

COLUMBIA SHUSWAP REGIONAL DISTRICT

BUILDING BYLAW NO. 660

A Bylaw for Administration of the British Columbia Building Code

WHEREAS the Province of British Columbia has adopted a Building Act and Building Code in respect of construction, alteration, repair and demolition of buildings and structures;

AND WHEREAS the Columbia Shuswap Regional District provides a service in relation to building inspection in Electoral Areas B, E and the portion of F shown on Appendix E;

AND WHEREAS the Board of the Columbia Shuswap Regional District wishes to adopt Building Bylaw No. 660 by adding Electoral Areas and amending the content consistent with the *Building Act* and Building Code;

AND WHEREAS a local government may, by bylaw, regulate construction, alteration, repair and demolition of buildings and structures by bylaw for the following purposes:

- (a) the provision of access to a building or other structure, or to part of a building or other structure, for a person with disabilities;
- (b) the conservation of energy or water;
- (c) the reduction of greenhouse gas emissions;
- (d) the health, safety or protection of persons or property;

NOW THEREFORE the Board of the Columbia Shuswap Regional District, in open meeting assembled, HEREBY ENACTS as follows:

1. Building Regulation Bylaw No. 630 and amendments thereto are hereby repealed;
2. Adopts Building Bylaw No. 660 as follows:

Table of Contents

Part 1: TITLE 5
 Citation..... 5
Part 2: PURPOSE OF BYLAW 5
Part 3: SCOPE AND EXEMPTIONS..... 5
 Application..... 5
 Limited Application to Existing Buildings 6
Part 4: PROHIBITIONS 6
Part 5: PERMIT CONDITIONS 7
Part 6: POWERS OF BUILDING INSPECTOR..... 8
 Administration 8
 Refusal and Revocation of Permits 9
 Right of Entry 9
 Powers..... 9
Part 7: OWNER’S RESPONSIBILITIES 10
 Application for Permit 10
 Owner’s Obligations 10
 Damage to Regional District Works 11
 Demolition 11
 Notice 12
Part 8: CONSTRUCTOR’S OBLIGATIONS 13
Part 9: REGISTERED PROFESSIONALS’ RESPONSIBILITIES..... 13
 Professional Design and Field Review 13
 Requirement for a Registered Professional..... 14
 Professional Plan Certification 15
Part 10: BUILDING PERMIT APPLICATIONS..... 15
 Requirements before Applying for a Building Permit..... 15
 Building Permit Applications for Complex Buildings..... 16
 Building Permit Applications for Simple Buildings 19
 Survey Required for a Building Permit Application..... 22
 Building Permit Fee 22

Security Deposit with Building Permit Application	23
Permit Fee Refunds	24
Expiration of Application for a Permit	24
Issuance of a Building Permit	24
Partial Construction	25
Conditions of a Building Permit	25
Inspections	25
Stop Work Order	28
Do Not Occupy Notice.....	29
Inspection and Other Fees.....	29
Permit Expiration	29
Permit Extension.....	30
Building Permit Revocation.....	30
Building Permit Cancellation.....	30
Occupancy Permits and Final Inspection.....	31
Temporary Buildings	32
Part 11: RETAINING WALLS	33
Part 12: BUILDING MOVE.....	33
Part 13: NUMBERING OF BUILDINGS	34
Part 14: OFFENCES	34
Violations	34
Deemed Offence	34
PART 15: INTERPRETATION	35
Definitions.....	35
Appendices.....	39
Severability	39
PART 16: IN FORCE.....	40
Appendix A – Fees.....	41
Appendix B – Value of Work	43
Appendix C – Owner’s Undertaking	44
Appendix D– Confirmation of Professional Liability Insurance	48

Appendix E – Service Area..... 50

PART 1: TITLE

Citation

- 1.1 This bylaw may be cited as “Building Bylaw No. 660”.

PART 2: PURPOSE OF BYLAW

- 2.1 Despite any other provision in this bylaw, this bylaw must be interpreted in accordance with this Part and every permit issued under this bylaw is issued expressly subject to the provisions of this Part.
- 2.2 This bylaw is enacted to regulate, prohibit and impose requirements in regard to *construction* in the Columbia Shuswap Regional District (Regional District) in the public interest.
- 2.3 The activities undertaken by or on behalf of the Regional District under this bylaw are for the sole purpose of providing a limited and interim spot-checking function for reasons of health, safety and the protection of persons or property.
- 2.4 The purpose of this bylaw does not extend to:
- (a) the protection of *owners, owner/builders or constructors* from economic loss;
 - (b) the assumption by the Regional District or any *building inspector* of any responsibility for ensuring the compliance by any *owner, his or her representatives or any employees, constructors or designers* retained by the *owner, owner/builder or constructor*, with the *building code*, the requirements of this bylaw, or any other applicable enactments, codes or standards;
 - (c) providing any person a warranty of design or workmanship with respect to any *building or structure* for which a *building permit or occupancy permit* is issued under this bylaw;
 - (d) providing a warranty or assurance that *construction* undertaken under *building permits* issued by the Regional District is free from latent, or any, defects; or
 - (e) the protection of adjacent real property from incidental damage or nuisance.

PART 3: SCOPE AND EXEMPTIONS

Application

- 3.1 This bylaw applies to the following geographical area of the Regional District and to land, the surface of water, air space, *buildings* and *structures* in Electoral Areas ‘B’ and ‘E’ and the identified areas of Electoral Area ‘F’ as shown on Appendix E.

- 3.2 This bylaw applies to the design, construction and *occupancy* of new *buildings* and *structures*, and the *alteration*, reconstruction, demolition, removal, relocation and *occupancy* of *existing buildings* and *structures*.
- 3.3 This bylaw does not apply to:
- (a) except as set out in Part 11 of this Bylaw [*Retaining Walls*], a fence permitted to be *constructed* under a Regional District zoning bylaw;
 - (b) an accessory *building* with a floor area of less than 10 square metres, a trellis, an arbour, a wall supporting soil less than 1.22 metres in height, and other such landscape features on a parcel under the Regional District’s zoning bylaw, if the *building* or *structure* complies with the siting requirements of the zoning bylaw; or
 - (c) non-structural repair and maintenance of lawfully-conforming *structures* on a parcel zoned for single-family *residential occupancy* uses under the Regional District’s zoning bylaw;
 - (d) a structure commonly known as a Canadian Standards Association (CSA) certified “Z241 *Park Model*” or “Z240 *Recreational Vehicle*”.

Limited Application to Existing Buildings

- 3.4 This bylaw applies if the whole or any part of an *existing building* is moved either within or into the bylaw service area, including relocation relative to existing parcel lines or relocation made necessary by subdivision or consolidation.
- 3.5 An *addition* or *alteration* must comply with the applicable provisions of this bylaw and the *building code*.

PART 4: PROHIBITIONS

- 4.1 A person must not commence or continue any *construction*, *alteration*, reconstruction, demolition, removal, relocation or change the *occupancy* of any *building* or *structure*, including other work related to construction
- (a) except in conformity with the requirements of the *building code* and this bylaw; and
 - (b) unless the *building inspector* has issued a valid and subsisting *permit* for the work under this bylaw.
- 4.2 A person must not occupy or use any *building* or *structure* unless a valid and subsisting final inspection has been completed by the *building inspector* for the *building* or *structure*, or contrary to the terms of any *permit* issued or any notice given by the *building inspector*.

- 4.3 A person must not *occupy* or *permit* the *occupancy* of any *building* or *structure* or part of any *building* or *structure* until the *building inspector* has completed a final inspection.
- 4.4 A person must not knowingly submit false or misleading information to the *building inspector* in relation to any *permit* application or construction undertaken pursuant to this bylaw.
- 4.5 Except in accordance with this bylaw, including acceptance of revised plans or supporting documents, a person must not erase, alter or modify plans and supporting documents after the same have been reviewed by the *building inspector*, or plans and supporting documents which have been filed for reference with the *building inspector* after a *permit* has been issued.
- 4.6 A person must not, unless authorized in writing by the *building inspector*, reverse, alter, deface, cover, remove or in any way tamper with any notice, *permit* or certificate posted or affixed to a *building* or *structure* pursuant to this bylaw.
- 4.7 A person must not 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 authorized in writing by the *building inspector*.
- 4.8 A person must not interfere with or obstruct the entry of the *building inspector* or other authorized official of the Regional District on property in the administration of this bylaw.
- 4.9 A person must not *occupy* or permit *occupancy* of a *building* or *structure* or part of a *building* or *structure* until the *building inspector* has issued a final inspection notice for it.
- 4.10 A person must not contravene a requirement of the *building inspector* made under section 6.8 of Part 6.
- 4.11 A person must not change the use, *occupancy* or both of a *building* or *structure* or a part of a *building* or *structure* without first applying for and obtaining a *building permit* under this bylaw.

PART 5: PERMIT CONDITIONS

- 5.1 The owner of a parcel must obtain a *permit* whenever work regulated under this bylaw is to be undertaken.
- 5.2 Neither the issuance of a *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 Regional District will in any way:

- (a) relieve the *owner* or their representative from full and sole responsibility to perform the work in strict accordance with this bylaw, the *building code* and any other applicable enactments respecting safety, protection, land use or zoning;
 - (b) constitute a representation, warranty, assurance or statement that the *building code*, this bylaw or any other applicable enactments respecting safety, protection, land use or zoning have been complied with; or
 - (c) constitute a representation or warranty that the *building or structure* meets any standard of materials or workmanship.
- 5.3 No person may rely on any *permit* as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms.
- 5.4 It is the full and sole responsibility of the *owner* (and if the *owner* is acting through a representative, the representative 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 all other applicable codes, standards and enactments.

PART 6: POWERS OF BUILDING INSPECTOR

Administration

- 6.1 Words defining the authority of the *building inspector* are to be construed as internal administrative directions and not as creating a duty.
- 6.2 The *building inspector* may:
- (a) administer this bylaw;
 - (b) keep records of applications received, *permits*, notices and orders issued, inspections and tests made, and may retain copies of all papers and documents connected with the administration of this bylaw;
 - (c) establish or require an *owner* to establish whether a method or type of construction or material used in the construction of a *building or structure* complies with the requirements and provisions of this bylaw and the *building code*; and
 - (d) direct that tests of materials, equipment, devices, construction methods, structural assemblies or *foundations* be carried out, or that sufficient evidence or proof be submitted by the *owner*, at the *owner's* sole expense, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or *foundation* condition complies with this bylaw and the *building code*.

Refusal and Revocation of Permits

- 6.3 The *building inspector* may refuse to issue a *permit* if the proposed work will contravene the requirements of the *building code* or the provisions of this or any other bylaw of the Regional District, and must state the reason in writing.
- 6.4 The *building inspector* may revoke a *permit* if, in their opinion, the results of tests on materials, devices, construction methods, structural assemblies or *foundation* conditions contravene the *building code* or the provisions of this bylaw, or both, or if all *permits* required under this bylaw have not been obtained.

Right of Entry

- 6.5 The *building inspector* may enter on property at any time to ascertain whether the requirements of this bylaw are being met.
- 6.6 The *building inspector* must ensure that any person entering on property is carrying credentials that identify them as the *Regional District's* authorized representative.
- 6.7 If a *building* that is permitted under the Regional District's zoning bylaw to be used for a *residential occupancy* is occupied, the *building inspector* must, prior to entering the residence:
- (a) obtain the prior consent of an occupant; or
 - (b) deliver to an occupant at least 24 hours' written notice of the proposed entry.

Powers

- 6.8 The *building inspector* may by notice in writing require:
- (a) a person who contravenes any provision of this bylaw to comply with that provision within the time ordered;
 - (b) an *owner* to stop work on a *building* or *structure*, or any part of a *building* or *structure*, if the work is proceeding in contravention of this bylaw, the *building code*, or any other enactment of the Regional District or other applicable enactments respecting safety, or if there is deemed to be an *unsafe condition*, and may enter on property to affix or post a stop work order in the form prescribed by the *building inspector*;
 - (c) an *owner* to remove any unauthorized encroachment on public property;
 - (d) an *owner* to remove any *building* or *structure*, or any part of a *building* or *structure*, *constructed* in contravention of a provision of this bylaw;
 - (e) an *owner* to have work inspected by the *building inspector* prior to covering;

- (f) an *owner* to uncover any work that has been covered without inspection contrary to this bylaw or an order issued by the *building inspector*;
- (g) a person to cease any *occupancy* in contravention of a provision of this bylaw;
- (h) a person to cease any *occupancy* if any *unsafe condition* exists because of work being undertaken but not complete;
- (i) an *owner* to correct any *unsafe condition*;
- (j) an *owner* to correct any work that contravenes this bylaw, the *building code*, or any other enactment of the Regional District;

6.9 Every person served with a requirement of the *building inspector* under this Part must immediately comply with that requirement.

PART 7: OWNER'S RESPONSIBILITIES

Application for Permit

7.1 Every *owner* must apply for and obtain a *permit* prior to:

- (a) *constructing*, repairing or structurally *altering* a *building* or *structure*;
- (b) moving a *building* or *structure* into or within the bylaw service area, or within the same parcel;
- (c) demolishing a *building* or *structure*;
- (d) *changing occupancy* of a new *building* or *structure*;
- (e) installing or modifying a fire alarm system or sprinkler system; and,
- (f) *constructing* a masonry fireplace or installing a wood-burning appliance or chimney.

7.2 An application for a *permit* must be made in the form prescribed by the *building inspector*.

7.3 Every *owner* must ensure that plans submitted with a *permit* application bear the name and address and contact information of the *registered professional* responsible for the plans of the *building* or *structure*, if designed by a registered professional.

Owner's Obligations

7.4 Every *owner* must:

- (a) comply with the *building code*, the requirements of this bylaw and the conditions of a *permit*, and must not omit to do any work required by the *building code*, this bylaw or the conditions of a *permit*;

- (b) ensure that all *permits*, all plans and specifications and supporting documents on which a *permit* was based, all inspection certificates, and all professional *field reviews* are available at the site of the work for inspection during working hours by the *building inspector*, and that all *permits* are posted conspicuously on the site during the entire execution of the work; and
- (c) prior to the issuance of a *building permit*, execute and submit to the Regional District an *owner's* undertaking in the form attached as Appendix C.

7.5 Every *owner*, or his or her *agent*, must carry out *construction* or have the *construction* carried out in accordance with the requirements of the *building code*, this bylaw and other bylaws of the Regional District and neither the issuance of a *permit* under this bylaw, the review of plans and supporting documents, nor inspections made by the *building inspector* or a *registered professional* relieve the *owner*, or his or her *agent*, from full and sole responsibility to perform the work in strict accordance with this bylaw, the *building code* and other enactments.

7.6 Every owner must allow the *building inspector* to enter any *building* or premises at any reasonable time to administer and enforce this bylaw. Every *owner* to whom a *permit* is issued must, during construction,

- (a) post the civic address on the property so that it may be easily read from the public highway from which the property takes its address; and
- (b) post the *permit* on the property so that it may be easily read from the public highway from which the property takes its address.

Damage to Regional District Works

7.7 Every *owner* to whom a *permit* is issued is responsible for the cost to repair any damage to Regional District works that occurs during the work authorized by the *permit*.

7.8 In addition to payment of a security deposit under sections 10.8 to 10.11 of Part 10, every *owner* must pay to the Regional District, within 30 days of receiving an invoice for same from the Regional District, the cost to repair any damage to Regional District public property or works located thereon that may occur because of undertaking work for which a *permit* was issued.

Demolition

7.9 Prior to obtaining a *permit* to demolish a *building* or *structure*, the *owner* must:

- (a) provide to the Regional District a vacancy date;

- (b) pay capping and inspection chamber installation fees as set out in the Regional District's bylaws governing waterworks and sewer; and
 - (c) ensure that all Regional District services and other services are capped and terminated at the property line in a Regional District standard inspection chamber and valve arrangement.
- 7.10 Every *owner* with on-site sewage disposal that will not be used for, or connected to, existing or new *construction* must remove or appropriately decommission the septic system.
- 7.11 Every *owner* must ensure that, on completion of all demolition procedures, all debris and fill are cleared and the site is levelled or graded.

Notice

- 7.12 Every *owner* must, at least 48 hours prior to commencing work at a *building site*, give written notice to the *building inspector* of the date on which the *owner* intends to begin such work.
- 7.13 Every *owner* must give notice in writing to the *building inspector* of any change in or termination of engagement of a *registered professional* during construction immediately when the change or termination occurs.
- 7.14 If an *owner* terminates the engagement of a *registered professional*, the *owner* must terminate the work until the *owner* has engaged a new *registered professional* and has delivered to the *building inspector* letters of assurance.
- 7.15 Without limiting sections 10.23 to 10.30 of Part 10, every *owner* must give at least 48 hours' notice to the *building inspector*:
- (a) of intent to do work that is required or ordered to be inspected during *construction*;
 - (b) of intent to cover work that has been ordered to be inspected prior to covering; and
 - (c) when work has been completed so that a final inspection can be made.
- 7.16 Every *owner* must give notice in writing to the *building inspector* and pay the non-refundable fee set out in Appendix A immediately upon any change in ownership or change in the address of the *owner* which occurs prior to the issuance of an *occupancy permit*.
- 7.17 Every *owner* must give such other notice to the *building inspector* as may be required by the *building inspector* or by a provision of this bylaw.

PART 8: CONSTRUCTOR'S OBLIGATIONS

- 8.1 Every *constructor* must ensure that all construction is done in compliance with all requirements of the *building code*, this bylaw and all other applicable enactments respecting safety.
- 8.2 Every *constructor* must ensure that no *excavation* or other work is undertaken on public property or adjacent private property, and that no land is disturbed, no *building* or *structure* erected, and no materials stored thereon, in whole or in part, without first having obtained approval in writing from the appropriate authority over such public or private property.
- 8.3 Every *constructor* is responsible jointly and severally with the *owner* for all work undertaken.

PART 9: REGISTERED PROFESSIONALS' RESPONSIBILITIES

Professional Design and Field Review

- 9.1 Without limiting section 9.4 of this Part, if the *building inspector* considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require
 - (a) a *registered professional* to provide design and plan certification and *field review* supported by statements of representations in the form and with the content of Schedules A, B, C-A and C-B referred to in Part 2 of the *building code*; and
 - (b) a geotechnical engineer to determine bearing capacity for every parcel of land by providing design and plan certification and *field review* supported by statements of representations in the form and with the content of Schedules A, B, C-A and C-B referred to in Part 2 of the *building code*.
- 9.2 Prior to the coordinated preoccupancy site review for a *complex building*, or prior to a final inspection for a *simple building* in circumstances where statements of representations have been required in accordance with the requirements of this bylaw, the *owner* must provide the Regional District with statements of representations in the form of Schedules C-A or C-B, as appropriate, referred to in section 2.2.7 of Division C Part 2 of the *building code*.
- 9.3 If a *registered professional* provides letters of assurance or statements of representations in accordance with the requirements of this bylaw, he or she must also provide proof of professional liability insurance to the *building inspector* in the form and amount set by Appendix D to this bylaw.

Requirement for a Registered Professional

- 9.4 The *owner* must provide a *professional design* and a *field review* in respect of a *permit* application for:
- (a) a *complex building*;
 - (b) a *simple building constructed on*, or contiguous to, a *complex building*;
 - (c) structural components of *buildings* that fall within the scope of Division B Part 4 of the *building code*; and
 - (d) except for garages, carports and garden structures located on land zoned for single family use, *foundation* and *excavation* components of new *simple buildings* and *additions* greater than 55 square metres to *simple buildings* to the extent required under the *building code*;
 - (e) a *building* that is designed with common egress systems for the occupants and requires the use of *firewalls* according to the *building code*;
 - (f) *alterations* to a *building* or *structure* described in sections 9.4(a), 9.4(b) or 9.4(c);
 - (g) a *building* or *structure* subject to section 9.1 of this Part, in respect of which the *building inspector* determines that site conditions, size or complexity so warrant in the interests of safety of persons or protection of property;
 - (h) the *building* envelope components of all *buildings* that fall under Division B Part 3 of the *building code*, all residential *buildings* that contain more than two dwellings, and all other *buildings* whose *building* envelopes do not comply with the prescriptive requirements of Division B Part 9 of the *building code*; and
 - (i) without limiting the requirement for a development permit, any *building* or *structure* on a parcel if the *building inspector* believes that *building* or *structure* is or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche, and the requirement for a *professional design* and a *field review* is in addition to a requirement under the *Local Government Act* for a report certified by a professional engineer with experience in geotechnical engineering that the parcel may be used safely for the use intended and that the plans submitted with the application comply with the relevant provisions of the *building code* and applicable bylaws of the Regional District.
- 9.5 The *building inspector* may require the *registered professional* carrying out the *professional design* and *field review* of a *building* envelope to provide evidence that they have experience and expertise in respect of the *professional design* and *field review* of *building* of the context and scope required.

Professional Plan Certification

- 9.6 The statements of representations, and the letters of assurance in the form of Schedules A and B as referred to in Part 2 of the *building code*, are relied upon by the Regional District and the *building inspectors* as certification that the design and plans to which the letters of assurance relate comply with the *building code* and other applicable enactments relating to protection.
- 9.7 A *building permit* issued for the construction of a *complex building* must be in the form prescribed by the *building inspector*, and letters of assurance must be in the form of Schedules A and B referred to in Part 2 of the *building code*.
- 9.8 A *building permit* issued under section 9.7 of this Part, or in reliance on statements of representations must include a notice to the *owner* that the *building permit* is issued in reliance on the certification of the *registered professional* that the *professional design* and plans submitted in support of the application for the *building permit* comply with the *building code* and other applicable enactments relating to protection.
- 9.9 When a *building permit* is issued for a complex building pursuant to section 9.7 of this Part, or in reliance on statements of representations, the *permit* fee must be reduced by 5% of the fees payable pursuant to Appendix A to this bylaw, up to a maximum reduction of \$500.00 (five hundred dollars).

PART 10: BUILDING PERMIT APPLICATIONS

Requirements before Applying for a Building Permit

- 10.1 Prior to applying for a *building permit*, the *owner* must satisfy the following requirements or conditions:
- (a) the *owner* must apply for and obtain a development permit if the *building* or *structure* is in an area designated by the Regional District's Official Community Plan as a development *permit* area;
 - (b) the *owner* must ensure that the proposed *building* or *structure* complies with all bylaws of the Regional District, except to the extent a variance of a bylaw is authorized by a development *permit*, development variance *permit* or order of the Board of Variance;
 - (c) the Approving Officer must have signed the subdivision plan that, once registered, would create the parcel on which the proposed *building* or *structure* will be *constructed*;
 - (d) the *owner* must provide evidence to the *building inspector* showing that the person applying for the *building permit* is either the *owner* of the parcel that is the subject of the proposed *building permit*, or is the *agent* of the owner;

- (e) if the parcel that is the subject of the *building permit* application is not, or is not intended to be, connected to a *community sewer system*, the *owner* must have an accepted filing from the applicable provincial health authority detailing the design, capacity and installation details for the proposed use;
- (f) if the parcel that is the subject of the *building permit* application is, or is intended to be, connected to a *community sewer system*, the *owner* must provide written authorization for the connection from the owner or operator of the *community sewer system*;
- (g) if the parcel that is the subject of the *building permit* application is not connected to a *community water system*, the *owner* must provide potable water for the use; and,
- (h) if the parcel that is the subject of the *building permit* application is, or is intended to be, connected to a *community water system*, the *owner* must provide written authorization for the connection from the owner or operator of the *community water system*.

Building Permit Applications for Complex Buildings

10.2 An application for a *building permit* with respect to a *complex building* must:

- (a) be made in the form prescribed by the *building inspector* and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (b) be accompanied by the *owner's* acknowledgement of responsibility and undertaking made in the form attached as Appendix C to this bylaw and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
- (d) include a *building code* compliance summary including the applicable edition of the *building code*, such as Division B Part 3 or Division B Part 9 designation, *major occupancy* classification(s) of the *building*, *building area* and *building height*, number of streets the *building* faces, accessible entrances, work areas, washrooms and facilities;
- (e) include a copy of a survey plan prepared by a British Columbia land surveyor;
- (f) include a site plan and site grading plan prepared by a *registered professional* showing:
 - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;

- (ii) the legal description and civic address of the parcel;
- (iii) the location and dimensions of *existing* and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
- (iv) the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
- (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse;
- (vi) north arrow;
- (vii) location of an approved *existing* or proposed alternative sewage disposal or water supply system;
- (viii) zoning compliance summary;
- (ix) the location, dimensions and gradient of parking and parking access;
- (x) proposed and *existing* setbacks to property lines;
- (xi) natural and finished grade at *building* corners and significant breaks in the *building* plan;
- (xii) main floor elevation;
- (xiii) location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
- (xiv) line of upper floors;
- (xv) location and elevation of curbs, sidewalks, manholes, and service poles;
- (xvi) location of *existing* and proposed service connections;
- (xvii) location of top bank and water courses, including setbacks to *buildings* and *structures*;
- (xviii) access routes for fire-fighting;
- (xix) accessible paths of travel from the street to the *building*;
- (xx) geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the Regional District's land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation;

except that the *building inspector* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building* or *structure*;

- (g) include floor plans showing the dimensions and uses of all areas, including: 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; fire separations; plumbing fixtures; structural elements; and stair dimensions;
 - (h) include a cross-section through the *building* or *structure* in sufficient detail and locations to illustrate *foundations*, drainage, ceiling heights and constructions systems;
 - (i) include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, natural and finished grade, special separations and ridge height;
 - (j) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *building code*;
 - (k) include 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 approvals;
 - (l) include a letter of assurance in the form of Schedule A referred to in section 2.2.7 of Division C Part 2 of the *building code*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*;
 - (m) include letters of assurance in the form of Schedule B referred to in section 2.2.7 of Division C Part 2 of the *building code*, each signed by such *registered professionals* as the *building inspector* or *building code* may require to prepare the design for and conduct *field reviews* of the construction of the *building* or *structure*;
 - (n) include two sets of drawings at a suitable scale of the design prepared by each *registered professional* containing the information set out in section 10.2 (g) to (j) of this Part;
 - (o) include illustration of any slopes on the subject parcel that exceed 30%; and
 - (p) include all applicable fees set out in the bylaw and Appendix A.
- 10.3 In addition to the requirements of section 10.2 of this Part, the *building inspector* may require the following to be submitted with a *permit* application for the construction of a *complex building* if the complexity of the proposed *building* or *structure* or siting circumstances warrant:

- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the Regional District's Subdivision Servicing Bylaw No. 641;
- (b) a section through the site showing grades, *buildings*, *structures*, parking areas and driveways;
- (c) any other information required by the *building inspector* or the *building code* to establish substantial compliance with this bylaw, the *building code* and other bylaws and enactments relating to the *building* or *structure*.

Building Permit Applications for Simple Buildings

10.4 An application for a *building permit* with respect to a *simple building* must:

- (a) be made in the form prescribed by the *building inspector* and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (b) be accompanied by the *owner's* acknowledgment of responsibility and undertaking made in the form attached as Appendix C and signed by the *owner*;
- (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
- (d) include a copy of a survey plan prepared by a British Columbia land surveyor except that the *building inspector* may waive the requirement for a survey plan, in whole or in part, where conditions warrant;
- (e) include a site plan showing:
 - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (ii) the legal description and civic address of the parcel;
 - (iii) the location and dimensions of *existing* and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
 - (iv) the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
 - (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse;
 - (vi) north arrow;

- (vii) location of an approved *existing* or proposed alternative sewage disposal or water supply system;
- (viii) the location of parking and vehicle access;
- (ix) proposed and *existing* setbacks to property lines;
- (x) natural and finished grade at *building* corners and datum determination points;
- (xi) main floor elevation;
- (xii) location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
- (xiii) line of upper floors;
- (xiv) location of curbs and sidewalks;
- (xv) location of *existing* and proposed service connections;
- (xvi) location of top bank and water courses, including setbacks to *buildings* and *structures*; and
- (xvii) the geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the Regional District's land use regulations or provincial flood mapping regulations establish siting requirements related to the flood construction level;

except that for a *simple building* the *building inspector* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building* or *structure*;

- (f) include floor plans showing the dimensions and uses of all areas, including: 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) include a cross-section through the *building* or *structure* illustrating *foundations*, drainage, ceiling heights and construction systems complete with effective RSI calculations;
- (h) include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, the *building height* base line, the maximum *building height* line, ridge height, spacial separations and natural and finished grade;
- (i) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *building code*;

- (j) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal *permits*, highway access *permits* and accepted filing from the applicable provincial health authority;
- (k) if the parcel that is the subject of the *building permit* application is not, or is not intended to be, connected to a *community sewer system*, the *owner* must have an accepted filing from the applicable provincial health authority detailing the design, capacity and installation details for the proposed use;
- (l) if the parcel that is the subject of the *building permit* application is, or is intended to be, connected to a *community sewer system*, the *owner* must provide written authorization for the connection from the owner or operator of the *community sewer system*;
- (m) if the parcel that is the subject of the *building permit* application is not connected to a *community water system*, the *owner* must provide potable water for the use; and,
- (n) if the parcel that is the subject of the *building permit* application is, or is intended to be, connected to a *community water system*, the *owner* must provide written authorization for the connection from the owner or operator of the *community water system*.
- (o) include, if the *building inspector* determines, a *foundation* and *excavation* design prepared by a *registered professional* in accordance with Part 4 of the *building code*, accompanied by letters of assurance in the form of Schedule B referred to in Part 2 of the *building code*, signed by the *registered professional*;
- (p) include a geotechnical report if the *building inspector* determines that the site conditions so warrant;
- (q) include two printed sets of drawings at a suitable scale of design including the information set out in (f) to (i) of this section; and
- (r) include all applicable fees set out in the bylaw and Appendix A.

10.5 In addition to the requirements of section 10.4 of this Part, the *building inspector* may require the following be submitted with a *permit* application for the construction of a *simple building* if the *project* involves two or more *buildings*, which in the aggregate total more than 1000 square metres, or two or more *buildings* that will contain four or more dwelling units, or otherwise if the complexity of the proposed *building* or *structure* or siting circumstances warrant:

- (a) a section through the site showing grades, *buildings*, *structures*, parking areas and driveways;

- (b) a roof plan and roof height calculations;
- (c) structural, electrical, mechanical or fire suppression drawings prepared and sealed by a *registered professional*;
- (d) letters of assurance in the form of Schedule B referred to in Part 2 of the *building code*, signed by a *registered professional*;
- (e) any other information required by the *building inspector* or the *building code* to establish substantial compliance with this bylaw, the *building code* and other bylaws and enactments relating to the *building* or *structure*.

Survey Required for a Building Permit Application

10.6 Without limiting sections 10.2(e) or 10.4(d) of this Part, the *building inspector* may order any *owner* to submit an up-to-date plan of survey prepared by a registered British Columbia land surveyor which contains sufficient information respecting the site and location of any *building* to:

- (a) establish, before construction begins, that all the provisions of this bylaw in relation to this information will be complied with;
- (b) verify, on completion of the construction, that all provisions of this and other applicable bylaw have been complied with;
- (c) in relation to an *existing building*, substantiate its location, size, including appurtenances whether above, at or below ground level, relative to the site or its relationship to neighbouring grades; and
- (d) in relation to construction of a new *building*, or *addition* to an *existing building*, prior to and after the placement of concrete for *foundations* and footings, show the *elevation* at proposed top of concrete on all *building* elevations and at all significant changes of elevation to substantiate its size, location and elevation;

Building Permit Fee

10.7 Before receiving a *building permit* for a *building* or *structure*, the *owner* must first pay to the Regional District:

- (a) the *building permit* fee prescribed in Appendix A; and,
- (b) any fees, charges, levies or taxes imposed by the Regional District and payable under an enactment at the time of issuance of the *building permit*.

Security Deposit with Building Permit Application

- 10.8 An applicant for a *building permit* must pay to the Regional District, at the time of the application, a security deposit as prescribed in Appendix A:
- (a) for a single family dwelling parking *structure*, combination parking *structure/* accessory *building* or an accessory *building* greater than 25 square metres;
 - (b) for a single family dwelling *addition, alteration, renovation, demolition*;
 - (c) for a new single family dwelling or *simple building*; or
 - (d) for a *complex building*.
- 10.9 The security deposit sum set out in section 10.8 of this Part:
- (a) covers the cost borne by the Regional District to maintain, restore or replace any public works or public lands which are destroyed, damaged or otherwise impaired in the carrying out of the work referred to in any *building permit* held by the applicant;
 - (b) serves as the security deposit for a certificate of *occupancy* when such a certificate makes provision for a security deposit; or
 - (c) serves as a security deposit to effect compliance with any condition under which the *permit* was issued.
- 10.10 The security deposit must be returned to the applicant:
- (a) when the *building inspector* is satisfied that no further damage to public works or public lands will occur;
 - (b) when the inspections required by this bylaw are complete and acceptable to the *building inspector*;
 - (c) when the conditions or provisions of a provisional certificate of *occupancy* are completed to the satisfaction of the *building inspector*; or
 - (d) any combination of (a), (b), or (c).
- 10.11 Any credit greater than the amount of the security deposit used by the Regional District for the purposes described in sections 10.8 to 10.10 of this Part, will be returned to the *permit* holder unless otherwise so directed by the *permit* holder. Any amount in excess of the security deposit required by the Regional District to complete corrective work to public lands, public works, or the site is recoverable by the Regional District from the *permit* holder, the *constructor* or the *owner* of the property as a debt due and owing to the Regional District.

Permit Fee Refunds

- 10.12 No fee or part of a fee paid to the Regional District may be refunded if construction of the *building* has started, including the pouring of the foundation.
- 10.13 A *building permit* fee may be partially refunded as set out in Section 10.46 of this Part, only if:
- (a) the *owner* has submitted a written request for a refund;
 - (b) the *building inspector* has certified a start has not been made on the construction of the *building* or *structure*; and
 - (c) the *permit* has not expired.
- 10.14 A *building permit* fee is not refundable after the *permit* has been extended under section 10.41 of this Part.
- 10.15 If an issued *building permit* is active and the *owner* proposes modification to the *building* design whereby the value of construction changes more than ten per cent, the *owner* must first pay to the Regional District an additional plan review fee due to a modified building design as set out in Appendix A.

Expiration of Application for a Permit

- 10.16 A *building permit* application expires 180 days from the date a complete application is received under this Part if the *building permit* is not issued by the application expiration date, unless the *permit* is not issued only due to delays caused by the Regional District.

Issuance of a Building Permit

- 10.17 If:
- (a) a completed application in compliance with sections 10.2 and 10.3 or sections 10.4 and 10.5 of this Part, including all required supporting documentation, has been submitted;
 - (b) the *owner* has paid all applicable fees set out in sections 10.7 to 10.17 of this Part and Appendix A;
 - (c) the *owner* or his or her representative has paid all charges and met all requirements imposed by any other statute or bylaw;
 - (d) the *owner* has retained a professional engineer or geoscientist if required under this bylaw or by the provisions of the *Engineers and Geoscientists Act*;

- (e) the *owner* has retained an architect if required by the provisions of the *Architects Act*;
- (f) no covenant, agreement, resolution or regulation of the Regional District or another government or government agency requires or authorizes the *permit* to be withheld;

the *building inspector* must issue the *permit*, in the form prescribed by the *building inspector*, for which the application is made, and the date of issuance is deemed to be the date the Regional District notifies the *owner* that the *permit* is ready to be picked up by the *owner*.

Partial Construction

- 10.18 If a site has been *excavated* under a *building permit* issued under this bylaw and a subsisting *building permit* has expired without the construction of the *building* or *structure* for which the *building permit* was issued having commenced, the *owner* must fill in the *excavation* to restore the original gradients of the site within 60 days of being served notice by the Regional District to do so.
- 10.19 If a *building permit* has expired and partial construction has progressed, with no extension requested of the *building inspector* under section 10.41 of this Part, permanent type fencing with privacy screen complying with the Regional District's Zoning Bylaw, must be erected around the *building* site for protection to the public.

Conditions of a Building Permit

- 10.20 A *building permit* or an application for a *building permit* that is in process may not be transferred or assigned until the *owner* has notified the *building inspector* in writing, the *building inspector* has authorized the transfer or assignment in writing and the *owner* has paid the non-refundable fee required under Appendix A. The transfer or assignment of a *building permit* is not an extension of a *building permit*.
- 10.21 The review of plans and supporting documents and issuance of a *building permit* do not prevent the *building inspector* from subsequently requiring the correction of errors in the plans and supporting documents, or from prohibiting *building* construction or *occupancy* being carried on when in violation of this or another bylaw.
- 10.22 The *building inspector* may refuse to issue a *permit* when the *owner* has been notified of a violation of this bylaw about the construction of another *building* or *structure* by the *owner* on the same parcel.

Inspections

- 10.23 If a *registered professional* provides letters of assurance in accordance with this Part, the Regional District will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw as assurance that the

construction substantially conforms to the design, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety or *protection*.

10.24 Despite section 10.23 of this Part, the *building inspector* may attend the site from time to time during the course of construction to ascertain that the *field reviews* are taking place and to monitor the *field reviews* undertaken by the *registered professionals*.

10.25 The *building inspector* may attend periodically at the site of the construction of *simple buildings* or *structures* to ascertain whether the work is being carried out in substantial conformance with the *building code*, this bylaw and any other applicable enactments concerning safety.

10.26 For all work in respect of *simple buildings* the *owner* must give at least 48 hours' notice to the Regional District when requesting an inspection and must obtain an inspection and receive the *building inspector's* written acceptance of the following aspects of the work prior to concealing them:

(a) Footing construction (before concrete)

(i) Site preparation and excavation to good native bearing;

(ii) footing forms, before concrete is poured;

(iii) prior to inspection under section 10.26 (c) of this Part, plumbing located below the finished slab level;

(b) Pre-Backfill

(i) installation of perimeter drainage pipe and drain rock (if required);

(ii) the preparation of ground, including ground cover when required, perimeter insulation of concrete foundation walls, and dampproofing if required;

(c) Under slab plumbing rough-in

(i) installation of rough-in plumbing and building services before they are covered;

(ii) after inspection under section 10.26 (a) of this Part, hydronic heating pipes and below slab insulation;

(d) Framing construction

(i) framing, sheathing, fire stopping (including drywall in fire separations), bracing, chimney and ductwork, rough-in of factory built chimneys and

fireplaces and solid fuel burning appliances, rough wiring, rough plumbing, rough heating, gas venting, exterior doors and windows, but prior to the installation of insulation, interior finishes, sheathing paper or exterior finishes which would conceal such work;

(ii) decking where a deck serves as a roof

(e) Insulation and vapour barrier and air barrier

(i) the installation of wall sheathing membrane, internally and externally applied vapour or air barrier, stucco wire or lath, and flashings, but prior to the installation of interior and exterior finishes which could conceal such work;

(f) Final Inspection

(i) the health and safety aspects of the work when the building or structure is substantially complete, ready for occupancy but prior to occupancy.

10.27 The *building inspector* may only carry out an inspection under section 10.26 of this Part:

(a) in the order specified in section 10.26(a) to 10.26(f); and

(b) if the *owner* or the *owner's agent* has requested the inspection; and,

(c) in spite of section 10.27(a) and (b), unscheduled audit inspections may be carried out on the construction at the discretion of the *building inspector*.

10.28 Despite the requirement for the *building inspector's* acceptance of the work outlined in section 10.26 of this Part, if a *registered professional* provides letters of assurance, the Regional District will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw as assurance that the aspects of the construction referenced by those letters of assurance substantially conform to the *design*, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety.

(a) when unable to attend a construction site by way of a maintained public road, e.g. water access only or wilderness sites, or due to travel distance or time constraint, the *building inspector* may rely on a registered professional's letters of assurance and *field reviews*, or may determine the acceptability of work shown or described in photographs, electronic data or transmissions or written reports from the owner, agent, or registered professional prior to authorizing the concealment of that work.

10.29 No person may conceal any aspect of the work referred to in section 10.26 of this Part, until the *building inspector* has accepted it in writing.

10.30 For work in respect of *complex buildings*, the *owner* must:

- (a) give at least 48 hours' notice to the Regional District when requesting a preconstruction meeting with the *building inspector* prior to the start of construction, and the *owner* or his or her representative must ensure that the *coordinating registered professional*, the *constructor*, as well as representatives of major trades, are in attendance;
- (b) give at least 48 hours' notice to the Regional District when requesting a pre-occupancy coordinated site review to have the *owner*, the *constructor* and the *registered professionals* demonstrate to the *building inspector* the compliance with *the health and safety aspects of the work*, applicable Regional District requirements and other enactments respecting safety;
- (c) cause the *coordinating registered professional*, at least 48 hours prior to the pre-occupancy coordinated site review, to deliver to the *building inspector* the Confirmation of Required Documentation described in Appendix E, complete with all documentation in a hard covered three ring binder and in digital pdf format on a memory stick.

Stop Work Order

10.31 The *building inspector* may direct the immediate suspension or correction of all or a portion of the construction on a *building* or *structure* by attaching a stop work order notice in the form prescribed by the *building inspector* on the premises whenever it is found that the work is not being performed in accordance with the requirements of the *building code*, any applicable bylaw of the Regional District or the provisions of the *Homeowner Protection Act*.

10.32 The *coordinating registered professional* may request, in writing, that the *building inspector* order the immediate suspension or correction of all or a portion of the construction on a *building* or *structure* by attaching a stop work order notice on the premises. The *building inspector* must consider such a request and, if not acted upon, must respond, in writing, to the *coordinating registered professional* and give reasons.

10.33 If a *registered professional's* services are terminated, the *owner* must immediately stop any work that is subject to his or her *design* or *field review* and the *building inspector* is deemed to have issued a stop work order under section 10.32 of this Part.

10.34 The *owner* must immediately, after the posting of a notice under section 10.32 of this Part, secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of every statute, regulation or order of the Province or of a provincial agency and of every applicable bylaw of the Regional District.

- 10.35 Subject to section 10.32 of this Part, no work other than the required remedial measures may be carried out on the parcel affected by the notice referred to in section 10.33 of this Part, until the stop work order notice has been removed by the *building inspector*.
- 10.36 The notice referred to in section 10.32 of this Part, must remain posted on the premises until that which is contrary to the enactments has been remedied.

Do Not Occupy Notice

- 10.37 If a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of section 5.2 or 5.3 of Part 5, the *building inspector* may post a Do Not Occupy Notice in the form prescribed by the *building inspector* on the affected part of the *building* or *structure*.
- 10.38 If a notice is posted under section 10.37 of this Part, the *owner* of a parcel on which a Do Not Occupy Notice has been posted, and every other person, must cease *occupancy* of the *building* or *structure* immediately and shall refrain from further *occupancy* until all applicable provisions of the *building code* and this bylaw have been substantially complied with and the Do Not Occupy Notice has been rescinded in writing by the *building inspector*.

Inspection and Other Fees

- 10.39 In addition to the fees required under other provisions of this bylaw, the *owner* must pay the non-refundable fee set out in Appendix A for:
 - (a) a second and any subsequent re-inspection where it has been determined by the *building inspector* that due to non-compliance with the provisions of this bylaw or due to non-complying workmanship, additional inspections are required at any inspection stage;
 - (b) a special inspection during the Regional District's normal business hours to establish the condition of a *building*, or if an inspection requires special arrangements because of time, location or construction techniques;
 - (c) inspection required under this bylaw which cannot be carried out during the Regional District's normal business hours;
 - (d) a request from the *owner* or *agent* that the *building inspector* review an application or part of an application that has already been reviewed by the *building inspector*.

Permit Expiration

- 10.40 Every *permit* is issued on the condition that the *permit* expires and the rights of the *owner* under the *permit* terminate if:

- (a) the work authorized by the *permit* is not commenced within 180 days from the date of issuance of the *permit*;
- (b) work is discontinued for a period of 180 days; or
- (c) the work is not completed within three years of the date of issuance of the *permit*.

Permit Extension

10.41 The *building inspector* may extend the period set out under section 10.40 of this Part, for only one period, not to exceed twelve months, if construction has not been commenced or has been discontinued due to adverse weather, strikes, material or labour shortages, other similar hardship beyond the *owner's* control, or if the size and complexity of the construction warrants, if:

- (a) application for the extension is made at least 30 days prior to the date of *permit* expiration; and,
- (b) the non-refundable fee set out in Appendix A has been paid.

Building Permit Revocation

10.42 The *building inspector* may revoke a *building permit* if there is a violation of:

- (a) a condition under which the *permit* was issued; or
- (b) a requirement of the *building code* or of this or another bylaw of the Regional District, and,

such *permit* revocation must be in writing and sent to the *permit* holder by registered mail to, or personal service on, the *permit* holder.

Building Permit Cancellation

10.43 A *building permit*, or a *building permit* application, may be cancelled by the *owner*, or his or her *agent*, on delivery of written notification of the cancellation to the *building inspector*.

10.44 On receipt of the written cancellation notice, the *building inspector* must mark on the application, and a *permit* if applicable, the date of cancellation and the word "cancelled".

10.45 If the *owner*, or his or her *agent*, submits changes to an application after a *permit* has been issued and the changes, in the opinion of the *building inspector*, substantially alter the scope of the work, design or intent of the application in respect of which the *permit* was issued, the *building inspector* may cancel or amend the *permit* and mark on the *permit* the date of cancellation or amendment and the word "cancelled" or "amended".

10.46 If a *building permit* application or *permit* is cancelled, and construction has not commenced under the *permit*, the *building inspector* must return to the *owner* any fees deposited under Appendix A, less:

- (a) any non-refundable portion of the fee; and
- (b) 15% of the refundable portion of the fee.

Occupancy Permits and Final Inspection

10.47 No person shall occupy a *building* or *structure* or part of a *building* or *structure* until a final report authorizing *occupancy* has been issued by the *building inspector*.

10.48 A final report authorizing *occupancy* shall not be issued unless:

- (a) all letters of assurance have been submitted when required in accordance with this bylaw;
- (b) all aspects of the work requiring inspection and acceptance pursuant to sections 7.12 to 7.17 of Part 7, have both been inspected and *accepted* or the inspections and acceptance are not required in accordance with this bylaw;
 - (i) the *owner* has provided to the Regional District as-built plans of works and services as required by the Regional District;
 - (ii) in the opinion of the *building inspector* the *owner* needs to provide to the Regional District a *building* survey prepared by a British Columbia Land Surveyor confirming the *building height* determined in accordance with the Regional District's land use regulations; and
 - (iii) as built drawings are delivered to the Regional District.

10.49 When a *registered professional* provides letters of assurance in accordance with this bylaw, the Regional District will rely solely on the letters of assurance when issuing a final report authorizing *occupancy* as assurance that the items identified on the letters of assurance substantially comply with the *building code*, this bylaw and other applicable enactments respecting safety.

10.50 The *building inspector* may issue a final report authorizing *occupancy* for part of a *building* or *structure* when the part of the *building* or *structure* is self-contained and provided with essential services and the requirements set out in section 10.2 of this Part, have been met with respect to it.

10.51 An *occupancy permit* is required for a *complex building*.

10.52 An *occupancy permit* may not be issued unless:

- (a) all letters of assurance and the Confirmation of Required Documentation have been submitted when required in accordance with the requirements of this bylaw;
- (b) all aspects of the work requiring inspection and review pursuant to Part 9 and sections 10.23 through 10.30 of this Part, have both been inspected and *accepted*; and
- (c) the *owner* has executed and delivered to the Regional District every agreement, instrument or form required by the Regional District in relation to the work or the site.

10.53 The *building inspector* may issue an *occupancy permit* for partial *occupancy* of a portion of a *building* or *structure* under construction when that portion of the *building* or *structure* is self-contained and provided with essential services respecting *health and safety*.

Temporary Buildings

10.54 Subject to the bylaws of the Regional District, the *building inspector* may issue a *building permit* for the erection or placement of a *temporary building* or *structure* for *occupancy* if:

- (a) the *permit* is for a period not exceeding one year; and
- (b) the *building* or *structure* is located in compliance with the Regional District's zoning bylaw, built in compliance with the *building code* and this bylaw, and connected, as required by enactments, to Regional District utility services., *on-site* sewage disposal, or community water and sewer systems.

10.55 An application for a *building permit* for the erection or placement of a *temporary building* or *structure* must be made in the form of a temporary *permit* application prescribed by the *building inspector*, signed by the *owner* or *agent*, and must include:

- (a) plans and supporting documents showing the location and *building height* of the *building* or *structure* on the parcel;
- (b) plans and supporting documents showing construction details of the *building* or *structure*;
- (c) a statement by the *owner* indicating the intended use and duration of the use;
- (d) plans and supporting documents showing the proposed parking and loading space;
- (e) a written description of the *project* explaining why the *building* is temporary;
- (f) a copy of an issued development *permit*, if required;
- (g) in the case of a manufactured *building*, a CSA label in respect of manufacture and, without limitation, a Quonset or other steel *building* must be certified in accordance with CSA Standard A660;

- (h) if the *building inspector* determines a report or drawing by an engineer, architect or *designer* confirming compliance with the *building code*, this bylaw, the Regional District's zoning bylaw and other applicable bylaws;
- (i) security in the form of cash or a letter of credit for 10% of the value of the *temporary building*, which security:
 - (i) may be used by the Regional District to remove the *building* after one year of the date of the final inspection required under this bylaw, or
 - (ii) must be returned to the *owner* if the *owner* removes the temporary *building* within one year of the date of the final inspection of the temporary *building* required under this bylaw.

10.56 Before receiving a *building permit* for a *temporary building* or *structure* for *occupancy*, the *owner* must pay to the Regional District the applicable *building permit* fee set out in Appendix A.

10.57 A *permit fee* for a temporary *building* or *structure* is not refundable.

PART 11: RETAINING WALLS

- 11.1 A *registered professional* must undertake the design and conduct *field reviews* of the construction or structural repair of a *retaining wall*. Sealed copies of the design plan and letters of assurance prepared by the *registered professional* for all *retaining walls* must be submitted to the *building inspector* prior to issuance of a *permit* for the work.
- 11.2 No person may construct, or structurally repair, a *retaining wall* without a *building permit*. Design and *field review* services and applicable letters of assurance must be provided by the *registered professionals* for all *retaining walls*.
- 11.3 Except as certified by a professional engineer with expertise in geotechnical engineering registered in the province of British Columbia, a slope on a parcel that is steeper than one linear unit vertically to one linear unit horizontally and total height of 1.22 meters or more that is created by *excavation* is prohibited unless restrained by a *retaining wall*.

PART 12: BUILDING MOVE

- 12.1 No person may move a *building* or *structure* into or within the bylaw service area, or move within the same parcel:
 - (a) except where certified by a *registered professional* that the *building* or *structure* will substantially comply with the current version of the *building code*; and
 - (b) a *building permit* has been issued for the *building*.

PART 13: NUMBERING OF BUILDINGS

- 13.1 A Regional District employee may, on the issuance of a *building permit*, designate a house number or set of house numbers related to the *building* authorized by the *permit*. The *owner* or occupier must post the number or numbers on the site immediately after obtaining the *building permit* and keep the numbers posted in a conspicuous location at all times during construction and after occupancy.

PART 14: OFFENCES

Violations

- 14.1 A person who:
- (a) violates a provision of this bylaw;
 - (b) *permits*, suffers or allows any act to be done in violation of any provision of this bylaw
 - (c) neglects to do anything required to be done under any provision of this bylaw,
- will be deemed to have committed an offence against this bylaw and each day that a violation continues to exist is deemed to be a separate offence against this bylaw and:
- i. on summary conviction by a court of competent jurisdiction, the person is subject to a fine of not more than \$10,000.00, or a term of imprisonment not exceeding three months, or both, in addition to the costs of prosecution on a conviction; and:
 - ii. Will be liable to a fine as set out in the CSRD municipal ticket information bylaw.
- 14.2 Every person who fails to comply with any order or notice issued by the *building inspector*, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- 14.3 If construction commenced before the *building inspector* issued a *permit*, a minimum of a re-inspection fee and plan review fee will be charged.
- 14.4 Every person who commences work requiring a *building permit* without first obtaining such a *permit* shall, if a Stop Work notice is issued and remains outstanding for 30 days' a minimum of a re-inspection fee and plan review fee will be charged .

Deemed Offence

- 14.5 An *owner* is deemed to have knowledge of and be liable under this bylaw in respect of any construction on the parcel the *owner* owns and any change in the use, *occupancy* or both of a *building* or *structure* or part of a *building* or *structure* on that parcel.

- 14.6 No person is deemed liable under section 14.5 of this Part, who establishes, on a balance of probabilities, that the construction or change of use or *occupancy* occurred before he or she became the *owner* of the parcel.
- 14.7 Nothing in section 14.6 of this Part affects:
- (a) the Regional District's right to require and the *owner's* obligation to obtain a *permit*; and,
 - (b) the obligation of the *owner* to comply with this bylaw.

PART 15: INTERPRETATION

Definitions

- 15.1 In this bylaw,

accepted means reviewed by the *building inspector* under the applicable provisions of the *building code* and this bylaw;

addition means an *alteration* to any building which will increase the total aggregate floor area or the *building height* (in storeys), and includes the provision of two or more separate *buildings* with openings between each other for intercommunication;

agent includes a firm, corporation or other person representing the *owner*, by written designation or contract, and includes a hired tradesperson or *constructor* who may be granted a *permit* for work within the limitations of his or her licence;

alteration means a change, repair or modification of the construction or arrangement of any *building* or *structure*, or to an *occupancy* regulated by this bylaw;

Architects Act means the *Architects Act* RSBC 1996, c. 17;

board means *Board* of the *Regional District*;

building is a *structure* used or intended for supporting or sheltering a *use* or *occupancy* but does not include a tent, *recreational vehicle* or Canadian Standards Association (CSA) certified "Z241 *Park Model*" or "Z240 *Recreational Vehicle*";

building code means the *British Columbia Building Code* as adopted by the Minister responsible under provincial legislation, as amended or re-enacted from time to time;

building inspector means the person designated in or appointed to that position by the Regional District, and any person named by the Regional District to act in place of the *building inspector*, and includes the *building inspector*, plumbing inspector or electrical inspector;

community sewer system means a system of works owned operated and maintained by the *Regional District*, *Strata Corporation*, *Improvement District*, *Utility* or *Corporation* (Private or Public) and which is established and operated under the Public Health Act and regulations, or Environmental Management Act and regulations or any other provincial legislation that may apply, for the collection, treatment and disposal of sanitary sewage, which serves more than one *Parcel*, or *Dwelling Unit*;

community water system means a *Water Supply System* owned, operated and maintained by the *Regional District* ; a *Water Supply System* operated by a water utility holding a certificate of Public Convenience and Necessity under the Water Sustainability Act in respect of which no compliance issues under the Drinking Water Protection Act are outstanding as of the date of subdivision application; or a *Water Supply System* operated by a strata corporation, in accordance with the Strata Properties Act, in respect of which no compliance issues under the Drinking Water Protection Act are outstanding as of the date of the building permit application;

complex building means:

(a) a *building* used for a *major occupancy* classified as:

- (i) *assembly occupancy*,
- (ii) *care occupancy*,
- (iii) *detention occupancy*,
- (iv) *high hazard industrial occupancy*, or

(b) a *building* exceeding 600 square metres in *building area* or exceeding three storeys in *building height* used for a *major occupancy* classified as:

- (i) *residential occupancy*,
- (ii) *business and personal services occupancy*,
- (iii) *mercantile occupancy*, or
- (iv) *medium and low hazard industrial occupancy*;

construct and *construction* includes and is to build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, excavate or shore;

dwelling unit means one (1) or more rooms in a detached *building* with self-contained eating, living, sleeping and sanitary facilities and not more than one kitchen, used or intended to be used as a residence for no more than one (1) household;

Engineers and Geoscientists Act means the *Engineers and Geoscientists Act* RSBC 1996, c. 116;

existing, in respect of a *building*, means that portion of a *building constructed* prior to the submission of a *permit* application required under this bylaw;

field review means reviews of the work (a) at a project site of a development to which a building permit relates, and (b) where applicable, at fabrication locations where building components are fabricated for use at the project site;

foundation means a system or arrangement of *foundation* units through which the loads from a *building* are transferred directly to supporting soil or rock;

health and safety aspects of the work means design and construction regulated by Parts 3, 4, 7, 8, 9 and 10, of the *Building Code*;

occupancy is the *use* of a *building* as declared on the *permit* and that complies with the *Building Code* and this Bylaw;

occupancy permit refers to the final inspection report of the *building inspector*;

owner means the registered *owner* in fee simple, the registered owner of an estate in fee simple, strata, or having an interest in land, or an *agent* duly authorized by the *owner* in writing in a form prescribed by the *building inspector*, or in the case of a *shared interest* in the subject parcel, means the person who holds a controlling interest in the ownership of the subject *building* or *structure*;

park model is a trailer or recreational unit which conforms to CSA Z241 Standard for *Recreational Vehicles* and which has a gross floor area which does not exceed 50 m²;

permit means permission or authorization in writing by the *building inspector* to perform work regulated by this bylaw and, in the case of *occupancy permit*, to occupy a *building* or part of a *building*;

professional design means the plans and supporting documents bearing the date, seal or stamp, and signature of a *registered professional*;

project means any construction operation;

recreational vehicle is a vehicular-type of portable *structure* on wheels, without permanent foundation, that can be towed, hauled or driven and that is primarily designed for *use* as temporary living accommodation for the purposes of recreation, camping and travel, including, but not limited to, travel trailers, truck campers, camper vans, tent trailers and self-propelled motor homes (does not include *park model*)

retaining wall means a wall, or a series of walls *constructed* to support or confine earth, water or other material and restraining it from moving:

- (a) if the wall exceeds 1.22 metres in height above the lower of natural or finished grade;
or
- (b) in the case of a series of walls, if any of the walls extend above a line commencing 1.22 metres above the lower of natural or finished grade at the base of any of the walls and projected at an angle of less than one linear unit vertically to one unit horizontally;

shared interest means ownership of a parcel by more than one individual or other person other than by way of joint tenancy or tenancy in common or ownership by society or cooperative, and includes ownership or interest in the parcel by way of a coparcenary interest, ownership of shares, a commune, a lease, a licence of occupation, a tenancy of the entireties or other similar interest;

simple building means a *building* of three storeys or less in *building height*, having a *building area* not exceeding 600 square metres and used for a *major occupancy* classified as:

- (a) *residential occupancy*;
- (b) *business and personal services occupancy*;
- (c) *mercantile occupancy*;
- (d) *medium hazard industrial occupancy*; or
- (e) *low hazard industrial occupancy*;

structure means a *construction* or portion of *construction*, of any kind, whether fixed to, supported by or sunk into land or water, except landscaping, fences, paving and retaining *structures* less than 1.22 meters in height;

temporary building includes a sales office, construction office, filming office or a *structure* in which tools are stored during construction of a *building* or other *structure*, has no permanent foundation, and which may be used for *occupancy* subject to compliance with this bylaw and the Regional District's zoning bylaw;

use is purpose or function to which land, *buildings* and *structures* are put to and if not in *use*, then the purpose they are designed or intended to be put to;

value of the work means that amount that is calculated as follows:

- (a) for construction of a *building* containing a *residential occupancy* the greater of:

- (i) the declared *value of the work*, or
 - (ii) the value calculated using Appendix B
- (b) for all other construction, the greater of:
 - (i) the declared *value of the work*, or
 - (ii) the value calculated using a method stipulated in the “Marshall Valuation Service”.
- 15.2 In this bylaw the following words and terms have the meanings set out in section 1.4.1.2 of the *building code*: *assembly occupancy, building, building area, building height, business and personal services occupancy, care occupancy, constructor, coordinating registered professional, designer, detention occupancy, excavation, field review, firewall, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, medium hazard industrial occupancy, mercantile occupancy, occupancy, private sewage disposal system, registered professional, residential occupancy and unsafe condition.*
- 15.3 Every reference to this bylaw in this or another bylaw of the Regional District is a reference to this bylaw as amended to the date of the reference.
- 15.4 Every reference to
 - (a) the *building code* is a reference to the current edition, and
 - (b) a section of the *building code* is a reference to the applicable successor sections, as the code or section may be amended or re-enacted from time to time.
- 15.5 Definitions of words and phrases used in this bylaw that are not included in the definitions in this Part have the meanings commonly assigned to them in the context in which they are used in this bylaw, considering the specialized use of terms with the various trades and professions to which the terminology applies.

Appendices

- 15.6 Appendices A through E are attached to and form part of this bylaw.

Severability

- 15.7 If a section, subsection, paragraph, subparagraph or phrase of this bylaw is for any reason declared invalid by a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this bylaw.

PART 16: IN FORCE

16.1 This bylaw comes into force on *March 5, 2018*.

READ a first time this _____ day of _____, 2018.

READ a second time this _____ day of _____, 2018

READ a third time this _____ day of _____, 2018.

ADOPTED this _____ day of _____, 2018

CHIEF ADMINISTRATIVE OFFICER

CHAIR

CERTIFIED a true copy of
Bylaw No. 660, as adopted.

(Deputy) Manager of Corporate
Administration Services

Columbia Shuswap Regional District

BUILDING BYLAW NO. 660

Appendix A – Fees

A-1 PERMIT APPLICATION FEE

Upon Application for a Building Permit, a non-refundable Application Fee shall be paid to the Regional District as follows;

1.1	For a single or two family residential dwelling	\$72.00
1.2	For a single or two family residential accessory use	\$72.00
1.3	For a single or two family residential alteration or repair	\$72.00
1.4	For a commercial, multi-family, industrial or institutional use	\$288.00
1.5	For a commercial, multi-family, industrial or institutional accessory use	\$72.00
1.6	For a commercial, multi-family, industrial or institutional alteration or repair	\$72.00
1.7	For a change to any use or occupancy	\$72.00

The application fee may be credited toward the final Permit fees, provided no changes to the application documentation or drawings are made prior to the issuance

A-2 PERMIT FEES AND CHARGES

Permit fees and charges shall be paid to the Regional District at issuance of the Permit and shall be calculated on the total *value of the work* as follows;

2.1	For the first \$1,000.00 or fraction thereof:	\$72.00
2.2	For each additional \$1,000.00 or fraction thereof up to \$100,000.00	\$7.20
2.3	For each additional \$1,000.00 or fraction thereof exceeding \$100,000.00	\$6.00
2.4	For the first five(5) plumbing fixtures	\$72.00
2.5	For each plumbing fixture after the first five	\$7.20
2.6	For the installation of a mobile home designated as Can/CSA Z240 MH Series or a manufactured home designated as CSA A277-M1990	\$216.00
2.7	For a temporary building or to renew a temporary building permit	\$72.00
2.8	For a permit to demolish a building	\$72.00
2.9	For a permit to move a building	\$72.00
2.10	For a masonry chimney or solid fuel fired fireplace insert or stove	\$72.00
2.11	For a change in use or occupancy	\$216.00

A-3 OTHER FEES AND CHARGES

3.1	For special inspection	\$216.00
3.2	For each recall inspection	\$216.00
3.3	For CSRD Board discharge of a Community Charter Section 57 Notice on Title	\$650.00
3.4	Land Title Office (LTO) legal Notation/Covenant Registration	\$150.00
3.5	For Permit Extension	\$72.00
3.6	For change in ownership on open permit file	\$236.00
3.7	For additional plan review due to change in design	\$216.00
3.8	Additional fee if Stop Work Order not rescinded due to compliance within 30 days of being issued, and for each additional 30 day period thereafter	\$216.00

A-4 SECURITY DEPOSIT

4.1	For a single family dwelling parking structure, combination parking structure/accessory building or an accessory building greater than 25 square meters	\$250.00
4.2	For a single family dwelling addition, alteration, renovation, demolition	\$250.00
4.3	For a new single family dwelling or simple building	\$500.00
4.4	For a complex building	\$1,000.00

Columbia Shuswap Regional District

BUILDING BYLAW NO. 660

Appendix B – Value of Work

Use or Occupancy	Unit Value Per:	
	Sq. Ft.	Sq. M.
(a) Single and Two-Family Dwellings		
i. Single level with crawl space or slab on grade	\$108.00	\$1162.80
ii. single level with unfinished basement level	\$115.20	\$1240.80
iii. Second and/or third levels	\$57.60	\$619.20
iv. Finished basement level	\$36.00	\$387.60
v. Permanent foundations for factory built/manufactured homes	\$10.80	\$108.00
(b) Multi-Family Dwellings – Townhouse or Row Housing		
i. Single level with crawl space or slab on grade	\$93.60	\$1006.80
ii. Single level with unfinished basement level	\$100.80	\$1084.80
iii. Second and/or third levels	\$57.60	\$619.20
iv. Finished basement level	\$36.00	\$387.60
(c) Multi-Family Dwelling – Apartment and/or Condominium		
i. With crawl space or slab on grade	\$100.80	\$1084.80
ii. With unfinished basement level	\$108.00	\$1162.80
iii. Below grade parking level	\$50.40	\$542.40
iv. Finished basement level	\$36.00	\$387.60
(d) Residential Accessory Buildings		
i. Finished attached garage	\$36.00	\$387.60
ii. Finished detached garage	\$40.80	\$434.40
iii. Carport structure	\$28.80	\$309.60
iv. Open balcony and decks	\$21.60	\$232.80
v. Roofed balcony and decks	\$28.80	\$309.60
vi. Miscellaneous shelters and sheds	\$14.40	\$154.80

Columbia Shuswap Regional District

BUILDING BYLAW NO. 660

Appendix C – Owner’s Undertaking

Property Address: _____ PID: _____

Legal Description: _____

Building Permit Application Number: _____

1. This undertaking is given by the undersigned, as the owner of the property described above, with the intention that it be binding on the owner and that the Regional District will rely on same.
2. I confirm that I have applied for a building permit pursuant to “Building Bylaw No. 660” (the “Bylaw”) and that I have carefully reviewed and fully understand all of the provisions of the Bylaw and in particular, understand, acknowledge and accept the provisions describing the purpose of the Bylaw, the conditions under which permits are issued, the disclaimer of warranty or representation and the limited extent of the scope of the Bylaw and inspections thereunder.
3. Without in any way limiting the foregoing, I acknowledge fully that it is my responsibility, whether or not any work to be performed pursuant to the permit applied for is done by me, a contractor or a registered professional, to ensure compliance with the Building Code and the Bylaw.
4. I am not in any way relying on the Regional District or its building inspectors, as defined under the Bylaw, to protect the owner or any other persons as set out in Part 3 of the Bylaw and I will not make any claim alleging any such responsibility or liability on the part of the Regional District or its building inspectors.
5. I hereby agree to indemnify and save harmless the Regional District and its employees from all claims, liability, judgments, costs and expenses of every kind which may result from negligence or from the failure to comply fully with all bylaws, statutes and regulations relating to any work or undertaking in respect of which this application is made.
6. I am authorized to give these representations, warranties, assurance and indemnities to the Regional District.

Owner or Owner's Authorized Agent Information:

Name: _____

(PRINT)

Mailing Address: _____

Tel. No.: _____ Cell No.: _____ Fax No.: _____

Email: _____

This undertaking is executed by the owner this _____ day of _____, _____.

(Day)

(Month)

(Year)

1. Where owner is an individual:

Owner's Signature

Owner's Name

(PRINT)

Signed, sealed and delivered in the presence
of:

Witness's Signature

Witness's Name

(PRINT)

Witness's Address

2. Where owner is a corporation:

Name of Corporation

Per:

Authorized Signatory

Name

(PRINT)

Signed, sealed and delivered in the presence
of:

Witness's Signature

Witness's Name

(PRINT)

Witness's Address

Signed, sealed and delivered in the presence
of:

3. Where owner is a partnership:

Witness's Signature

Name of Partnership

Witness's Name

Per:

(PRINT)

Authorized Signatory

Witness's Address

Name

(PRINT)

Columbia Shuswap Regional District

BUILDING BYLAW NO. 660

Appendix D– Confirmation of Professional Liability Insurance

1. *This Confirmation letter must be submitted along with each BC Building Code Schedule A and Schedule B before issuance of a building permit. A separate Confirmation Letter must be submitted for each registered professional.*
2. *This Confirmation Letter must be submitted with each BC Building Code Schedule C after completion of the building but before a final inspection is made by the building inspector. A separate Confirmation Letter must be submitted for each registered professional.*
3. *Only an original Confirmation Letter, printed by the Regional District or an unaltered photocopy of this document is to be completed and submitted.*

Attention: Building Inspector

Property Address: _____

Legal Description: _____

PID: _____

The undersigned hereby gives assurance that:

- a) I have fulfilled my obligation for insurance coverage as outlined in Building Bylaw No.660;
- b) I am insured by a policy of insurance covering liability to third parties for errors and omissions in respect to the above project, in the amount of at least Five Million Dollars (\$5,000,000.00);
- c) I have enclosed a copy of my certificate of insurance coverage indicating the particulars of such coverage;
- d) I am a registered professional; and
- e) I will notify the building inspector in writing immediately if the undersigned’s insurance coverage is reduced or terminated at any time during construction.

Name (PRINT)

Signature

Date

Address (PRINT)

Phone

If the registered professional is a member of a firm, complete the following

I am a member of this firm:

(Affix professional seal here)

Name of Firm (PRINT)

Address (PRINT)

I sign this letter on behalf of myself and the firm.

Note: This Confirmation letter must be signed by a registered professional. The BC Building Code defines a registered professional as a person who is registered or licensed to practice (a) as an architect under the Architects Act, or (b) as a professional engineer under the Engineers and Geoscientists Act

Columbia Shuswap Regional District

BUILDING BYLAW NO. 660

Appendix E – Service Area

