

COLUMBIA SHUSWAP REGIONAL DISTRICT

BUILDING BYLAW NO. 660

A Bylaw for Administration of the British Columbia Building Code

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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 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 Building Regulation Bylaw No. 630 and amendments thereto are repealed;
2. Building Bylaw No. 660 is adopted as follows:

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.
- 2.2 Every permit issued under this bylaw is issued expressly subject to the provisions of this Part.
- 2.3 This bylaw is enacted to regulate, prohibit and impose requirements in regard to *construction* in the Regional District in the public interest.
- 2.4 The purpose of this bylaw does not extend to:
- (a) the protection of *owners* or *constructors* from economic loss;
 - (b) the assumption by the Regional District or any *building official* of any responsibility for ensuring the compliance by any *owner*, his or her representatives or any employees, *constructors* or *designers* retained by the *owner*, with the *building code*, the requirements of this bylaw, or 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 geographical area, including land, the surface of water, air space, *buildings* and *structures*, in Electoral Areas ‘B’ and ‘E’ and the areas of Electoral Area ‘F’ identified on Appendix E.
- 3.2 This bylaw applies to the design, construction or *occupancy* of new *buildings* or *structures*, and the *alteration*, reconstruction, demolition, removal, relocation or *occupancy* or change of use or *occupancy* of *existing buildings* and *structures*.

- 3.3 This bylaw does not apply to:
- (a) except as set out in Part 11 [*Retaining Walls*] of this bylaw, a fence;
 - (b) an accessory *building* with a floor area of less than 10 square metres, unless the *building* contains an *unsafe condition*, hazard or home occupation, if the *building* complies with the siting requirements of the Regional District’s zoning bylaw;
 - (c) a trellis, an arbour, a wall supporting soil that is less than 1.22 metres in height, or other similar landscape *structures* on a parcel zoned for single-family *residential occupancy* uses under the Regional District’s zoning bylaw, if the *building* or *structure* complies with the siting requirements of the zoning bylaw; or
 - (d) a *building* or *structure* commonly known as “Canadian Standards Association Z240 MH series” or “Z241 Park Model series, except as regulated by the *building code*.

Limited Application to Existing Buildings

- 3.4 Except as provided in the *building code* or to the extent an *existing building* is under *construction* or does not have an *occupancy permit*, when an *existing building* has been *constructed* before the enactment of this bylaw, the enactment of this bylaw is not to be interpreted as requiring that the *building* must be *reconstructed* and *altered*, unless it is expressly so provided by this or another bylaw, regulation or statute.
- 3.5 This bylaw applies if the whole or any part of an *existing building* is moved either within or into the Regional District areas to which this bylaw applies, including relocation relative to parcel boundary created by subdivision or consolidation. Part 12 applies to *building* moves.
- 3.6 If an *alteration* is made to an *existing building* the *alteration* must comply with this bylaw and the *building code*.
- 3.7 If an *alteration* creates an *addition* to an *existing building*, the *alteration* or *addition* must comply with this bylaw and the *building code*.

PART 4: PROHIBITIONS

- 4.1 A person must not commence or continue any *construction*, *alteration*, *excavation*, *reconstruction*, *demolition*, *removal*, *relocation* or change the use or *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 a *building official* has issued a valid and subsisting *permit* for the work under this bylaw.

- 4.2 A person must not *occupy* or *permit* the *occupancy* of any *building* or *structure* or part of any *building* or *structure*:
- (a) unless a subsisting final inspection notice has been issued by a *building official* for the *building* or *structure* or the part of the *building* or *structure*; or
 - (b) contrary to the terms of any *permit* issued or any notice given by a *building official*.
- 4.3 A person must not knowingly submit false or misleading information to a *building official* in relation to any *permit* application or construction undertaken under this bylaw.
- 4.4 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 official*, or plans and supporting documents which have been filed for reference with the *building official* after a *permit* has been issued.
- 4.5 A person must not, unless authorized in writing by a *building official*, 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.
- 4.6 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 a *building official*.
- 4.7 A person must not interfere with or obstruct the entry of a *building official* or other authorized official of the Regional District on property in the administration of this bylaw.
- 4.8 A person must not *construct* on a *parcel* unless the civic address is conspicuously posted on the front of the premises or on a sign post so it may be easily read from the public highway from which it takes its address.
- 4.9 A person must not contravene a notice of a *building official* issued under section 6.6.
- 4.10 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 A *permit* is required if 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* (and if the *owner* is acting through a representative, the representative of the *owner*) from full and sole responsibility to perform the work in respect of which the *permit* was issued in strict compliance with this bylaw, the *building code*, this bylaw and all other applicable codes, standards and enactments;
 - (b) constitute a representation, warranty, assurance or statement that the *building code*, this bylaw or any other applicable enactments respecting safety, protection, land use and 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 shall 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 Without limiting section 5.2(a), 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 A BUILDING OFFICIAL

Administration

- 6.1 Words defining the authority of a *building official* are to be construed as internal administrative powers and not as creating a duty.
- 6.2 A *building official* may
- (a) administer this bylaw, but owes no public duty to enforce or 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 A *building official* 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 A *building official* 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 Subject to the *Local Government Act*, a *building official* may enter on property at any time to ascertain whether the requirements of this bylaw are being met.

Powers

- 6.6 Subject to applicable enactments, a *building official* 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, 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 official*;
 - (c) an *owner* to remove or prevent any unauthorized encroachment on a public parcel, a statutory right of way or easement, or a setback or yard required under an enactment;
 - (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 a *building official* 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 a *building official*;
 - (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 and where the *building official* has not issued a final inspection notice for the work;
 - (i) an *owner* to correct any *unsafe condition*; and
 - (j) an *owner* to correct any work that contravenes this bylaw, the *building code*, or any other enactment.
- 6.7 Every reference to “*owner*” in section 6.6 includes a reference to the *owner’s* agent or *constructor*.
- 6.8 Every person served with an order under this Part must comply with that order:
- (i) within the time ordered, or
 - (ii) if no time is ordered, immediately.

PART 7: OWNER’S RESPONSIBILITIES

Permit Requirements

- 7.1 Subject to Part 10 of this bylaw, every *owner* must apply for and obtain a *permit*, and if applicable under an enactment must obtain a *permit*, prior to
- (a) *constructing*, repairing or *altering* a *building* or *structure*, including a *retaining wall*;
 - (b) moving a *building* or *structure* into or within the Regional District;
 - (c) demolishing a *building* or *structure*;
 - (d) *occupying* a new *building* or *structure*;
 - (e) *constructing* a masonry fireplace or installing a solid fuel appliance or chimney, whether attached to, part of or detached from a *building*;
 - (f) installing plumbing systems related to the inspections undertaken under this bylaw;
 - (g) a *building* undergoing a change in use or *occupancy*,
- unless the works are the subject of another valid *building permit*, and for certainty the building official will prescribe the form and content of a permit for the purposes of paragraphs (e) and (f).
- 7.2 Every *owner* must apply for and obtain a *permit* in the applicable form prescribed by the *building official*.

7.3 Every *owner* must ensure that plans submitted with a *permit* application bear the name, phone number, address and email address of the *designer* of the *building* or *structure*.

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 Regional District inspection certificates, and all professional *field reviews* are available at the site of the work for inspection during working hours by the *building official*, 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, where required by the *building official*.

7.5 Every *owner*, or their *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 a *building official* or a *registered professional* relieve the *owner*, or their *agent*, from full and sole responsibility to perform the work in strict accordance with this bylaw, the *building code* and all other applicable codes, standards and enactments.

7.6 Every *owner* must allow a *building official* to enter any *building* or premises at any reasonable time to administer and enforce this bylaw.

7.7 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

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

- 7.9 In addition to payment of a security deposit under sections 10.8 to 10.12, 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 public property or works located on public property arising directly or indirectly from work for which a *permit* was issued.

Demolition

- 7.10 Prior to obtaining a *permit* to demolish a *building* or *structure*, the *owner* must
- (a) provide to the Regional District a vacancy date; and
 - (b) ensure that all Regional District services and other services are capped and terminated at the parcel line in a Regional District standard inspection chamber and valve arrangement.
- 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, or made safe if levelling and grading are not possible.

Notice

- 7.12 Every *owner* must, at least 48 hours prior to commencing work at a *building site*, give written or online notice to a *building official* of the date on which the *owner* intends to begin such work.
- 7.13 Every *owner* must give written or online notice to a *building official* of any change in or termination of engagement of a *registered professional*, including a *coordinating registered professional*, during construction, within 24 hours of when the change or termination occurs.
- 7.14 If an *owner* terminates the engagement of a *registered professional*, including a *coordinating registered professional*, the *owner* must terminate all work under a *building permit* until the *owner* has engaged a new *registered professional*, including a *coordinating registered professional*, and has delivered to a *building official* new letters of assurance.
- 7.15 Without limiting sections 10.28 to 10.44, every *owner* must give at least 48 hours' online or written notice to a *building official*:
- (a) of intent to do work that is required or ordered to be corrected 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 of the work can be made.

- 7.16 Every *owner* must give notice in writing to a *building official* 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 a *building official* as may be required by the *building official* or by a provision of this bylaw.

PART 8: OBLIGATIONS OF OWNER'S CONSTRUCTOR

- 8.1 Every *owner* and *owner's constructor* must ensure that all *construction* is done in compliance with all requirements of the *building code*, this bylaw and all other applicable, codes, standards and enactments.
- 8.2 Every *owner* and *owner's constructor* must ensure that no *excavation* or other work is undertaken on public property, and that no public 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 property.
- 8.3 For the purposes of the administration and enforcement of this bylaw, every *constructor* is responsible jointly and severally with the *owner* for all work undertaken.

PART 9: REGISTERED PROFESSIONAL'S RESPONSIBILITIES

Professional Design and Field Review

- 9.1 Without limiting section 9.4, a *building official* may require a geotechnical engineer to determine bearing capacity for a parcel of land by providing *design* and plan certification.
- 9.2 The provision by the *owner* to the Regional District of letters of assurance in accordance with the requirements of the building code shall occur
- (a) prior to the pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
 - (b) prior to a final inspection for a *simple building* in circumstances where letters of assurance have been required in accordance with the requirements of the *building code*.
- 9.3 If a *registered professional* provides letters of assurance in accordance with the requirements of this bylaw, they must also provide proof of professional liability insurance to the *building official* in the form and amount set by Appendix D to this bylaw.

Requirement for a Registered Professional

- 9.4 The *owner* must retain a *registered professionals* to provide a *professional design* and plan certification and letters of assurance in the form of Schedules A, B, C-A and C-B referred to in subsection 2.2.7, Division C, of the *building code*, in respect of a *permit* application
- (a) prior to the pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
 - (b) prior to a final inspection for a *simple building* in circumstances where letters of assurance have been required in accordance with the requirements of the *building code*;
 - (c) except for garages, carports and garden structures, *foundation* and *excavation* components of new *simple buildings*, and *additions* greater than 55 square metres to *simple buildings*, in accordance with the *building code*;
 - (d) for a *building* that is designed with common egress systems for the occupants and requires the use of *firewalls* in accordance with the *building code*;
 - (e) for *alterations* to a *building*, or to a *structural* component of a *building* described in paragraph (a);
 - (f) for a *building* in respect of which the *building official* determines that site conditions, size or complexity so warrant in the interests of safety of persons or protection of property;
 - (g) for 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*;
 - (h) in regard to a parcel of land on which a *building* or *structure* is proposed, if the *building official* believes it 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 plan certification is in addition to a requirement under applicable enactments
 - (i) 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
 - (ii) 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 official* may require any *registered professional* carrying out the *professional design* and *field review* required under section 9.4 to provide evidence that he or she has experience and expertise in respect of the *professional design* and *field review* of the context and scope required.

Professional Plan Certification

- 9.6 The letters of assurance in the form of Schedules A and B as referred to in subsection 2.2.7, Division C, of the *building code* are relied upon by the Regional District and *its building officials* as certification that the design and plans to which the letters of assurance comply with the *building code*, this bylaw and other applicable enactments.
- 9.7 Letters of assurance must be in the form of Schedules A and B referred to in subsection 2.2.7, Division C, of the *building code*.
- 9.8 A *building permit* issued for the construction of a *complex building* includes 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.
- 9.9 If a *building permit* is issued under section 9.8 for a *construction* of a *complex or simple building*, or for a *building* that is so remote that the *building official* cannot access the parcel, the *permit* fee is 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 APPLICATION REQUIREMENTS

Requirements Before Applying for a Building Permit

- 10.1 Prior to applying for or receiving a *building permit*, the *owner* must satisfy the following requirements or conditions:
- (a) 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;
 - (b) the *owner* must provide evidence to the *building official* 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*, in which case, the agent must provide the name and contact information of the *owner*.

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 official* and signed by the *owner*, or the *owner's agent* 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 the *owner's agent* a signing officer if the *owner* is a corporation;
- (c) include a copy of a title search for the relevant parcel 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 without limitation whether the building is designed under Part 3 or Part 9 of the *building code*, *major occupancy* classification(s) of the *building*, *building area* and *building height*, number of streets the *building* faces, and *accessible* entrances, work areas, washrooms, firewalls and facilities;
- (e) include a copy of a survey plan prepared by a British Columbia land surveyor;
- (f) include a site 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) if applicable, location of an approved *existing* or proposed private or other alternative sewage disposal system, water supply system or storm water drainage system;
 - (viii) zoning compliance summary;
 - (ix) the location, dimensions and gradient of parking and parking access;

- (x) proposed and *existing* setbacks to parcel boundary;
- (xi) natural and finished grade at *building* corners and significant breaks in the building plan and proposed grade around the *building* faces in order to ascertain *foundation* height;
- (xii) first storey 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 and species of all trees greater than 10 centimetres in diameter;
- (xviii) location of top bank and water courses;
- (xix) access routes for firefighting;
- (xx) *accessible* paths of travel from the street to the *building*;
- (xxi) 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 official* 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 and *occupancy* classification 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*, spatial separations and ridge

height to comply with the *building code* and to illustrate that the *building* or *structure* conforms with the Regional District zoning bylaw and development permit;

- (j) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* conforms to the *building code*;
- (k) include all other requirements of sections 2.2.1, 2.2.3, 2.2.4, 2.2.5, 2.2.6 and 2.2.9, Division C of the *building code*;
- (l) 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;
- (m) include a letter of assurance in the form of Schedule A referred to in subsection 2.2.7 Division C, of the *building code*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*;
- (n) include letters of assurance in the form of Schedule B referred to in subsection 2.2.7 Division C, of the *building code*, each signed by such *registered professionals* as the *building official* or *building code* may require to prepare the design for and conduct *field reviews* of the construction of the *building*;
- (o) include two sets of drawings at a suitable scale of the design prepared by each *registered professional* containing the information set out in (g) to (k) of this section; and
- (p) include illustration of any slopes on the subject parcel that exceed 30%.

10.3 In addition to the requirements of section 10.2 of this bylaw, a *building official* 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 parcel boundary, prepared and sealed by a *registered professional*, in accordance with the Regional District's subdivision and development servicing bylaw;
- (b) a section through the site showing grades, *buildings*, *structures*, parking areas and driveways; and
- (c) any other information required by the *building official* 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 official* and signed by the *owner*, or the *owner's agent* 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*, or the *owner's agent* or a signing officer if the *owner* is a corporation;
- (c) include a copy of a title search for the relevant parcel 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 official* 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) if applicable, location of an approved *existing* or proposed alternative private or other sewage disposal system, water supply system or storm water drainage system;
 - (viii) the location, dimensions and gradient of parking and parking access;
 - (ix) proposed and *existing* setbacks to parcel boundary;
 - (x) natural and finished grade at *building* corners and datum determination points;
 - (xi) *first storey* floor elevation;

- (xii) location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
- (xiii) line of upper floors;
- (xiv) location and elevation of curbs, sidewalks, manholes and service poles;
- (xv) location of *existing* and proposed service connections;
- (xvi) location and species of all trees greater than 10 centimetres in diameter;
- (xvii) location of top bank and water courses;
- (xviii) access routes for firefighting;
- (xix) *accessible* paths of travel from the street to the *building*;
- (xx) zoning compliance summary; and
- (xxi) 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 minimum floor elevation,

except that for a *simple building* the *building official* 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*;

- (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* illustrating *foundations*, drainage, ceiling heights and construction systems;
- (h) include elevations of all sides of the *building* showing finish details, roof slopes, windows, doors, the *grade*, the maximum *building height* line, ridge height, spatial separations and natural and finished *grade* to comply with the *building code* and to illustrate that the *building* or *structure* conforms with the Regional District zoning bylaw and development permit;
- (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 Ministry of Health approvals;
- (k) except for garages, carports and garden structures located on land, include a *foundation* and *excavation* design prepared by a *registered professional* in accordance with the *building code*;
- (l) include geotechnical letters of assurance, in addition to a required geotechnical report, if the *building official* determines that the site conditions so warrant;
- (m) include two sets of drawings at a suitable scale of design including the information set out in (f) to (i) of this section; and
- (n) include a *building code* compliance summary including the applicable edition of the *building code*, such as, without limitation, whether the *building* is designed under Part 3 or Part 9 and compliance with article 2.2.2.1(2), Division C of the *building code*.

10.5 In addition to the requirements of section 10.4 of this Part, a *building official* may require the following be submitted with a *permit* application for the construction of each *simple building* in the *project* if a *project* involves:

- (a) two or more *buildings*, the gross floor areas of which in the aggregate total more than 1000 square metres, or
- (b) two or more *buildings* that will contain four or more dwelling units, or
- (c) otherwise if the complexity of the proposed *building* or *structure* or siting circumstances warrant,
- (d) a section through the site showing grades, *buildings*, *structures*, parking areas and driveways;
- (e) a roof plan and roof height calculations;
- (f) structural, electrical, plumbing, mechanical or fire suppression drawings prepared and sealed by a *registered professional*;
- (g) letters of assurance in the form of Schedule B referred to in Division C of the *building code*, signed by a *registered professional*; and
- (h) any other information required by the *building official* 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*.

Site and Location Information

10.6 Without limiting sections 10.2(f) or 10.4(d) of this Part, the *building official* may in writing require an *owner* to submit an up-to-date plan or 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,

and every person served with a written requirement under this section must comply with the requirement.

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 permit issuance, a security deposit as prescribed in Appendix A.

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) covers the cost borne by the Regional District to make the site safe if the *permit* holder abandons or fails to complete the work as designated on the *permit*;
- (c) serves as the security deposit for a provisional certificate of *occupancy* when such a certificate makes provision for a security deposit; or
- (d) serves as a security deposit to effect compliance with any condition under which the *permit* was issued.

10.10 The security deposit or applicable portion must be returned to the applicant when

- (a) the *building official* is satisfied that no further damage to public works or public lands will occur;
- (b) the inspections required by this bylaw are complete and acceptable to the *building official*; or
- (c) the conditions or provisions of a provisional certificate of *occupancy* are completed to the satisfaction of the *building official*.

10.11 Subject to section 10.10, 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.

10.12 If the proposed work includes *excavation* or construction on lands within 10 metres of works or services owned by the Regional District, the *owner* must deliver to the *building official* a signed agreement in a form prescribed by the Regional District under which the *owner* acknowledges and agrees that any damage to Regional District works or services arising from the construction associated with the *building permit* will be repaired by the *owner* at its expense and to the satisfaction of the Public Works Superintendent. The *owner* must deposit with the Regional District security in accordance with sections 10.8 to 10.10 of this Part.

Permit Fee Refunds

10.13 No fee or part of a fee paid to the Regional District may be refunded if construction of the *building* has started.

10.14 A *building permit* or other *permit* fee may be partially refunded as set out in this Part 10, only if

- (a) the *owner* has submitted a written request for a refund;

- (b) the *building official* has certified a start has not been made on the construction of the *building* or *structure*; and
- (c) the *permit* has not expired.

10.15 A *building permit* or other *permit* fee is not refundable after the *permit* has been extended under section 10.46 of this Part.

Design Modification

10.16 If an issued *building permit* or other *permit* is active and the *owner* proposes modification to the *building* design whereby the value of the work does not increase or the value of the work decreases, the *owner* must pay to the Regional District a *building permit* fee prescribed in Appendix A.

Construction Before Permit Issued

10.17 The *building permit* or other *permit* fee is doubled for every *permit* application if construction commenced before the *building official* issued a *permit*, to a maximum of \$10,000.00.

Expiration of Application for a Permit

10.18 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

10.19 If:

- (a) a completed application in compliance with sections 10.1, 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;
- (e) the *owner* has retained an architect if required under this bylaw; and

- (f) no covenant, agreement, resolution or regulation of the Regional District requires or authorizes the *permit* to be withheld,
- (g) the *owner* has obtained 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;
- (h) an approving officer has approved the subdivision plan that, once registered, would create the parcel on which the proposed *building* or *structure* will be *constructed*, and the subdivision plan must have been registered in the Land Title Office;
- (i) if the parcel that is the subject of the *building permit* application is not intended to be connected to a *community sewer system*, the *owner* must apply for and obtain approval from the Regional District and other applicable public authorities for an alternate *private sewage disposal system*;
- (j) if the parcel that is the subject of the *building permit* application is not intended to be connected to the Regional District's waterworks system, the *owner* certify in a statutory declaration that there is approval from applicable public authorities for an alternate water supply system;
- (k) if the parcel that is the subject of the *building permit* application is not intended to be connected to the Regional District's storm water drainage system, the *owner* must apply for and obtain approval from the Regional District and other applicable public authorities for the alternate storm water drainage and detention system; and
- (l) if all on site and off site works and services required by a Regional District bylaw or other enactments have not been completed in accordance with the enactments, the *owner* must enter into a completion agreement with the Regional District and deliver to the Regional District letters of credit or cash security for completion of the works and services,

and if the *owner* has delivered to the *building official* a current land title search to evidence compliance with this bylaw and the *Community Charter* and *Local Government Act*, as applicable, the *building official* must issue the *permit*, in a form prescribed by the *building official*, for which the application is made, and the date of issuance is deemed to be the date the Regional District give written notice to the *owner* that the *permit* is ready to be picked up by the *owner*.

Compliance with the *Homeowner Protection Act*

10.20 Despite section 10.19, the *building official* 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*.

- 10.21 If the application is in respect of a *building* that includes, or will include, a *residential occupancy* governed by the *Homeowner Protection Act*, the *building permit* must not be issued unless the *owner* provides evidence under section 30(1) of the *Homeowner Protection Act*, that the proposed *building*:
- (a) is covered by home warranty insurance; and
 - (b) the *constructor* is a licensed “residential builder” as defined in that Act.
- 10.22 Section 10.21 of this Part does not apply if the *owner* is not required to be licensed and to obtain home warranty insurance in accordance with sections 20(1) or 30(1) of the *Homeowner Protection Act*.
- 10.23 Every *permit* is issued subject to the *owner* and *constructor* maintaining compliance with the *Homeowner Protection Act* and regulations under it during the term of the *permit*.

Partial Construction

- 10.24 If a *building permit* has expired and partial construction has occurred, with no extension requested of the *building official* under section 10.46, 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

- 10.25 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 official* in writing, the *building official* 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*.
- 10.26 The review of plans and supporting documents and issuance of a *building permit* do not prevent the *building official* 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.

Inspections

- 10.27 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 and the *building code* 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.

10.28 Despite section 10.28 of this Part, 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 and to monitor the *field reviews* undertaken by the *registered professionals*.

10.29 A *building official* 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.

10.30 For all work in respect of *simple buildings* the *owner* must give at least 48 hours' online or written notice to the Regional District when requesting an inspection and must obtain an inspection and receive a *building official'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 10.31(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 damp proofing if required;

(c) Under slab plumbing rough-in

- (i) installation of a sanitary or storm sewer and any part of the plumbing system and *building services* prior to backfilling or covering;
- (ii) installation of subfloor depressurization system and rough-in for soil gas control;
- (iii) after inspection under section 10.31 (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

(ii) e, 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*.

10.31 A *building official* will only carry out an inspection under section 10.31 if the *owner* or the *owner's agent* has requested the inspection online or in writing in accordance with this bylaw:

(a) in the order specified in section 10.31; and

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

and despite section 10.32(a) and (b), unscheduled audit inspections may be carried out on the construction at the discretion of the *building official*.

10.32 Despite the requirement for the *building official's* acceptance of the work outlined in section 10.31, 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.

10.33 No person may conceal any aspect of the work referred to in section 10.31 of this bylaw until a *building official* has *accepted* it in writing.

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

(a) give at least 48 hours' online or written notice to the Regional District when requesting a preconstruction meeting with the *building official* 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' online or written notice to the Regional District when requesting a pre-occupancy coordinated by the *coordinating registered professional* or other *registered professional* to have the *owner*, the *constructor* and the *registered professionals* demonstrate to the *building official* and Fire Services the compliance with *the health and safety aspects of the work*, the coordination and integration of the fire and life safety system, applicable Regional District requirements and other enactments respecting safety and the conservation, GHG emission and accessibility aspects of the work; and
- (c) cause the *coordinating registered professional*, at least 48 hours prior to the pre-occupancy coordinated site review coordinated by the *coordinating registered professional*, to deliver to the *building official* the Confirmation of Required Documentation in the form prescribed by the *building official*, complete with all documentation in a hard covered three ring binder and in digital pdf format on a memory stick.

Stop Work Order

- 10.35 The *building official* 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 official* 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 applicable provisions of the *Homeowner Protection Act*.
- 10.36 The *coordinating registered professional* may request, in writing, that the *building official* 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 official* must consider such a request and, if not acted upon, must respond, in writing, to the *coordinating registered professional* and give reasons.
- 10.37 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 official* is deemed to have issued a stop work order under section 10.36.
- 10.38 The *owner* must immediately, after the posting of a notice under section 10.36, 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.

10.39 Subject to section 10.36, no work other than the required remedial measures may be carried out on the parcel affected by the notice referred to in section 36 until the stop work order notice has been removed by the *building official*.

10.40 The *owner* must keep the notice referred to in section 10.36 posted on the parcel until that which is contrary to the enactments has been remedied.

Do Not Occupy Notice

10.41 If a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of this bylaw, a *building official* may post a Do Not Occupy Notice in the form prescribed by the *building official* on the affected part of the *building* or *structure*.

10.42 If a notice is posted under section 10.42, the *owner* of a parcel on which a Do Not Occupy Notice in the form prescribed by the *building official* has been posted, and every other person, must cease *occupancy* of the *building* or *structure* immediately and 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 a *building official*.

Inspection and Other Fees

10.43 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 each subsequent re-inspection where it has been determined by the *building official* that due to non-compliance with the provisions of this bylaw or due to non-complying work, more than one site visit is required for any required inspection;
- (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) an 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 official* review an application or part of an application that has already been reviewed by the *building official*.

Permit Expiration

10.44 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

10.45 A *building official* may extend the period set out under section 10.45 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

10.46 The *building official* 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,

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

10.47 A *building permit*, or a *building permit* application, may be cancelled by the *owner*, or their *agent*, on delivery of written notification of the cancellation to the *building official*.

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

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

10.50 If a *building permit* application or *permit* is cancelled, and construction has not commenced under the *permit*, the *building official* 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 Permit

10.51 No person may occupy a *building* or *structure* or part of a *building* or *structure* until a final inspection notice authorizing *occupancy* has been issued by a *building official*.

10.52 A final inspection notice authorizing *occupancy* will 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 this bylaw have both been inspected and *accepted* or the inspections and acceptance are not required in accordance with this bylaw;
- (c) the *owner* has delivered to the Regional District as-built plans of works and *services* in digital format as required by the Regional District;
- (d) the *owner* has provided to the Regional District a *building* survey prepared by a British Columbia Land Surveyor showing the *building* height, size, location and elevation determined in accordance with the Regional District's land use regulations;
- (e) all other documentation required under applicable enactments has been delivered to the Regional District; and
- (f) the *owner* has delivered to the Regional District as-built drawings of the *building* or *structure* in digital format as required by the Regional District.

10.53 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.

10.54 A *building official* may issue a final inspection notice authorizing *occupancy* for partial *occupancy* of a portion of a *building* or *structure* under construction when:

- (a) that portion of the *building* or *structure* is self-contained and provided with essential services respecting *health and safety aspects* of the work, and if applicable reporting accessibility, GHG emissions and conservations; and
- (b) the requirements set out in section 10.53 have been met with respect to it.

10.55 A final inspection notice authorizing *occupancy* may not be issued unless:

- (a) all letters of assurance and the Confirmation of Required Documentation in the form prescribed by the *building official* 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 of this bylaw and sections 10.28 through 10.35 of this bylaw have both been inspected and *accepted*;
- (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; and
- (d) all required offsite works respecting safety have been completed.

Temporary Buildings

10.56 Subject to the bylaws of the Regional District and notices issued by the *building official*, the *building official* 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.

10.57 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 in the form prescribed by the *building official*, 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) 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; and
- (j) in the case of a *temporary building*, information to comply with article 1.1.1.1(2)(f), Division C of the *Building Code*.

10.58 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.

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

PART 11: RETAINING WALLS AND GRADES

11.1 No person may construct, or structurally repair, a *retaining wall* without a *building permit*.

11.2 Except as certified by a professional engineer with expertise in geotechnical engineering registered in the province of British Columbia, fill material placed on a parcel, unless restrained by permitted *retaining walls*, must not have a surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally.

11.3 Without limiting section 11.2, no person may occupy a *building* unless the finished *grade* complies with all applicable enactments.

PART 12: BUILDING MOVE

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

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 Without limiting Part 4 of this bylaw, every 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; and
 - (c) neglects to do anything required to be done under any provision of this bylaw,
- commits an offence and 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. Each day during which a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.
- 14.2 Every person who fails to comply with any order or notice issued by a *building official*, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- 14.3 Every person who commences work requiring a *building permit* without first obtaining such a *permit* must, if a Stop Work notice is issued and remains outstanding for 30 days, pay an additional fee required under Appendix A of this bylaw.

Deemed Offence

- 14.4 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.
- 14.5 No person is deemed liable under section 14.4 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.
- 14.6 Nothing in section 14.5 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 official* 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;

alternative solution means an alternative solution authorized under the *building code*;

alteration means a change, repair or modification of the *construction* or arrangement of or use 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 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 official means the person designated in or appointed to that position by the Regional District, and includes a building inspector, plan checker, plumbing inspector, gas inspector, or electrical inspector designated or appointed by the Regional District, and for certainty the *building official* is the “building inspector” referred to in the *Community Charter* and *Local Government Act*;

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*;

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*,
- (v) *treatment occupancy*; or
- (vi) *post-disaster building*,

(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*,

coordinating registered professional means a *registered professional* retained pursuant to the *building code* to coordinate all design work and field reviews of the *registered professionals* required for a development;

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

constructor means a person who *constructs*;

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;

GHG means greenhouse gas;

health and safety aspects of the work means design and construction regulated by Parts 3, 4, 5, 6, 7, 8, 9 and 10, Division B, of the *building code*; and subject to Parts 1 and 2 in relation to Parts 3 through 10, Division B, 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 notice of the *building official* authorizing *occupancy*;

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

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

private sewage disposal system means a system, other than a *community sewer system*, that complies with all enactments governing such a private system;

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;

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, or retaining *structures* less than 1.22 meters in height;

temporary building includes a sales office, construction office or a *structure* in which tools are stored during construction of a *building* or other *structure*;

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* that is served by only one stove, or two stoves if permitted as an auxiliary and secondary *residential occupancy*, the greater of
 - (i) the declared *value of the work*; or
 - (ii) the value calculated using Appendix B; or
- (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

- (a) set out in section 1.4.1.2 of the *building code* as of the date of the adoption of this bylaw: *accessible 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, first storey, grade, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, medium hazard industrial occupancy, mercantile occupancy, occupancy, post disaster occupancy, private sewage disposal system, registered professional, residential occupancy, treatment occupancy or unsafe condition*;
- (b) subject to this bylaw, set out in the Schedule to the *Community Charter*: *assessed value, highway, land, occupier, parcel, public authority, service and soil*; and
- (c) subject to this bylaw, set out in section 29 of the *Interpretation Act*: *may, must, obligation, person, property, writing, written and year*.

- 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 will 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 __18th_ day of __January _____, 2018.
 READ A SECOND TIME this _18th__ day of __January_____, 2018.
 READ A THIRD TIME this _18th__ day of __January_____, 2018.
 SECOND AND THIRD READING RESCINDED, AND READ AGAIN AT SECOND READING this ___ day of _____, 2018.
 READ A THIRD TIME this ___ day of _____, 2018.
 ADOPTED this ___ day of _____, 2018.
 IN FORCE this 5th day of March, 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 officials, 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 officials.
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 official. 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 Official

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 One Million Dollars (\$1,000,000) in respect of a *complex building* or Five Hundred Thousand Dollars (\$500,000) in respect of another *building* or *structure* under this bylaw;
- 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 official 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

