **“GRADE”** (as applying to the determination of building height) means the lowest of the average levels of finished ground adjoining each exterior wall of a building, except that localized depressions such as for vehicle and pedestrian entrances need not be considered in the determination of average levels of finished ground.
- z) **“LETTERS OF ASSURANCE”** means the letters attached as Schedule A, Schedule C and Schedule C-A and C-B of Part 2 of Division C of the *Building Code*, as those letters may be amended or replaced within the *Building Code* from time to time, and amended as necessary by the *registered professional* in cases where the letters are required by the *Building Official* but not required by the *Building Code*.
- aa) **“MANUFACTURED HOME”** means modular and mobile homes. They are typically built in a factory off-site and then delivered and assembled on-site. The [Canadian Standards Association \(CSA\) label](#) provides the specifications the home is built to, Manufactured homes are built under the A-277 and Z-240 standards.
- bb) **“MOVING PERMIT”** means a *permit* authorizing the moving of a *building* or *structure*;
- cc) **“OCCUPANCY”** means the use or intended use of a *building* or part thereof for the shelter or support of persons, animals or property;
- dd) **“OCCUPANCY PERMIT”** means a *permit* authorizing the occupancy of a *building* for which a *Building Permit* was issued or required;
- ee) **“OWNER”** means, in respect of a *parcel*,
 1. the registered *Owner* of an estate in fee simple,
 2. the tenant for life under a registered life estate,
 3. the registered holder of the last registered agreement for sale,
 4. the holder or occupier of land held in the manner referred to in Section 228 (*taxation of Crown land used by others*) or Section 229 (*taxation of municipal land used by others*) of the *Community Charter*.
- ff) **“PARCEL”** means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.

PART ONE – INTRODUCTORY PROVISIONS (continued)

- gg) **“PAVED”** means a completed area made from asphalt, concrete or brick that cannot be removed by natural weather conditions.
- hh) **“PERMIT”** means any of the following, as the context allows: *Building Permit, Occupancy Permit, Deck Building Permit, Security Fence permit, Shed Building Permit, Moving Permit, Plumbing Permit, Demolition Permit, Solid Fuel Burning Appliance Permit, Fire Sprinkler Permit.*
- ii) **“PERMIT FEE”** means a fee payable for a *permit* as specified in Schedule A.
- jj) **“PLUMBING FIXTURE”** means a toilet, water closet, sink, lavatory, bathtub, shower, hot water tank, clothes washer, dishwasher, floor drain, roof drain, water heater, oil and grease interceptor, sump, catch basin, backflow prevention device, vacuum breaker and any similar appliance which is connected to sanitary drain water supply or internal rain water leader.
- kk) **“PLUMBING PERMIT”** means a *permit* issued under this Bylaw authorizing the construction or *alteration/renovation* of a *plumbing system*;
- ll) **“PLUMBING SYSTEM”** means a system of pipes and fixtures installed in a *building* for the distribution of potable water and the removal of waterborne wastes.
- mm) **“RECONSTRUCTION”** means to re-build a *building* or *structure*, including structural elements, to pre-existing design, dimension and materials.
- nn) **“REGISTERED PROFESSIONAL”** means
1. a person who is registered or licensed to practice as an architect under the *Professionals Government Act*, or
 2. a person who is registered or licensed to practice as a professional engineer under the *Engineers and Geoscientists Act*;
- oo) **“REPAIR”** means the replacement of an existing element of a *building* or *structure*.
- pp) **“SECONDARY SUITE”** means a self-contained *dwelling unit* that is part of a single *dwelling unit* containing not more than two *dwelling units* (including the secondary suite) and any common spaces such as common storage, common service rooms, common laundry facilities or common areas used for egress, where both *dwelling units* constitute a single real estate entity.
- qq) **“SECURITY”** means a financial value deposited or given as assurance of the fulfillment of an obligation such as the securities required by Section 88 of this Bylaw;
- rr) **“SECURITY FENCE”** means a temporary fence that surrounds the perimeter of the entire construction site, to prevent access.

PART ONE – INTRODUCTORY PROVISIONS (continued)

- ss) “**SETBACK**” means the horizontal distance measured at right angles to the *parcel* line, between the *parcel* line and the *building, or structure*.
- tt) “**SHED BUILDING PERMIT**” means a *permit* issued under this Bylaw authorizing the construction, *reconstruction, repair or alteration/renovation* of a shed.
- uu) “**SIDING**” means a material used for surfacing the outside walls of a frame building.
- vv) “**SOLID FUEL BURNING APPLIANCE**” refers to all solid fuel (wood, coal etc.) burning appliances including stoves, factory made fireplaces (natural gas not included) and fireplace stoves.
- ww) “**SOLID FUEL BURNING APPLIANCE PERMIT**” means a *permit* issued under this Bylaw authorizing the construction or installation of a *solid fuel burning appliance* within a building or structure.
- xx) “**STANDARD BUILDING**” means a *building* not captured under the definition of *complex building* and used for or intended to be used as a single-family *dwelling* (including a *manufactured home*), or a multiple-family residential building having four or fewer *dwelling units* on one *parcel*;
- yy) “**STOP WORK NOTICE**” means a directive issued under this Bylaw by the *Building Official* to an *Owner* to cease work on a *building or structure*.
- zz) “**STRUCTURE**” means a construction or portion thereof of any kind, but not including a *building*, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and retaining structures less than 1.2 meter in height.
- aaa) “**VALUE OF CONSTRUCTION**” means all costs of construction, materials and labour.

PURPOSE OF BYLAW

Interpretation of Bylaw

- 2) The Bylaw, shall, notwithstanding any other provision herein, be interpreted in accordance with this Part 1.

Purpose of Bylaw

- 3) This Bylaw has been enacted to regulate, prohibit and impose requirements in regard to construction in the City in the public interest.

Limitations of Bylaw

- 4) It is not contemplated nor intended, nor does the purpose of this Bylaw extend:

PART ONE – INTRODUCTORY PROVISIONS (continued)

- a) No Economic Protection to the protection of *Owners, constructors*, subsequent *Owners*, or any other person from economic loss;
- b) No Confirmation of Compliance - to the assumption by the *City* or any *Building Official* of any responsibility for ensuring the compliance by any *Owner*, their agent or representative, or employees, *constructors* or *designers* retained by the owner, with the *Building Code*, the requirements of this Bylaw or other applicable enactments respecting health or safety;
- c) No Warranty - to providing any person a warranty of design or workmanship with respect to any *building* or *structure* for which a *permit* or *Occupancy Permit* is issued under this Bylaw; or
- d) No Assurance Regarding Defects - to providing a warranty or assurance that construction undertaken pursuant to *permits* issued by the *City* is free from latent, or any defects.
- e) No Protection of Other Property – to the protection of adjacent real property from incidental damage or nuisance.

PERMIT CONDITIONS

- 5) A *permit* is required whenever and before work related under this Bylaw is to be undertaken.

Disclaimer of Warranty or Representation

- 6) Neither the issuance of a *permit* under this Bylaw, the review and acceptance of the design, drawings, plans or specifications, nor inspections made by a *Building Official*, shall constitute a representation, warranty, assurance or statement that the *Building Code*, *City* bylaws, or other enactments respecting health and safety have been complied with or the *building* or *structure* meets any standard of materials and workmanship.
- 7) No person shall rely on any permit, other approval or act by a *Building Official* as establishing compliance with the *Building Code*, this Bylaw or any other applicable enactments respecting health and safety. The person to whom a *permit* is issued is responsible for making such determination.

Owner Responsibilities

- 8) It shall be the full and sole responsibility of the *Owner* to carry out the work in respect of which the *permit* was issued in compliance with the *Building Code*, this Bylaw and other applicable enactments respecting health and safety.
- 9) Every *Owner* to whom a *permit* is issued shall be responsible for the cost of repair of any *damage* to municipal works that occurs in the course of work authorized by the *permit*, and shall commit to this prior to issuance of the *permit* by signing the form prescribed by the *City*. The *City* may recover its costs in repairing any such damage from the *Owner* by issuing an invoice.

PART ONE – INTRODUCTORY PROVISIONS (continued)

- 10) Every *Owner* to whom a *permit* is issued shall be responsible for completing the landscaping and paving authorized by the *permit*, and shall commit to this prior to issuance of the *permit* by signing the form prescribed by the *City*. Unpaid costs that have been assessed against an *Owner* for the *City* to undertake and complete the landscaping and paving shall be invoiced.

SCOPE OF BYLAW

Applications of Bylaw

- 11) This bylaw applies to the geographical area of the *City* and to land, the surface of water, air space, *buildings* or *structures* in the *City*.
- 12) This Bylaw applies to the design, construction and *occupancy* of new *buildings* and *structures*, and the *alteration/renovation, reconstruction, demolition, removal, relocation* and *occupancy* of existing *buildings* and *structures*.

Exemptions from Bylaw

- 13) This Bylaw does not apply to *buildings* or *structures* exempted by the *Building Code*, nor to retaining *structures* less than 1.2 meters in height.
- 14) Notwithstanding Section 17 and Section 31, work on a *building* or *structure* limited to one or more of the following: painting (exterior and/or interior), window replacement (same size openings) and/or replacement of *plumbing fixtures* does not require a *Building Permit* or a *Plumbing permit*.
- 15) A *Building Permit* is not required for the replacement of roofing materials or exterior cladding provided like materials are used.
- 16) A *Building Permit* is not required for fence construction, repairs, or alterations.

PROHIBITIONS

Permit(s) Required

- 17) No person shall commence or continue any construction, *alteration/renovation, reconstruction, demolition, removal, relocation* or change the use or *occupancy* of any *building* or *structure* or *plumbing system*, including excavation or other work related to construction unless:
 - a) The work is in conformity with the requirements of the Building Code and this Bylaw; and
 - b) a *Building Official* has issued a valid and existing *permit* for the work.

PART ONE – INTRODUCTORY PROVISIONS (continued)

Occupancy Permit

- 18) No person shall occupy or use any *building* or *structure*, or part of it, unless a valid and existing *Occupancy Permit* has been issued by a *Building Official* for the entire *building* or *structure*.

No False Information

- 19) No person shall occupy or use any *building* or *structure* contrary to the terms of any *Occupancy Permit* issued or any notice given by a *Building Official*.

No Tampering with Permit

- 20) No person shall reverse, alter, deface, cover, remove or in any way tamper with any notice, order, *permit* or certificate issued by the *Building Official*, including one posted upon or affixed to a *building* or *structure* pursuant to this Bylaw.

No Variances

- 21) No person shall do any work that is substantially at variance with the accepted design or plans of a *building*, *structure* or other works for which a *permit* has been issued, unless that variance has been accepted in writing by a *Building Official*.

No Obstruction of Building Official

- 22) No person shall interfere with or obstruct the entry of a *Building Official* or other authorized official of the *City* on to the property in the administration of this Bylaw

Structural Damage

- 23) At the discretion of the *Building Official*, any *building* that has experienced structural *damage* due to a tornado, earthquake or other act of God, fire, decay or man-made disaster, shall provide an engineer's report with the assessment of *damage* and recommendations for all *repairs*. The *building* shall then be *repaired* using the engineer's solution as determined in the engineer's report and shall be made to comply with the *Building Code* and all *City* bylaws. The *City* will also require an engineer's report upon the completion of the *repairs* that the work completed as per original recommendations.

Development Permit

- 24) Despite any other provision of the Bylaw, no *permit* shall be issued without prior issuance of a Development Permit, where such *permit* is required by Section 489 of the *Local Government Act*.

PART ONE – INTRODUCTORY PROVISIONS (continued)

OWNERS AND AUTHORIZED AGENTS

Use of an Agent

- 25) An *Owner* may appoint an agent for the purposes of the Bylaw, by completing and delivering to the *Building Official* the *City's* form for that purpose, and all subsequent applications, requests and other acts of the agent shall be deemed to be acts of the *Owner* and all *permits*, notices, acceptances and other notices delivered to the agent will be deemed to be delivered to the *Owner*.
- 26) An *Owner* may not revoke an appointment of an agent for the purposes of this Bylaw unless the *Owner* provides the *Building Official* with a written revocation.

Rules on Signing by Owners

- 27) Where an application, letter or other document is required by this Bylaw to be provided by the *Owner*, the following apply:
 - a) the document must be signed by the *Owner*;
 - b) if more than one person is the *Owner* of the property, the document must be signed by all *Owners*;
 - c) if a corporation is an *Owner* of the property, the document must be signed by at least one signing officer of the corporation;
 - d) if the property is or involves common property of a strata corporation, the document must be signed by two members of the strata council, and depending on the circumstances, the *Building Official* may require proof of approval of the strata lot *Owners* at a strata meeting; and
 - e) a document may be signed by the *Owner's* authorized agent, if the *Owner* has provided the *Building Official* with a signed authorization of that person as agent for all purposes associated with the construction.

BUILDING OFFICIAL

Powers of Building Officials

- 28) Each *Building Official* may:
 - a) Administer Bylaw – administer this Bylaw and all other *City* bylaws and *permits* relating to any property for which a *permit* has been issued, or relating to any property for which a *permit* is required for the activity underway or completed;

PART ONE – INTRODUCTORY PROVISIONS (continued)

- b) Records - keep records of *permit* applications, *permits*, notices and orders issued, inspections and tests made, and retain copies of documents related to the administration of this Bylaw or *digital* copies of such documents;
- c) Equivalents – establish if requested to do so, whether the methods or types of construction and types of materials used in the construction of a *building* or *structure* for which a *permit* is sought under this Bylaw substantially conform to the requirements of the *Building Code*;
- d) Stop Work Notice - post a *stop work notice*, or otherwise order the cessation of work that is proceeding in contravention of this Bylaw, a *permit* or the *Building Code*;
- e) Do Not Occupy Notice – post a *Do Not Occupy Notice*, or otherwise order to cease *occupancy* of the *building* that is proceeding in contravention of this Bylaw, a *permit* or the *Building Code*; and
- f) Refusal of Permit - refuse to issue a *permit* where, the application for a *permit* or the proposed construction does not comply with the *Building Code*, this Bylaw or other applicable bylaws of the *City* or where, in their opinion, the results of tests of materials, devices, construction methods, structural assemblies or foundation conditions are not satisfactory.

Entry onto Land

29) A *Building Official*:

- a) may enter any land, *building*, *structure*, or premises at any reasonable time for the purpose of ascertaining that the terms of this Bylaw are being observed;
- b) shall, where any residence is occupied, obtain the consent of the occupant or provide written notice to the occupant twenty-four (24) hours in advance of entry; and
- c) shall carry proper credentials confirming their status as *Building Official*.

Order Correction of Work

- 30) A *Building Official* may order the correction of any work that is being or has been done in contravention of the *Building Code*, this Bylaw or the *permit*.

PART TWO - APPLICATIONS FOR PERMITS

APPLICATIONS

Required Permits

- 31) Every person shall apply for and obtain:

PART TWO - APPLICATIONS FOR PERMITS (Continued)

- a) a Building Permit before constructing, reconstructing, repairing or altering a building, structure, deck, or a shed that is greater than 10m² in area
- b) a *Demolition Permit* before demolishing a *building* or *structure*, or part of it;
- c) a Deck Building Permit before construction of a deck;
- d) a *Fire Sprinkler Permit* before installation of *fire sprinklers* within a *building* or *structure*.
- e) a *Moving Permit* before moving a *building* or *structure*;
- f) an *Occupancy Permit* prior to occupying a *building* or *structure*;
- g) a *Plumbing Permit* before constructing or *altering* a *plumbing system*;
- h) a *Security Fence Permit* before construction of a *security fence*;
- i) a Shed Building Permit before construction of a shed that is greater than 10m²;
- j) a *Solid Fuel Burning Appliance Permit* prior to the construction and/or installation of a *solid fuel burning appliance* within a *building* or *structure*;

Permit Application Forms

- 32) Applications for *permits* required by this Bylaw shall be made with the approved City of Fort St. John application forms.

Plans – Designer Name

- 33) All plans submitted with *Building Permit* applications shall bear the name and address of the *designer* of the *building* or *structure*.

Separate Building Permits

- 34) Each *building* or *structure* to be constructed on a *parcel* requires a separate *Building Permit* and shall be assessed a separate *permit fee* based on Schedule A of this Bylaw.

Separate Plumbing Permits

- 35) Each *plumbing system* to be constructed on a *parcel* requires a separate *Plumbing Permit* for each *building* and shall be assessed a separate *permit fee* based on Schedule A of this Bylaw.

PROFESSIONAL PLAN CERTIFICATION AND FIELD REVIEW

Letters of Assurance Required Under the Building Code

PART TWO - APPLICATIONS FOR PERMITS (Continued)

- 36) In addition to the circumstances where *building* design and *field reviews* are required by a *registered professional* under the *Building Code*, every *Owner* applying to construct a *complex building* shall:
- a) provide to the *Building Official* prior to issuance of a *Building Permit*, letters in the form(s) set out in Schedules A and B of the *Building Code*; and
 - b) provide to the *Building Official* prior to obtaining a final inspection for an *Occupancy Permit* for the *building*, the form(s) set out in Schedules C-A and C-B of the *Building Code*.

Building Official Requirements for Letters of Assurance

- 37) In addition to the circumstances where *building* design and *field reviews* are required by a *registered professional* under the *Building Code*, the *Building Official* may require an *Owner* applying for a *Building Permit* for a *standard building* or a *structure* to provide the *City* with the certification referred to in Section 36 (a) of this Bylaw and the certification referred to in Section 36 (b) of this Bylaw if the *Building Official* considers that this is warranted by circumstances that relate to the site conditions, the size or complexity of the development, or another aspect of the development.

Reliance on Letters of Assurance

- 38) The *letters of assurance* are relied upon by the *City* and its *Building Officials* as certification that the design and plans and construction to which the *letters of assurance* relate comply with the *Building Code*, this Bylaw and other applicable enactments relating to health and safety.

APPLICATIONS FOR STANDARD BUILDINGS

Documents Required for Application

- 39) An application for a *Building Permit* for a *standard building* shall be made on the *City's* form for such applications and the *Owner* shall include the following additional information:
- a) Owner's Declaration – each *Owner* of a *building* or *structure* to be constructed requiring a *Building Permit* shall include with the *permit* application(s), a signed and completed “*Owner's Declaration*” as per Form C to this Bylaw;
 - b) Application Forms – if applicable, any other *permit* application form(s) and shall be made on the *City's* form for such applications;
 - c) Water Turn On/Off Application Form – if applicable, as per the *City's* Water Bylaw;
 - d) BC Housing Licensing and Consumer Services – a licensing and Consumer Services form must be submitted at the time of application for a standard *building permit*.

PART TWO - APPLICATIONS FOR PERMITS (Continued)

- e) **Site Plan** – unless the *Building Official* waives the requirements for a site plan, in whole or in part, where the *permit* is sought for the repair or *alteration/renovation* of an existing *building* or *structure*, then a site plan showing:
1. **Dimensions** - the bearing and dimensions of the *parcel*, taken from the registered subdivision plan, if applicable;
 2. **Legal** - the legal description and civic address of the *parcel*, as evidenced by an up-to-date search of the *parcel* from the Land Title Office;
 3. **No Build Areas** - the location and dimensions of all statutory rights of way, easements, covenants, and *setback* requirements;
 4. **Buildings** - the location and dimensions of all existing and proposed *buildings* or *structures* on the *parcel*, including on-site sewage disposal systems, if applicable;
 5. **Elevation** - proposed elevations for top of *basement* and *garage* foundation;
 6. **Parking/Driveway** - the location and dimension of parking and driveway access;
 7. **Green Element** - the location of the landscaping tree/plant.
- f) **Floor Plans** - floor plans showing the dimensions and uses of all areas; the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; *plumbing fixtures*; structural elements; and stair dimensions;
- g) **Cross Section** - a cross section through the *building* or *structure* illustrating foundations, drainage, ceiling heights and construction systems;
- h) **Elevations** - elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, and *finished grade*;
- i) **Details** - cross-sectional details drawn at an appropriate scale and at sufficient locations;
- j) **Foundation Design** - the foundation design;
- k) **Building Design** – the design of the *building* or *structure*;
- l) **Truss Plan** - a truss plan and truss drawings provided by your truss provider and stamped by a professional engineer;
- m) **Roof** - a roof plan and roof height calculations;
- n) **Spatial Separations** – information on all window openings are required for the *Building Official* to calculate spatial separations;

PART TWO - APPLICATIONS FOR PERMITS (Continued)

- o) Other Information - any other information required by the *Building Official* to consider compliance with this Bylaw, the *Building Code* and other applicable bylaws and enactments;
- p) Letter of Assurance – the applicable *letters of assurance*, if plan review is required by the *Building Code* or this Bylaw; and
- q) Lot Grading Plan – lot grading plans showing geodetic elevations of all corners of the *parcel*, which contains the existing and final geodetic elevations and mandatory *grades* from the *dwelling* to the four corners of the *parcel* on which it is located.

Set of Plans

- 40) The *Owner* shall provide two sets of drawings at a suitable scale of the design of the *building* or *structure*.

Manufactured Homes

- 41) In addition to the requirements of Section 39, the following shall be required by a *Building Official* to be submitted with a *Moving Permit* application and *Building Permit* application for the installation of a *manufactured home*:
 - a) Zoning – confirmation that the land on which the *manufactured home* shall be located is zoned for single-family residences under the *City's Zoning Bylaw*;
 - b) Standards – evidence that the *manufactured home* shall be constructed and certified under current editions of Canadian Standards Association (CSA) Standards A277 or Z240 MH series, or such updated standards as may be applicable from time to time;
 - c) Registered Professional – where a foundation and site preparation for a manufactured home does not comply with Section 39 of this Bylaw, Schedules as referred to in the *Building Code* will be required from a registered professional; and
 - d) Site Information – details of siting, servicing, foundations or tie downs.
 - e) Manufactured homes – not to exceed ten years of age at the time of the building permit issuance.

APPLICATIONS FOR COMPLEX BUILDINGS

Documents Required for Application

- 42) An application for a *Complex Building Permit* shall be made on the *City's* form for such applications and the *Owner* shall provide the information required in the *Complex Building Permit Package* and the following additional information that may or may not be included in the *Complex Building Permit Package*:

PART TWO - APPLICATIONS FOR PERMITS (Continued)

- a) Checklist - include the completed Application Checklist.
- b) Plans - two complete sets of drawings at the suitable scale of the design, illustrating that the *building* or *structure* substantially conforms to the *Building Code*, prepared by each *registered professional* and including all necessary information;
- c) Application Forms - if applicable, any other *permit* application form(s) which shall be made on the *City's* form for such applications;
- d) Cost Estimate - a cost estimate from a *registered professional* or a signed copy of the written contract between the contractor and the *Owner*;
- e) Water Turn On/Off Application Form - if applicable, as per the *City's* Water Bylaw;
- f) BC Housing Licensing and Consumer Services - a licensing and Consumer Services form must be submitted at the time of application for a complex building permit.
- g) Declaration Forms - each *Owner* of a *building* or *structure* to be constructed requiring a *Building Permit* shall include with the *permit* application(s), a signed and completed "Owner's Declaration" made on the *City's* forms and, if applicable:
 - 1. Hazardous Materials Declaration - each *permit* application that encounters construction in a C3, C4, M1 or M2 zone as described in the *City's* Zoning Bylaw, shall include, with the *permit* application(s), a "Declaration of On-Site Chemicals and Hazardous Materials" made on the *City's* form for such applications;
- h) Title - a copy of the current Certificate of Title, made within 30 days of the date of the application and listing all restrictive covenants pertaining to the title;
- i) Letters of Assurance - *letters of assurance* as referred to in the *Building Code*, each signed by such *registered professionals*;
- j) Report - a geotechnical engineer's report providing detailed information on site conditions, including but not limited to, soils, corrosivity, drainage requirements, slope, stability and contamination;
- k) Approvals - copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approval;
- l) Business License - copy of valid business licenses for all general contractors, subcontractors and *Owner/contractors*;
- m) Development Permit - copy of the approved development *permit* is required prior to the issuance of a *Building Permit*;

PART TWO - APPLICATIONS FOR PERMITS (Continued)

- n) Securities - submit the *damage deposit* in accordance to Schedule A of this Bylaw, and submit the landscape, paving and storm deposit in accordance with the City's form Landscaping Paving and Storm deposit.
- o) Site Plan - a site plan, generally prepared by a British Columbia Land Surveyor showing:
1. Dimensions - the bearing and dimensions of the *parcel* taken from the registered subdivision plan;
 2. Site Information - the location and size of the *building* and the floor area and lot coverage ratio;
 3. Legal - the legal description and civic address of the *parcel*;
 4. No Build Areas - the location and dimensions of all statutory rights of way, easements and *setback* requirements;
 5. Existing Buildings - the location and dimensions of all existing and proposed *buildings* or *structures* on the *parcel*;
 6. Bins - the location and dimensions of a garbage bin location;
 7. Hydrants - the locations of all fire hydrants, *fire sprinklers*/standpipe connections and a fire flow calculation;
 8. Landscape Area - the detailed description and illustration of the landscape plan;
 9. Levels - the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a *building* or *structure* where the *City's* land use regulations establish siting requirements related to a minimum floor elevation; and
 10. Roads - the location, dimension and gradient of access roadways, parking and driveway access.
- p) All necessary *building* plans including but not limited to:
1. Architectural Plans - floor plans showing the dimensions, and uses of all areas: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and openings of windows; floor, wall and ceiling finishes; *plumbing fixtures*; structural elements; and stair dimensions;
 2. Structural Plans - showing the details for the footings/ foundation plans, load bearing members, fasteners and connectors, concrete reinforcing, roof slope, *finished grade*, ceiling heights and construction systems;

PART TWO - APPLICATIONS FOR PERMITS (Continued)

3. Mechanical Plans - possibly prepared by several different consultants and include the heating, ventilation and air conditioning details, plumbing details, site servicing for water, sewer and drainage outside the *building* envelope, fire suppression systems and roof drainage systems; and
4. Electrical Plans - prepared by an electrical engineer including all electrical systems of the *building* and fire alarm systems.

Security Fence

- 43) An *Owner* must install a *security fence* prior to constructing a *complex building* and;
 - a) the *Owner* must include a *Security Fence* Permit application with the *Building Permit* application;
 - b) the *Owner* must ensure the *security fence* surrounds the entire construction site, is properly maintained throughout the construction period and complies with the *Building Code* and be approved by a *Building Official*; and
 - c) upon the demolition of a *building* or *structure*, the *Owner* must inquire with the *Building Official* whether a *security fence* is required.

Additional Information

- 44) In addition to the requirements of Section 42, the *Owner* may be required by a *Building Official* to submit the following with a *Building Permit* application for the construction of a *complex building* where the complexity of the proposed *building* or *structure* or siting circumstances warrant:
 - a) Servicing Drawings - site servicing drawings, including sufficient detail of off-site services to indicate location at the property line, prepared and sealed by a *registered professional*, in accordance with the *City's* Subdivision and Development Servicing Bylaw; and
 - b) Section - a section through the site showing *grades, buildings, structures, parking areas* and driveways.

MOVING PERMITS

Documents Required for Application

- 45) An application for a *Moving Permit* shall be made on the *City's* form for such applications.

Disconnection of Services

PART TWO - APPLICATIONS FOR PERMITS (Continued)

- 46) Prior to moving any *building*, the *Owner* must apply to the *City* for a Water Turn On/Off Application, as all water services must be turned off by the *City* prior to moving a *building*, and the *Owner* must disconnect all services and when applicable, cap all underground services and install stakes at the end of those services.

Lane Closures

- 47) If an *Owner* requires any highway or lane closures for the moving of a *building*, an application must be made to the *City* and the extra costs are the responsibility of the *Owner*.

FIRE SPRINKLER PERMITS

Documents Required for Application

- 48) An application for a *Fire Sprinkler Permit* shall be made on the *City's* form for such applications and the *Owner* shall provide the *letters of assurance* from the *registered professional*.

DEMOLITION PERMITS

- 49) An application for a *Demolition Permit* shall be made on the *City's* form for such applications.

Disconnection of Services

- 50) Prior to demolition of any *building*, the *Owner* must apply to the *City* for a Water Turn On/Off Application, as all water services must be turned off by the *City* prior to demolition of a *building*. The *Owner* must coordinate disconnection of all utility services as per the specific utility corporation standards as well as cap all underground services and install stakes at the end of those services if applicable.

Backfilling

- 51) Upon completion of demolition of a *building*, the *Owner* must remove all cellars, foundations and other remaining *structures*, and the *Owner* must backfill excavations to *grade* level with native backfill or other granular material.

Engineer's Report

- 52) Before issuance of a *Demolition Permit* in respect of a site containing or may contain chemicals or hazardous materials, the *Building Official* may require the *Owner* to provide an engineer's report.

Security Fence Permit

- 53) The *Owner* may be required by the *Building Code* to install a *security fence* prior to a demolition and if required, the *Owner* must first obtain a *Security Fence Permit* under this Bylaw.

PART TWO - APPLICATIONS FOR PERMITS (Continued)

SOLID FUEL BURNING APPLIANCE PERMITS

Documents Required for Application

- 54) An *Owner* applying for a *Solid Fuel Burning Appliance Permit* shall be made on the *City's* form for such applications and the *Owner* must provide with the application a copy of the manual for the *solid fuel burning appliance*.

Certifications of Appliances

- 55) All appliances installed pursuant to a *Solid Fuel Burning Appliance Permit* must have a certification label attached to the unit from the Canadian Standards Association, Underwriters Laboratories of Canada, or another certifier acceptable to the *Building Official*.

Manufacturer Specifications

- 56) All *solid fuel burning appliances* and chimneys must be installed as per manufacture specifications including but not limited to pipe sizing and setbacks.

Required Inspections

- 57) Every *Owner* shall obtain an inspection and acceptance of the installation of a *solid fuel burning appliance*, after installation of the *Solid fuel burning appliance* and before the work is covered or hidden. If the work is covered or hidden, every *Owner* shall uncover the work, remove construction materials and do everything else necessary for the *Building Official* to conduct the inspection.

Owner Must Call for Inspections

- 58) The *Owner* shall give at least 24 hours advance notice to the *Building Official* of the *Owner's* request for an inspection and the *City* is not required to undertake any inspection under Section 57 until requested by the *Owner*.

Plans Available

- 59) An *Owner* is not entitled to an inspection of work under Section 57 unless a copy of the issued *Solid Fuel Burning Appliance Permit* and all applicable plans are available at the site and unless the civic address is clearly visible from the street.

PLUMBING PERMITS

Documents Required for Application

- 60) An application for a *Plumbing Permit* shall be made on the *City's* form for such applications.

PART TWO - APPLICATIONS FOR PERMITS (Continued)

Required Inspections

- 61) Every *Owner* shall obtain an inspection and acceptance of the installation of *plumbing fixtures*, after installation and before the work is covered or hidden. If the work is covered or hidden, every *Owner* shall uncover the work, remove construction materials and do everything else necessary for the *Building Official* to conduct the inspection.

Owner Must Call for Inspections

- 62) The *Owner* shall give at least 24 hours advance notice to the *Building Official* of the *Owner's* request for an inspection and the *City* is not required to undertake any inspection under Section 63 until requested by the *Owner*.

Plans Available

- 63) An *Owner* is not entitled to an inspection of work under Section 63 unless a copy of the issued *Plumbing Permit* and all applicable plans are available at the site and unless the civic address is clearly visible from the street.

SECURITY FENCE PERMIT, DECK AND SHED BUILDING PERMITS

Documents Required for Application

- 64) An application for a Security Fence Permit, Deck Building Permit, and Shed Building Permit shall be made on the *City's* form for such applications

Required Inspections

- 65) Every *Owner* shall obtain an inspection and acceptance of the installation of *a security fence, deck or shed*, after installation and before the work is covered or hidden. If the work is covered or hidden, every *Owner* shall uncover the work, remove construction materials and do everything else necessary for the *Building Official* to conduct the inspection.

Owner Must Call for Inspections

- 66) The *Owner* shall give at least 24 hours advance notice to the *Building Official* of the *Owner's* request for an inspection and the *City* is not required to undertake any inspection under Section 65 until requested by the *Owner*.

Plans Available

- 67) An *Owner* is not entitled to an inspection of work under Section 65 unless a copy of the issued *Security Fence Permit, Deck Building Permit or Shed Building Permit* as applicable, and all applicable plans are available at the site and unless the civic address is clearly visible from the street.

PART TWO - APPLICATIONS FOR PERMITS (Continued)

RETAINING STRUCTURES

Requirement for Professional Design and Field Reviews

- 68) A *registered professional* shall undertake the design and conduct field reviews of the construction of a retaining *structure* greater than 1.2 meters in height.

Information with Permit Application

- 69) Sealed copies of the design plan prepared by the *registered professional* for all retaining *structures* greater than 1.2 meters in height shall be submitted to a *Building Official* prior to issuance of a *Building Permit*.

SWIMMING POOLS

Pools Must be Fenced

- 70) Except as prescribed in Section 71 of this Bylaw, every *structure* designed or constructed as a private swimming pool, wading pool, hot tub or spa having a depth greater than 0.75 meters at any point shall be surrounded by a non-climbable *fence* least 1.2 meters in height. The *fence* shall be constructed surrounding the pool in such a manner as to substantially render the pool secure from unauthorized entry. All openings in the *fence* shall be in the form of a gate operated by a spring-loaded hinge so as to cause the gate to return to a locked position and secured by a spring lock mounted on the swimming pool side of the gate. A swimming pool unless contained within a *building* shall be situated no less than 1.5 meters from a *building* or from a *parcel* line.

Exempt Pools

- 71) Swimming pools, hot tubs and spas less than 6.5 meters in area are exempted from the requirements of Section 70 of this Bylaw, but no wading pools of any size are exempted.

PART THREE - OWNER REQUIREMENTS

RESPONSIBILITIES OF THE OWNER

Owner's Liability

- 72) Neither the issuance of a *permit* or *Occupancy Permit* under this Bylaw nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the *City* shall in any way relieve the *Owner* from full and sole responsibility to perform the work in strict accordance with this Bylaw, the *Building Code* and other applicable enactments respecting health and safety.

On-Site Requirements

- 73) Every *Owner* to whom a *permit* is issued shall, during construction;

PART THREE - OWNER REQUIREMENTS (Continued)

- a) Post Permit – post and maintain the *permit* in a conspicuous place on the property in respect of which the *permit* was issued;
- b) Plans on Site – keep a copy of the accepted designs, plans and specifications on the property; and
- c) Civic Address – post the civic address on the property in a location visible from the road; and

Site Conditions

- 74) Where a *Building Permit* has been issued, the *Owner* of a property shall ensure that during construction:
 - a) Storage – no material or equipment is placed or stored on adjacent *City* property or, without permission, on adjacent private property;
 - b) No Disturbance – there is no disturbance to adjacent properties or to existing erosion and sediment control appurtenances;
 - c) Drainage Control – proper site drainage and erosion and sedimentation control measures are in place to prevent the discharge of sediment into the *City* storm drainage system or neighboring properties;
 - d) Residues – the residue from the cleaning of concrete trucks or the wash from exposed aggregate concrete is not being discharged directly into the *City* storm drainage system, onto *City* boulevards or private properties without the *Owners'* consent.
 - e) Sidewalks – sidewalks and roadways are kept clear of mud and debris and are cleaned daily.
 - f) Rubbish – must have a container with a closeable lid for rubbish and debris during construction and the *building* site must be kept in a neat and tidy condition. Failure to contain rubbish or debris on a construction site will result in a penalty and costs incurred for clean-up.

SITE STANDARDS

Drainage

- 75) The *Owner* shall ensure that in connection with the construction of any *building, structure* or *paved* surfaces, drainage works and patterns shall be made in accordance with the following standards:
 - a) Surface Water – adequate drainage of surface water shall be provided over the whole area of a *building* site in accordance with the *City's* Subdivision and Development Servicing Bylaw, as amended from time to time.

PART THREE - OWNER REQUIREMENTS (Continued)

- b) Adjacent Property – surface water shall not be allowed to drain from any site into any adjacent private property.
- c) Catch Basins – where the grading will result in the collection of water, catch basins shall be installed to carry such surface water from the site, or other methods of drainage acceptable to the *Building Official* must be employed in accordance with the City’s Subdivision and Development Servicing Bylaw.
- d) Downspouts – where downspouts are provided and are not connected to storm sewer or an acceptable private sub-surface disposal system, extensions shall be provided to carry rainwater away from the *building* and towards the street storm drainage in a manner which will prevent soil erosion.
- e) Grading
 - 1. Plan – If a lot grading plan has been provided by the *City* as part of the application for the *Building Permit*, the plan must be adhered to.
 - 2. Direction of Grading – Whenever possible, lots shall be *graded* towards roadways, and in no case shall lots be permitted to drain onto an adjacent, lot in accordance with the *City’s* Subdivision and Development Servicing Bylaw, as amended from time to time.
- f) Driveways
 - 1. Maximum Grade – The finished gradient of driveway access shall not be greater than 8% and not less than 0.5%.

Paving

- 76) The *Owner* shall ensure that in connection with the construction of any *building*, all parking areas must be paved, and all access areas connecting to public roads must be paved and connected to the curb line on paved roads or to the property line on gravel roads

Landscaping

- 77) The *Owner* shall ensure that in connection with the construction of any *building, structure* or *paved* surfaces, the landscape design shall be made in accordance with the following standards:
 - a) Standard Building Green Element – Where the *building* is of new construction, each lot pertaining to the development project shall include one green plant/tree element with a native species adapted to the local climate as per the landscaping requirements of the *City’s* Zoning Bylaw. There is a list of native species acceptable in the *City’s* Subdivision and Development Servicing Bylaw, as amended from time to time.

PART THREE - OWNER REQUIREMENTS (Continued)

- b) Complex Building Landscape Plan – Application for a *Building Permit* to construct or alter the siting, size or dimension of a *building* or *structure* in a C, M or RM zone must be accompanied by a detailed landscape plan for the site and boulevard areas.

WATER METERS AND WATER SERVICES

Required Time for Installation of Water Meters

- 78) The *Owner* must install all required water meters by the time a *Building Official* performs the insulation inspection.

No Occupancy without Water Meter

- 79) The *City* may refuse to issue an *occupancy permit* if the water meter and the meter transmission unit which allows for remote reading of the water meter are not installed and water is not being supplied to the *building* or *structure*.

PART FOUR – ISSUANCE OF PERMITS AND PERMIT FEES

PERMIT FEES

Permit Fees Payable

- 80) In addition to applicable fees and charges that may be required under other bylaws, a *permit fee*, in the amount established by Schedule A of this Bylaw, shall be paid in full prior to issuance of any *permit* under this Bylaw.

Plan-Processing Fee

A *permit fee* for a *Building Permit* shall include the appropriate plan-processing fee as set out in Schedule A to this Bylaw.

- 81) The plan-processing component of the *Building Permit* fee is payable at the time of the *Owner's* submission to the *Building Official* of the application for the *Building Permit* and is subject to the following conditions;
- a) Plan-processing fees do not apply to any *permits* other than *Building Permits*.
 - b) The *Owner* must pay a new plan-processing fee if any major *alterations* occur to the *building* prior to completion of construction.
 - c) The plan-processing component of the *Building Permit* fee is not refundable under any circumstances.

PART FOUR – ISSUANCE OF PERMITS AND PERMIT FEES (continued)

Commencement of Work without Building Permit

- 82) Every person who commences work requiring a *Building Permit* without first obtaining such a *Building Permit* shall pay the additional charge set in out in Schedule A to this Bylaw prior to obtaining the required *Building Permit*.

Cancellation of Building Permit Application

- 83) An application for a *Building Permit* shall be cancelled and the plan-processing component of the *permit fee* forfeited if the *Building Permit* has not been issued because the *Owner* has not paid the remainder of the *Building Permit fee* within 180 days of the date of written notification to the *Owner* that the *Building Permit* is ready to be issued.
- 84) When a *Building Permit* application is cancelled under Section 83, the plans and related documents submitted with the application may be destroyed.

Refunds of Permit Fees

- 85) The *Owner* may obtain a refund of the *permit fees* set out in Schedule A to this Bylaw when a *permit* is surrendered and cancelled before any construction begins, provided the refund shall not include the plan-processing fee.

Re-Inspections

- 86) Where more than one inspection is necessary, for each inspection after the first inspection, the *Owner* shall pay the re-inspection fee as set out in Schedule A to this Bylaw prior to each additional inspection being performed.
- 87) Notwithstanding Section 86, the *Owner* is not required to pay the re-inspection fee where multiple inspections for framing and insulation are required during the winter months of November through March.

SECURITIES

Damage Deposit for Municipal Protection

- 88) Before the *Owner* is issued a *permit* which proposes work that includes excavation or construction on lands adjacent to a municipal highway, sewer, drain, water main or other municipal property, the *Owner* shall deposit with the *City*, *security* in accordance to the *City's* form Landscape Paving and Storm Deposit, in the form of cash, certified cheque or an irrevocable and unconditional automatically renewing standby letter of credit.

PART FOUR – ISSUANCE OF PERMITS AND PERMIT FEES (continued)

- a) No Damage by Owner - Every *Owner* to whom a *permit* is issued must ensure that no *damage* is caused to a municipal highway, sewer, drain, water main or other municipal property occurs in the performance of the construction or other work, and if such *damage* should occur, the *Owner* shall promptly and immediately *restore* the *damage* to the *City's* satisfaction, and if the *Owner* does not do so, the *Owner* is responsible for the *City's* costs to undertake *repairs* of that *damage*.
- b) Use of Security - If the *Owner* causes any *damage* to a municipal highway, sewer, drain, water main or other municipal property which is not satisfactorily *repaired* by the *Owner*, the *City* may provide written notice to the *Owner* of the *City's* use of the *security* and the *City* may use the *security* to recover the *City's* costs of *repairs*.
- c) Insufficient Security - If the *City's* cost of *repairs* is greater than the *security* provided, the *Owner* shall pay the amount of the insufficiency to the *City* forthwith upon receipt of the *City's* invoice for that amount.
- d) Return of Security - Upon confirmation that municipal property has not been *damaged* or, if *damage* has occurred, that it has been satisfactorily repaired by the *Owner*, the *security* shall be returned, less any repair costs incurred, upon the issuance of an *occupancy permit* for the *building*.

Landscaping Paving Deposit and Storm Deposits

- 89) Before the *Owner* is issued a *permit* which proposes construction of a *building*, the *Owner* shall deposit with the *City*, *security* in accordance to the *City's* form Damage Deposit, in the form of cash, certified cheque or an irrevocable and unconditional automatically renewing standby letter of credit.
 - a) Determination of Security Value - The total value for the landscaping and paving deposit is based on the entire parking and/or driveway areas to be *paved* and the entire landscaping area. The total value for the storm deposit is based on the entire storm system to be installed. The calculations are on a yearly basis and include all applicable taxes at the time of construction.
 - b) Use of Security - In the event that the landscaping, paving and storm deposit required is not undertaken by the *Owner* and approved by the *City* within the time frame specified by the *Building Official* as per the *City's* form Notice to Owner for *City's* Undertaking, the *City* shall serve written notice to the *Owner* of intent to undertake the landscaping and/or paving, and will complete the landscaping and/or paving according to the landscape and site plan and deduct the costs incurred from the landscaping and paving deposit as pursuant to this Bylaw.
 - c) Insufficient Security - If the *City's* cost to undertake the landscaping, paving or storm system installation, is greater than the *security* provided, the *Owner* shall pay the amount of the insufficiency to the *City* forthwith upon receipt of the *City's* invoice for that amount.

PART FOUR – ISSUANCE OF PERMITS AND PERMIT FEES (continued)

- d) Return of Security - Upon confirmation that the landscaping, paving and storm system has been satisfactorily completed by the *Owner*, and an *occupancy permit* for the *building* has been issued, then the *security* shall be returned, less any completion costs incurred.
- 90) Each *security* shall be refunded to the *Owner* or agent who originally submitted the *security*.
- 91) Notwithstanding Section 88 and 89 the *security* will not be refunded while there is snow on the ground.
- 92) The *City* will not, under any circumstances, pay interest on any *security*.

ISSUANCE OF PERMITS

- 93) A *Building Official* shall issue the Building Permit for which the application has been made when:
 - a) a completed application for a *permit* has been submitted, including all required supporting documentation, with the documentation and the contents of it all satisfactory to the *Building Official*;
 - b) the proposed work set out in the application conforms with the *Building Code*, this Bylaw and all other applicable bylaws and enactments;
 - c) the *Owner* has paid all applicable *permit fees* and *security* as set out in this Bylaw;
 - d) the *Owner* has paid all charges and met all requirement imposed by other bylaw and enactment;
 - e) no covenant, agreement, enactment or regulation prevents or prohibits the work, or requires the *permit* to be withheld;
 - f) the *Owner* has retained an architect if required by the provisions of the *Professional Governance Act Architects Regulation*; and
 - g) the *Owner* has retained a professional engineer or geoscientist if required by the provisions of the *Engineers and Geoscientists Act*.

BC Housing Licensing and Consumer Services

- 94) Notwithstanding anything in this Bylaw, a *Building Permit* will not be issued unless the *Building Official* is provided with any and all documentation required under the *Homeowner Protection Act Regulation*

PART FOUR – ISSUANCE OF PERMITS AND PERMIT FEES (continued)

Expiry of Permit

- 95) Every *permit* is issued upon the condition that the *permit* shall expire and the rights of the *Owner* under the *permit* shall terminate when thirty-six (36) months have elapsed from the date of issuance of the *permit*.

Expiration of Demolition Permit

- 96) Despite Section 95, a *Demolition Permit* shall expire six (6) months after the date of issuance.

Extension of Building Permit

- 97) A *Building Official* may extend the period of time for an additional 12 months, if an application for extension is made in writing within the 30-day period prior to the expiry date and the applicant pays the extension fee of 20% of the original Building Permit fee.

Filling of Excavations

- 98) When a site has been excavated under a *Building Permit*, but no construction to cover the excavation has been completed within sixty (60) days or if a site has been excavated under a *Building Permit* that has expired, with written notice from the *City*, the *Owner* shall promptly fill in the excavation to restore the original gradients of the site.
- a) In the event that the *Owner* has not undertaken the work required by the date specified on the written notice from the *City*, the *City* shall undertake the said work and invoice the *Owner* to recover the *City's* cost for completing the work. The *Owner* shall pay forthwith upon receipt of the *City's* invoice for that amount, and if unpaid by December 31 of the year in which the invoice is issued, the amount on the invoice shall be added to the taxes for the property on which the work was done.

Permit Issuance Date

- 99) A *Building Permit* shall be deemed to have been issued as of the date the *permit* was signed by the *Building Official*.

PART FIVE - INSPECTIONS AND FIELD REVIEWS

PROFESSIONAL DESIGN AND FIELD REVIEW

- 100) The *Owner* shall provide the Schedules as referred in the *Building Code* where applicable.

INSPECTIONS OF STANDARD BUILDINGS

Required Inspections

PART FIVE - INSPECTIONS AND FIELD REVIEWS (continued)

- 101) Unless an *Owner* has been required by the *Building Official* to have a *registered professional* conduct *field reviews* of the *Owner's standard building*, every *Owner* shall request an inspection and obtain acceptance of the following work (where applicable for that *building*) at the following stages of construction on a *standard building*:
- a) Footing Forms - footing forms, before concrete is poured;
 - b) Foundation Forms - foundation forms before concrete is poured, and for the purposes of acceptance of this work, the *Owner* shall provide a survey certified by a BC Land Surveyor prior to the inspection to verify that level strip elevation and *setbacks* meet the *City's Zoning Bylaw*, and to verify that height of walls for lateral support meets the *Building Code*;
 - c) Pilings and Grade Beam - if applicable;
 - d) Utility Services - services that are connected from the *City's* utility system to the proposed *dwelling* being constructed, with those services to be inspected before being covered;
 - e) Drainage Works - weeping tile, drain rock, and two-inch SM insulation (not required if weeping tile and drain rock has a depth greater than 2 meters) and after damp proofing is completed and before backfilling;
 - f) Under-slab Plumbing - under-slab plumbing prior to any portion of the *plumbing system* being covered or hidden;
 - g) Slab Seal - slab seal, including polyethylene sheeting and/or insulation under the floor slab;
 - h) Rough in Plumbing - rough in plumbing with both water and sewer lines;
 - i) Framing - framing which includes installation and completion of structural framing, roofing, windows, doors, wiring, heating systems, and fireplaces, and for this inspection, a copy of the roof truss drawings, engineered beams and details regarding engineered floor joist system design and layout, as applicable;
 - j) Insulation - insulation and vapour barrier, before interior wall finish is applied which would conceal the work;
 - k) Final Inspection - after completing construction, but before occupancy or use.

No Work Concealed

- 102) No aspect of the work referred in Section 101 of this bylaw shall be concealed until a *Building Official* has accepted it in writing.

PART FIVE - INSPECTIONS AND FIELD REVIEWS (continued)

Work to be Uncovered

- 103) Every *Owner* shall uncover work, remove construction materials and do everything else necessary for the *Building Official* to conduct an inspection under Section 101 of the Bylaw, and the *Building Official* may order the uncovering of the work for the purpose of being able to conduct an inspection under this Bylaw.

Owner Must Call for Inspections

- 104) The *Owner* shall give at least 24 hours advance notice to the *Building Official* of the *Owner's* request for an inspection of a *standard building* and the *City* is not required to undertake any inspection under this Bylaw until requested by the *Owner*.
- 105) In the event that the *Owner* has not requested an inspection that was required by this Bylaw, and construction continued, and the work to be inspected was covered or concealed, the *Building Official* may:
- a) Require the work to be uncovered; or
 - b) Require the owner to provide sign off by a *registered professional* who accepts full responsibility on the completed work.

Plans Available

- 106) An *Owner* is not entitled to an inspection of work under this Bylaw unless a copy of the issued *Building Permit* and all *building* plans are available at the site and unless the civic address is clearly visible from the street.

FIELD REVIEWS OF COMPLEX BUILDINGS

Requirement for Field Review Letters of Assurance

- 107) When a *registered professional* provides *letters of assurance* either because required by the *Building Code* or because required by the *Building Official* under this Bylaw, then the *City* must receive copies of *field reviews* undertaken by the *registered professional* and the corresponding *letters of assurance* to the *City* that the construction substantially conforms to the design and that the construction substantially complies with the *Building Code*, this Bylaw and other applicable enactments respecting health and safety.

PART FIVE - INSPECTIONS AND FIELD REVIEWS (continued)

Monitoring of Building Official

- 108) Even where *letters of assurance* regarding *field reviews* have been required by a *registered professional*, a *Building Official* may attend the site from time to time during the course of construction to; ascertain that the *field reviews* are taking place; to monitor the *field reviews* undertaken by the *registered professionals*; and to ascertain whether the work, including *health and safety aspects of the work* are being carried out in substantial conformance with those portions of the *Building Code*, this Bylaw and any other applicable enactments concerning safety.

Scheduled Site Visits

- 109) The *Owner* shall provide *field reviews* undertaken by the *registered professional* as in this Bylaw, and schedule a site visit by a *Building Official* to verify that *field reviews* are being conducted by the *registered professional* at the following stages of construction of a *complex building*:
- a) upon completion of *building*, footing and foundation forms;
 - b) prior to backfilling on-site services including water, storm sewer and sanitary sewer;
 - c) upon completion of base plumbing, rough plumbing, waterlines, and sprinkler systems;
 - d) upon completion of fire rating and stopping in fire separations;
 - e) upon completion of insulation and vapour barrier; and
 - f) when an *Occupancy Permit* is sought.

Complex Building Inspections

- 110) The *Owner* shall give at least 24 hours' notice to the *City* when requesting or scheduling an inspection and shall:
- a) Obtain an inspection and receive a *Building Official's* acceptance of the work prior to concealing it; and
 - b) Where the *building, structure, material, appliance, system, or equipment* is designed by a *registered professional* and a *letter of assurance* has been provided, ensure that all required inspections are carried out by the *registered professional*, and obtain acceptance of the work.

PART SIX - OCCUPANCY

OCCUPANCY

Information required before Occupancy

- 111) To obtain *occupancy*, the *Owner* must submit a final lot grading survey plan as per approved designed lot grading plan in compliance with the Subdivision and Development Servicing Bylaw (SDSB) regulations, standards and specifications. Final lot grading survey plan must conform to the 'As-built' lot grading sample plan of the SDSB, showing actual geodetic elevations. Should weather restrict the completion of the geodetic survey, occupancy may be submitted on the condition that the final lot grading survey plan is submitted as soon as weather allows its completion. **All security deposits will be released after final inspections and approval of the final lot grading survey plan.**

Requirement for Occupancy

- 112) No person shall occupy a *building* or *structure* or part of a *building* or *structure* until *occupancy* has been issued by a *Building Official*.

Preconditions to Occupancy

- 113) *Occupancy* shall not be issued unless:
- a) all *letters of assurance* and other required documents have been submitted as required by this Bylaw; and
 - b) all aspects of the work requiring inspection and acceptance by the *Building Official* under this Bylaw have been inspected and accepted by the *Building Official*.
 - c) if applicable, a *complex building* may require an inspection from the Fire Department and the Fire Chief and/or their designate must approve the *building* prior to the issuance of occupancy.

Partial Occupancy

- 114) Under no circumstances will partial *occupancy* be granted by a *Building Official*.

SECONDARY SUITES

- 115) All *secondary suites* must be included on the submitted plans at the time of application for a *standard Building Permit* of new construction.

PART SEVEN – NOTICES AND ENFORCEMENT

STOP WORK NOTICES

Building Official May Issue Notice

PART SEVEN – NOTICES AND ENFORCEMENT (continued)

- 116) A *Building Official* may order the cessation of any work that is proceeding in contravention of the *permit*, the *Building Code* or this Bylaw by posting a *stop work notice*.

Work Must Stop

- 117) The *Owner* of the property on which a *stop work notice* has been posted, and every other person working on the site, shall cease construction work immediately and shall not do any work until all applicable provisions of the *permit*, the *Building Code* and this Bylaw have been complied with and the *stop work notice* has been rescinded in writing by a *Building Official*.

NO OCCUPANCY NOTICES

Building Official May Issue Notice

- 118) Where a person occupies a *building* or part of a *building* before issuance of an *occupancy permit*, a *Building Official* may post a *Do Not Occupy Notice* on the *building* or *structure*, or affected part of it.

Occupancy Must Cease

- 119) The *Owner* of property on which a *Do Not Occupy Notice* has been posted, and every person that inhabits the building, shall cease *occupancy* of the *building* or *structure* immediately and shall not occupy it until all applicable provisions of the *permit*, the *Building Code* and this Bylaw have been complied with and the *Do Not Occupy Notice* has been rescinded in writing by a *Building Official*.

PENALTIES AND ENFORCEMENT

- 120) An offence is committed against this Bylaw by every person who allows any act or thing to be done in contravention or violation of this Bylaw or any part of a *permit*, including by:
- a) conducting any removal or deposit without a *permit* if a *permit* is required;
 - b) failing to comply with any of the terms or conditions of a *permit*;
 - c) being the *Owner* or occupier of a *parcel*, fails to prevent any other person from contravening any part of this Bylaw or a *permit* issued under it;
 - d) failing to comply with any order or notice given under this Bylaw; or
 - e) Alters or remove notice.
- 121) Any person who commits an offence under this bylaw shall be liable upon summary conviction following a prosecution under the Offence Act, RSBC 1996, c 338, to a maximum fine of \$50,000, together with the cost of the prosecution and any other penalty or order imposed pursuant to the *Community Charter, SBC 2003, c 26*, the *Local Government Act, RSBC 2015*,

PART SEVEN – NOTICES AND ENFORCEMENT (continued)

- c1, or the *Offence Act*, as amended from time to time;
- 122) Each day of any violation, contravention or breach of this Bylaw or a *permit* issued under it shall be deemed to be a separate and distinct offence. Where an offence is a continuous one, each day that the offence is continued shall constitute a separate offence.
- 123) The persons appointed to the job positions or titles listed in Schedule “B” of this Bylaw are designated as *Bylaw Enforcement Officers* for the purposes of issuing tickets under this Bylaw.
- 124) The words or expressions set forth in Column 1 of Schedule “C” of this Bylaw designate the offence committed under the Bylaw Section Number appearing in Column 2 opposite the respective words or expressions for the purposes of issuing tickets under the *Community Charter*.
- 125) The amounts appearing in Column 3 of Schedule “C” of this Bylaw are the fines set pursuant to the *Community Charter* of the corresponding offences designated in Column 1 for the purposes of issuing tickets under the *Community Charter*.
- 126) Nothing in this Bylaw shall limit the *City* from pursuing any other remedy that would otherwise be available for a contravention of this Bylaw.

SEVERABILITY

- 127) If any Section, subsection, clause or phrase of this Bylaw is for any reason held to be invalid or illegal by a decision of any court of competent jurisdiction, it shall be severable, and such a decision shall not affect the validity of the remaining Sections, subsections, clauses or phrases of this Bylaw.

SECTION HEADINGS

- 128) Section or subsection headings are inserted in this Bylaw for ease of reference and are not to be used in interpreting this Bylaw.

SCHEDULES

- 129) The Schedules as attached to this Bylaw form part of this Bylaw and are listed as follows:
- Schedule A - “*Fees and Charges*”;
- Schedule B - “*Designated Bylaw Enforcement Officers*”; and
- Schedule C - “*Building Bylaw Municipal Ticket Information Table*”.

REPEALS

Building Bylaw No. 2248, 2015, and all amendments thereto are hereby repealed.

Introduced and Read a FIRST, SECOND and THIRD time this 8th day of July, 2024.

ADOPTED this 22nd day of July, 2024.

Lilia Hansen
Mayor

Bonnie McCue
Corporate Officer

**SCHEDULE A
FEES AND CHARGES**

BUILDING PERMIT FEE

Fee for each \$1,000.00 of Value of Construction.....\$6.00 per \$1,000.00
to a maximum fee of \$500,000.00 (\$100 million Value of Construction)

BUILDING PERMIT FEE IF CONSTRUCTION COMMENCED WITHOUT BUILDING PERMIT AND A STOP WORK NOTICE WAS ISSUED

Fee for each \$1,000.00 of Value of Construction.....\$9.00 per \$1000.00
to a maximum fee of \$750,000.00 (\$100 million Value of Construction)

PLAN PROCESSING FEES

To construct a new Standard Building.....\$150.00
To construct a new Complex Building.....\$300.00
To construct an addition/renovation on a Standard Building up to 50m².....\$90.00
To construct an addition/renovation on a Standard Building 51m² or larger.....\$120.00
To construct an addition/renovation on a Complex Building up to 100m².....\$120.00
To construct an addition/renovation on a Complex Building 101m² or larger.....\$180.00

PLUMBING PERMIT FEES

Permit Fee.....\$60.00
Additional Fee per Plumbing Fixture.....\$6.00

FIRE SPRINKLER PERMIT FEES

Permit Fee.....\$60.00
Additional Fee per Sprinkler Head.....\$0.60

DEMOLITION PERMIT FEES

Basic Fee.....\$60.00

MOVING PERMIT FEES

Basic Fee.....\$60.00

SECURITY FENCE PERMIT, DECK AND SHED PERMITS

Basic Fee for Each.....\$60.00

SOLID FUEL BURNING APPLIANCE PERMIT

Basic Fee.....\$60.00

RE-INSPECTION FEE.....\$60.00

DAMAGE DEPOSIT.....\$5,000.00

LANDSCAPING AND PAVING SECURITY DEPOSIT.....as Per Form F

SCHEDULE B

DESIGNATED BYLAW ENFORCEMENT OFFICERS

As per Section 123 of this Bylaw, the following persons are designated as Bylaw Enforcement Officers for the purposes of issuing tickets under this Bylaw.

- Director of Development Services
- Director of Public Safety
- Building Officials
- Bylaw Enforcement Officers

SCHEDULE C

BUILDING BYLAW MUNICIPAL TICKET INFORMATION TABLE

COLUMN 1 AUTHORIZED EXPRESSIONS	COLUMN 2 SECTION NO. IN BYLAW	COLUMN 3 PENALTY
Failure to obey Stop Work Notice	116	\$1,000.00
No Building Permit	17	\$1,000.00
Failure to obey No Occupancy Notice	28(e)	\$1,000.00
No Plumbing Permit	17	\$500.00
No moving / Demolition Permit	17	\$500.00
Alter or remove Notice or Permit	20	\$200.00
No security fence	64	\$500.00
Failure to contain rubbish and debris on construction site	74	\$200.00
Failure to post permit, failure to post civic address and/or failure to keep plans onsite	73	\$200.00
Obstructing a City Official	22	\$1,000.00