



Peace River Regional District REPORT

To: Chair and Directors

From: Bruce Simard, General Manager of Development Services

Date: April 18, 2012

Subject: New Building Bylaw – Regional District Building Bylaw No. 1996, 2011

RECOMMENDATION:

THAT the Regional Board approve 3rd Reading of Peace River Regional District Building Bylaw No. 1996, 2011 as amended.

BACKGROUND/RATIONALE:

At the November 24, 2011 meeting, upon recommendation from EADC, the Regional Board gave 1st & 2nd reading to a draft of Regional District Building Bylaw No. 1996, 2011. In February the bylaw was referred to EADC for review.

The bylaw has now been further reviewed and revised with regard to other PRRD regulations and policies such as zoning, and checked for consistency, considered by the Electoral Area Director's Committee (see EADC minutes in the April 26 Regional Board agenda), and the PRRD solicitor.

Recruitment for a second building inspector is currently underway.

An intensive Public Information Campaign is proposed to start in May and leading up to the start date of the new bylaw (approx. September 1, 2012) and then periodically for the remainder of the year.

There will also be a transition mechanism for existing permits at the time of adoption, whereby those permits that are still valid under the previous bylaw will continue to be administered under that bylaw until the permit expires.

REGIONAL BOARD STRATEGIC PLAN:

A new Building Bylaw is included in the Operational Strategies of the Development Services Dept. (Planning) with a target date of May 2012.

FINANCIAL IMPLICATIONS:

Expansion of the building inspection area will require the addition of another building inspector, including office equipment, and a vehicle. (Rather than a vehicle dedicated to the building inspector, an additional vehicle will be purchased for the Dawson Creek vehicle pool, available for all staff.)

Staff Initials:

Dept. Head:

Bruce Simard

CAO:

John Boulton

April 26, 2012

WHEREAS section 694 of the *Local Government Act* authorizes the Peace River Regional District to regulate construction, alteration, repair, and demolition of buildings and other structures, for the health, safety and protection of persons and property;

AND WHEREAS the Province of British Columbia has adopted a building code to govern standards in respect of the construction, alteration, repair, and demolition of buildings in municipalities and regional districts in the Province;

AND WHEREAS it is deemed necessary to provide for the administration of the building code;

NOW THEREFORE the Board of the Peace River Regional District, in open meeting assembled, enacts as follows:

PART 1 TITLE

- 1.1 This Bylaw may be cited for all purposes as "Peace River Regional District Building Bylaw No. 1996, 2011".

PART 2 DEFINITIONS

2.1 In this Bylaw:

- (a) the following words and terms have the meanings set out in section 1.4.1.2 of the *Building Code*: *alteration, assembly occupancy, basement, building, building area, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, farm building, field review, high-hazard industrial occupancy, low-hazard industrial occupancy, major occupancy, medium-hazard industrial occupancy, mercantile occupancy, occupancy, owner, plumbing system, registered professional, residential occupancy*;
- (b) *Building Code* means the British Columbia Building Code, as amended from time to time;
- (c) *building official* includes building inspectors, plan checkers, and plumbing inspectors designated by the *Regional District*;
- (d) *complex building* means:
 - (i) a *building* used for a *major occupancy* classified as an *assembly occupancy, care or detention occupancy, or high-hazard industrial occupancy*; or

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- (ii) a *building* exceeding 600 square meters in *building area* or exceeding three stories in *building height* used for a *major occupancy* classified as a *residential occupancy, business and personal services occupancy, mercantile occupancy, or medium- and low-hazard industrial occupancy*; and
 - (iii) all tenant improvements in a *complex building* except where the *owner* provides the *building official* with evidence to demonstrate such requirement is unnecessary;
 - (e) *construction value* means all costs of construction, including materials and labour, but excluding taxes;
 - (f) *demolition permit* means a *permit* authorizing the demolition of all or part of a *building* or *structure*;
 - (g) *dwelling unit* means one or more habitable rooms of complementary use, intended or used as a domicile by one or more persons, and containing cooking, eating, living, sleeping and sanitary facilities, to be used for purposes of only one household as a functioning set of living quarters, and which has a private entrance either from the outside or from a common hall inside a *building*;
 - (h) *finished grade* means the final elevation of the ground surface after construction;
 - (i) *garage* means a *building* or part of a *building* that is designed or used for the sheltering of motor vehicles and the storage of household goods incidental to the residential use of the *building*;
 - (j) *grade* means the average of the mean elevation of all the natural or finished levels of the ground adjoining all walls of a *building* or *structure*;
 - (k) *manufactured home* means a factory built *structure* conforming to CSA STANDARD Z-240 or A277-01, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to provide residential accommodation and to be moved from one place to another by being towed or carried;
 - (l) *occupancy permit* means a *permit* authorizing the *occupancy* of a *building* or *structure* for which a *building permit* was issued or required;
 - (m) *permit* means a permit required or issued under this Bylaw;
 - (n) *permit fee* means the fee payable for a *permit*, as set out in Schedule A;

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- (o) *plumbing fixture* includes a toilet, water closet, sink, lavatory, bathtub, shower, hot water tank, clothes washer, dishwasher, floor drain, roof drain, water heater, oil and grease interceptor, sump, catch basin, backflow prevention device, vacuum breaker, and any similar appliance that is connected to a sanitary drain water supply or internal rain water leader;
 - (p) *plumbing permit* means a *permit* authorizing the construction or *alteration* of a *plumbing system*;
 - (q) *reconstruction* means the rebuilding of a *building* or *structure*, including structural elements, to its pre-existing design and dimensions, using original materials;
 - (r) *Regional District* means the Peace River Regional District;
 - (s) *retaining wall* means a wall constructed for the retention of soil;
 - (t) *solid fuel burning appliance* means an appliance, such as a stove, pellet stove, fireplace insert, or factory-built fireplace, that burns solid fuel, including wood and coal;
 - (u) *standard building* means a *building* of three storeys or less in *building height*, having a *building area* not exceeding 600 square meters, and used for a *major occupancy* classified as a *residential occupancy, business and personal services occupancy, mercantile occupancy, or medium- and low-hazard industrial occupancy*;
 - (v) *structure* means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and signs;
 - (w) *temporary building* means a *building* that is not intended to be permanent, and includes a construction site office, seasonal storage *building*, special events facility, emergency facility, or similar *structure*.

PART 3 PURPOSE OF BYLAW

Interpretation

3.1 This Bylaw shall be interpreted in accordance with this Part.

Purpose

- 3.2 This Bylaw has been enacted for the health, safety and protection of persons and property, and the activities undertaken by or on behalf of the *Regional District* pursuant to this Bylaw are for the sole purpose of providing a limited and interim spot-checking function for the health, safety and protection of persons and property.

Limitation

- 3.3 The *Regional District*, by enacting this Bylaw, and the *Regional District's* officers, employees, contractors and agents, in administering and enforcing this Bylaw:
- (a) do not assume any responsibility for ensuring compliance by any person with the *Building Code*, the requirements of this Bylaw, or any other applicable enactments;
 - (b) do not provide to any person any representation, warranty or other assurance with respect to the design or workmanship of any *building* or *structure*; and
 - (c) do not provide to any person any representation, warranty or other assurance that any work undertaken pursuant to a *permit* is free from any defects, or complies with this Bylaw, the *Building Code* or any other applicable enactments.

Disclaimer of Warranty or Representation

- 3.4 Neither the issuance of a *permit* under this Bylaw, nor the review and acceptance of the design, drawings, plans or specifications, nor inspections made by a *building official*, shall constitute a representation, warranty, assurance or statement that the *Building Code*, this Bylaw, or other enactments respecting health and safety have been complied with or that the *building* or *structure* meets any standard of materials and workmanship, and no person shall rely on any of those acts as establishing compliance with the *Building Code*, this Bylaw or any other applicable enactments.

PART 4 SCOPE OF BYLAW

Application of Bylaw

- 4.1 This Bylaw applies to the design, construction and *occupancy* of new *buildings* and *structures*, and to the *alteration, reconstruction, demolition*, removal, relocation and *occupancy* of existing *buildings* and *structures*.
- 4.2 This Bylaw applies to all parts of the *Regional District* not within a municipality.

Exemptions from Bylaw

4.3 This Bylaw does not apply to:

- (a) *buildings* or *structures* exempted under Section 1.1.1.1.(2) of the *Building Code*, except as expressly regulated herein;
- (b) *retaining walls* less than 1.2 meters in height;
- (c) *farm buildings*;
- (d) construction, *alteration* or repair of a *building* or *structure* having an estimated *construction value* not exceeding \$2,500, other than construction, *alteration*, or repair of a *dwelling unit*;
- (e) a garden shed, tool shed, or greenhouse having a floor area not exceeding 20 square meters;
- (f) minor repairs to and replacement of *plumbing fixtures*, where such work does not include an extension to or addition of *plumbing fixtures*.

PART 5 PERMIT CONDITIONS

Permit Requirement

5.1 A *permit* is required before commencing any work regulated under this Bylaw.

Permit Conditions

5.2 All *permits* issued under this Bylaw are issued on the following conditions:

- (a) the *owner* (and where the *owner* is acting through an agent, the agent) must carry out the work in respect of which the *permit* was issued in compliance with the *Building Code*, this Bylaw and other applicable enactments respecting health and safety;
- (b) neither the issuance of a *permit* under this Bylaw nor the acceptance or review of plans, drawings, and specifications, nor any inspections made by or on behalf of the *Regional District* shall in any way relieve the *owner* or his or her agents from full and sole responsibility to perform the work in strict accordance with this Bylaw, the *Building Code* and any other applicable enactments respecting health and safety;
- (c) no person shall rely upon any *permit* as establishing compliance with this Bylaw or assume or conclude that this Bylaw has been administered or enforced according to its terms. The person to whom the *permit* is issued and his or her agents are responsible for making such determinations.

PART 6 GENERAL PROHIBITIONS

No Work without Permit

- 6.1 No person shall commence or continue any construction, *alteration, reconstruction, demolition, removal, or relocation* of any *building or structure*, including excavation or other work related to construction, and no person shall place a *manufactured home* upon a foundation, unless a *building official* has issued a valid and subsisting *permit* for the work.

No Occupancy Without or Contrary to Permit

- 6.2 No person shall occupy or use a *building or structure*, or any part of a *building or structure*, unless a *building official* has issued a valid and subsisting *occupancy permit* for the *building or structure*, and no person shall occupy or use a *building or structure*, or any part of a *building or structure*, contrary to the terms of any *occupancy permit* issued, or any notice given by, a *building official*.

No False Information

- 6.3 No person shall knowingly submit false or misleading information to a *building official* in relation to any *permit* application or construction undertaken pursuant to this Bylaw.

No Tampering with Permit

- 6.4 No person shall, unless authorized in writing by a *building official*, reverse, alter, deface, cover, remove or in any way tamper with any notice, order, *permit* or certificate issued by a *building official*, including any notice, order, *permit* or certificate posted upon or affixed to a *building or structure* pursuant to this Bylaw.

No Work at Variance with Permit

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

No Obstruction of Building official

- 6.6 No person shall obstruct the entry of a *building official* or other authorized official of the *Regional District* on property in the administration of this Bylaw.

PART 7 BUILDING OFFICIALS

Role of Building Officials

7.1 Each *building official* may:

- (a) administer this Bylaw;
- (b) keep records of *permit* applications, *permits*, notices and orders issued, inspections and tests made, and shall retain paper or electronic copies of all documents related to the administration of this Bylaw;
- (c) establish, if requested to do so, whether the methods or types of construction and types of materials used in the construction of a *building* or *structure* for which a *permit* is sought under this Bylaw substantially conform to the requirements of the *Building Code*;
- (d) order the cessation of work that is proceeding without or in contravention of a *permit* by posting a "stop work" notice on the property where such work is undertaken;
- (e) order the cessation of an *occupancy* that is proceeding without or in contravention of an *occupancy permit* by posting a "do not occupy" notice on the *building* or *structure*;
- (f) order the correction of work that is being or has been done in contravention of a *permit*.

Entry on Land

7.2 A *building official*:

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

PART 8 PERMIT APPLICATIONS AND FEES

Required Applications

8.1 Every person shall apply for and obtain:

- (a) a *building permit* before:
 - (i) constructing, *reconstructing*, repairing or *altering* a *building* or *structure*;
 - (ii) placing a *building* or *structure* that has been moved;
 - (iii) installing or placing a *manufactured home* on a foundation;
- (b) a *temporary building permit* before constructing, installing, or placing a *temporary building*;
- (c) a *plumbing permit* before constructing, installing or altering a *plumbing system*;
- (d) a *demolition permit* before demolishing a *building* or *structure*, or any part of a *building* or *structure*;
- (e) a *solid fuel burning appliance permit* before installing a *solid fuel burning appliance* within a *building* or *structure*; and
- (f) an *occupancy permit* prior to occupying a *building* or *structure*.

Form of Application

8.2 *Permit* applications shall be made in the prescribed form.

Required Information

8.3 All plans submitted with a *permit* application shall bear the name and address of the *designer* of the *building* or *structure*.

Separate Permits Required

8.4 Each *building* or *structure* to be constructed on a parcel requires a separate *building permit* and shall be assessed a separate *permit fee* based on the value of that *building* or *structure*, as determined in accordance with Schedule A to this Bylaw.

8.5 Each *plumbing system* to be constructed on a parcel requires a separate *plumbing permit* for each *building* and shall be assessed a separate *permit fee*.

Permit Fees

- 8.6 In addition to applicable fees and charges required under other bylaws, an application for a *permit* shall be accompanied by the appropriate *permit fee*, calculated in accordance with Schedule A to this Bylaw.

Plan Processing Fee

- 8.7 In addition to the applicable *permit fee*, an application made for a *building permit* shall be accompanied by a non-refundable plan-processing fee, in the amount set out in Schedule A to this Bylaw. The plan-processing fee shall be credited against the *permit fee* when the *building permit* is issued. The plan-processing fee shall be forfeited if the *owner* fails to pay the applicable *permit fee* within one hundred and eighty (180) days of the date written notification is sent to the *owner* that the *building permit* is ready to be issued.

Refund of a Permit Fee

- 8.8 The *owner* may obtain a refund of the applicable *permit fee* when a *permit* is surrendered and cancelled before construction begins, provided:
- (a) the refund shall not include the plan-processing fee paid in accordance with section 8.7 of this Bylaw; and
 - (b) no refund shall be given where construction has begun or an inspection has been made.

Re-Inspection Fee

- 8.9 Where, for any reason, more than one inspection is necessary when one inspection is normally required, the *owner* shall pay a re-inspection fee in the amount set out in Schedule A prior to each additional inspection being performed.
- 8.10 Notwithstanding section 8.9, the *owner* is not required to pay the re-inspection fee where multiple inspections for framing and insulation are necessary between November 1 and March 31.

PART 9 PERMIT APPLICATION REQUIREMENTS

Building Permit Applications for Standard Buildings

- 9.1 An application for a *building permit* with respect to a *standard building* shall be signed by the *owner* (or a signing officer if the *owner* is a corporation), and shall include:
- (a) an acknowledgement of responsibility and undertaking, in the prescribed form, signed by the *owner* (or a signing officer if the *owner* is a corporation);
 - (b) a title search for the property, made within thirty (30) days of the date of the application;
 - (c) where the application is in respect of a *building* that includes, or will include, a *residential occupancy*, evidence pursuant to section 30(1) of the *Homeowner Protection Act* (British Columbia) that:
 - (i) the proposed *building* is covered by home warranty insurance, and
 - (ii) the *constructor* is a licensed residential builder,unless the *owner* is exempted by regulation from the requirement to obtain home warranty insurance and the requirement to be licensed;
 - (d) if the parcel is located within a development permit area, a copy of the approved development permit;
 - (e) a site plan showing:
 - (i) the location and dimensions of the parcel taken from the registered subdivision plan;
 - (ii) the legal and civic address of the parcel;
 - (iii) the location and dimensions of all statutory rights of way, easements, and setback requirements;
 - (iv) the location and dimensions of all existing and proposed *buildings* or *structures* on the parcel, including all onsite sewage disposal systems;
 - (v) proposed elevations for top of *basement* and *garage* foundations;

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- (vi) the location, dimension and gradient of parking and driveway access, unless the *permit* is sought for the repair or *alteration* of an existing *building* or *structure*, and the requirement for a site plan has been waived by a *building official*;
 - (f) 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) a cross-section through the *building* or *structure* illustrating foundations, drainage, ceiling heights, and construction systems;
 - (h) elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, and *finished grade*;
 - (i) 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) a foundation design;
 - (k) a truss plan and truss drawings prepared by a truss provider and stamped by a professional engineer;
 - (l) a roof plan and roof height calculations;
 - (m) two (2) sets of drawings at a suitable scale of the design, including the information required in subsections (f) through (l).
- 9.2 In addition to the documents required under section 9.1, the *building official* may require that the following be submitted with a *building permit* application for the construction of a *standard building*:
- (a) where the complexity of the proposed *building* or *structure* or siting circumstances warrant, letters of assurance in the form of Schedule A to Division C – Part 2 of the *Building Code*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*;
 - (b) letters of assurance in the form of Schedule B to Division C – Part 2 of the *Building Code*, signed by each *registered professional* as the *building official* or *Building Code* may require to prepare the design for and conduct *field reviews* of the construction of the *building* or *structure*; and

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- (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*.

Additional Requirements for Manufactured Homes

- 9.3 In addition to the documents required under sections 9.1 and 9.2, an application for a *building permit* to install or place a *manufactured home* shall include:
 - (a) confirmation that the land on which the manufactured home will be located is zoned single-family residential under the Regional District's Zoning Bylaw;
 - (b) evidence satisfactory to the *building official* that the *manufactured home* has been constructed and certified under current editions of Canadian Standards Association (CSA) Standards A277 or Z240 MH series, or such updated standards as may be applicable from time to time; and
 - (c) information regarding site preparations, foundations, mountings, service connections, and installation of appliances.

Building Permit Applications for Complex Buildings

- 9.4 An application for a *building permit* with respect to a *complex building* shall be signed by the *owner* (or a signing officer if the *owner* is a corporation) and the *coordinating registered professional*, and shall include:
 - (a) an acknowledgement of responsibility and undertaking, in the prescribed form, signed by the *owner*;
 - (b) a title search for the property, made within 30 days of the date of the application;
 - (c) where the application is in respect of a *building* that includes, or will include, a *residential occupancy*, evidence pursuant to section 30(1) of the *Homeowner Protection Act* (British Columbia) that:
 - (i) the proposed *building* is covered by home warranty insurance, and
 - (ii) the *constructor* is a licensed residential builder,unless the *owner* is exempted by regulation from the requirement to obtain home warranty insurance and the requirement to be licensed;
 - (d) if the parcel is located within a development permit area, a copy of the approved development permit;

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- (e) a cost estimate from a *registered professional* for completion of the proposed work, or a signed copy of the *construction value* contract to complete the work;
 - (f) a site plan prepared by a British Columbia Land Surveyor showing:
 - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (ii) the legal and civic address of the parcel;
 - (iii) the location and dimensions of all statutory rights of way, easements, and setback requirements;
 - (iv) the location and dimensions of all existing and proposed *buildings* or *structures* on the parcel, including all onsite sewage disposal systems;
 - (v) the location of all fire hydrants, fire sprinklers, standpipe connections, and fire flow calculations;
 - (vi) the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a *building* or *structure* where the Regional District's land use regulations establish siting requirements related to minimum floor elevation;
 - (vii) the location, dimension and gradient of parking and driveway access, unless the *permit* is sought for the repair or *alteration* of an existing *building* or *structure*, and the requirement for a site plan has been waived by a *building official*;
 - (g) 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;
 - (h) a cross section through the *building* or *structure* illustrating foundations, drainage, ceiling heights, and construction systems;
 - (i) elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, and *finished grade*;
 - (j) 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*;
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- (k) three (3) sets of drawings at a suitable scale of the design, prepared by each *registered professional*, and including the information required in subsections (g) through (j);
 - (l) a letter of assurance in the form of Schedule A to Division C – Part 2 of the *Building Code*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*; and
 - (m) letters of assurance in the form of Schedule B to Division C – Part 2 of the *Building Code*, signed by each *registered professional* as the *building official* or *Building Code* may require to prepare the design for and conduct *field reviews* of the construction of the *building* or *structure*.

9.5 In addition to the documents required under section 9.4, the *building official* may require that the following be submitted with a *building permit* application for the construction of a *complex building*:

- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*;
- (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*.

Temporary Building Permit Applications

9.6 In addition to the requirements of this Bylaw that apply to all *permit* applications, an application for a *temporary building permit* for the construction, installation, or placement of a *temporary building* shall include:

- (a) plans and supporting documents showing the proposed location of the *temporary building*;
- (b) plans and supporting documents showing construction details of the *temporary building*;
- (c) a statement by the *owner* indicating the intended use of the *temporary building* and the duration of the use;
- (d) a written description of the project explaining why the *temporary building* is to be considered temporary;

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- (e) a report or drawing by an architect or engineer registered in British Columbia confirming that the *temporary building* complies with the *Building Code*, this Bylaw, and all other *Regional District* bylaws;
 - (f) security in the form of cash or irrevocable letter of credit for up to \$10,000.00, which security:
 - (i) may be used by the *Regional District* to remove the *temporary building* upon expiry of the *permit*, or
 - (ii) will be returned to the owner if the owner removes the *temporary building* upon expiry of the *permit*.

Building Permit Applications for Retaining Walls

- 9.7 In addition to the requirements of this Bylaw that apply to all *permit* applications, an application for a *building permit* for construction of a *retaining wall* shall include sealed copies of design drawings, prepared by a *registered professional*.

Solid Fuel Burning Appliance Permit Applications

- 9.8 In addition to the requirements of this Bylaw that apply to all *permit* applications, an application for a *solid fuel burning appliance permit* shall include a copy of the manufacturer's manual for the *solid fuel burning appliance*.

Demolition Permit Applications

- 9.9 In addition to the requirements of this Bylaw that apply to all *permit* applications, an application for a *demolition permit* shall include security in the form of cash or irrevocable letter of credit for up to \$10,000.00, which security:
- (a) may be used by the *Regional District* to carry out the *owner's* obligations under the *demolition permit*, or otherwise under section 13.4 of this Bylaw, or
 - (b) will be returned to the *owner* if the owner completes all obligations under the *demolition permit* and under section 13.4 of this Bylaw.

Occupancy Permit Applications

- 9.10 In addition to the requirements of this Bylaw that apply to all *permit* applications, an application for an *occupancy permit* for a *complex building*, or for a *standard building* in circumstances where letters of assurance have been required in accordance with this Bylaw, the *owner* shall provide the *Regional District* with letters of assurance in the form of Schedules C-A or C-B to Division C – Part 2 of the *Building Code*, as is appropriate.

Professional Plan Certification

- 9.11 The letters of assurance in the form of Schedules B, C-A, and C-B to Division C – Part 2 of the *Building Code*, and provided pursuant to sections 9.2, 9.4., and 9.10 of this Bylaw are relied upon by the *Regional District* and its *building officials* as certification that the design and plans to which the letters of assurance relate comply with the *Building Code* and other applicable enactments respecting health and safety.
- 9.12 A *building permit* issued for the construction of a *complex building*, or a *standard building* for which a *building official* has required professional design and letters of assurance pursuant to this Bylaw, shall include a notice to the *owner* that the *building permit* is issued in reliance upon the certification of the *registered professionals* that the design and plans submitted in support of the application for the *building permit* comply with the *Building Code* and other applicable enactments respecting health and safety.
- 9.13 When a *building permit* is issued for the construction of a *complex building*, or a *standard building* for which a *building official* has required professional design and letters of assurance pursuant to this Bylaw, the *permit fee* shall be reduced by 5% of the fees payable pursuant to Schedule A of this Bylaw, up to a maximum reduction of five hundred dollars (\$500.00).

PART 10 FIELD REVIEWS AND INSPECTIONS

Reliance on Field Reviews

- 10.1 When a *registered professional* provides letters of assurance in accordance with section 9.2 or 9.4 of this Bylaw, the *building official* and the *Regional District* shall rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to section 9.10 of this Bylaw as assurance that the construction substantially complies with the *Building Code*, this Bylaw and other applicable enactments respecting health or safety.
- 10.2 Notwithstanding section 10.1 of this Bylaw, 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*.

Health and Safety Aspects

- 10.3 A *building official* may attend periodically at the site of the construction of *buildings* or *structures* to ascertain whether the health and safety aspects of the work are being carried out in substantial conformance with those portions of the *Building Code*, this Bylaw and any other applicable enactments respecting health and safety.

Inspection Prior to Concealing Work

- 10.4 The *owner* or his or her representative shall give at least seventy-two (72) hours' notice to the *Regional District* when requesting an inspection and shall obtain an inspection and receive a *building official's* acceptance of the following aspects of the work prior to concealing it:
- (a) after forms for footings are complete, but before concrete is poured, and, where the *building* or *structure* is located within 0.6 meters (2 feet) of the required setback, after having obtained a survey certificate from a British Columbia Land Surveyor as to their location;
 - (b) after forms for foundation walls are complete, but prior to placing any concrete therein;
 - (c) after removal of formwork from a concrete foundation and installation of a perimeter drainpipe and damp-proofing, but prior to backfilling against the foundation;
 - (d) after granular base materials, damp-proofing membrane and, if applicable, reinforcing steel has been placed for the installation of a concrete floor slab, but prior to placing of concrete;
 - (e) before a *building* drain, water service, sanitary or storm sewer connection is covered;
 - (f) when framing and sheathing of the *building* are complete, including fire-stopping, bracing, chimney, ductwork, plumbing, gas venting, and wiring;
 - (g) after placing of insulation and vapour barriers;
 - (h) after installation of a *solid fuel burning appliance*; and
 - (i) after the *building* or *structure* is substantially complete and ready for *occupancy*, but before *occupancy* takes place of the whole or part of the *building* or *structure*.
- 10.5 Upon completion of work under a *building permit* and prior to a final inspection of the *building* under 10.4(i) of this Bylaw, the *owner* shall apply for an *occupancy permit*.
- 10.6 An *owner* shall not conceal any aspect of the work referred to in section 10.4 of this Bylaw until a *building official* has accepted the work in writing.

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- 10.7 An *owner* shall uncover any aspect of the work that has been concealed contrary to section 10.6 of this Bylaw in order to allow the *building official* to complete an inspection in accordance with this Bylaw.
- 10.8 The requirements of section 10.4 of this Bylaw do not apply to any aspect of the work that is the subject of a *registered professional's* letter of assurance provided in accordance with section 9.2, 9.4, and 9.10 of this Bylaw.
- 10.9 The *building inspector* will not carry out any inspection unless requested to do so by the *owner*.

PART 11 ISSUANCE OF PERMITS

Issuance of Permit

11.1 When:

- (a) a completed *permit* application has been submitted, including all required supporting documentation;
- (b) the proposed work set out in the *permit* application substantially conforms to the *Building Code*, this Bylaw and other applicable bylaws and enactments;
- (c) the *owner* has paid all applicable *permit fees*, as set out in this Bylaw;
- (d) the *owner* has paid all charges and met all requirements imposed by any other bylaw or enactment;
- (e) no enactment, covenant, agreement, or regulation in favour of, or regulation of, the *Regional District* authorizes the *permit* to be withheld;
- (f) the *owner* has retained a professional engineer or geoscientist if required by the provisions of the *Engineers and Geoscientists Act* (British Columbia); and
- (g) the *owner* has retained an architect if required by the provisions of the *Architect's Act* (British Columbia),

the *building official* shall issue the *permit* for which the application is made.

Issuance of Occupancy Permit

11.2 Notwithstanding section 11.1, an *occupancy permit* shall not be issued unless:

- (a) all letters of assurances have been submitted when required in accordance with this Bylaw; and

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- (b) all aspects of the work requiring inspection and acceptance pursuant to section 10.4 of this Bylaw have been inspected and accepted, or the inspections and acceptance are not required in accordance with section 10.8 of this Bylaw.

11.3 A *building official* may issue an *occupancy permit* for part of a *building* or *structure* when the part of the *building* or *structure* is self-contained, provided with essential services, and the requirements set out in section 11.2 of this Bylaw have been met with respect to that part.

Date of Issuance

11.4 A *permit* is deemed to have been issued on the date of the *permit* was signed by the *building official*.

Expiration of Permit

11.5 Every *permit* is issued upon the condition that the *permit* shall expire and the rights of the *owner* under the *permit* shall terminate if:

- (a) the work authorized by the *permit* is not commenced within twelve (12) months from the date of issuance of the *permit*;
- (b) the work authorized by the *permit* is discontinued for a period of twelve (12) months;
- (c) the work authorized by the *permit* remains incomplete thirty-six (36) months after the date of issuance of the *permit*.

11.6 Notwithstanding section 11.5, a *demolition permit* shall expire six (6) months after the date of issuance of the *permit*.

Extension of Permit

11.7 A *building official* may extend the period of time set out under sections 11.5 and 11.6 by six (6) months, where construction has not commenced, or has been discontinued due to adverse weather, strikes, material or labour shortages, or similar hardship beyond the *owner's* control.

Issuance and Expiry of Temporary Building Permit

- 11.8 Notwithstanding sections 11.5 through 11.7 of this Bylaw, a *temporary building permit* shall expire on the date designated on the *permit*, and in no case shall the *permit* exceed two (2) years. Upon application, a *building official* may extend the expiry date of a *temporary building permit* by up to two (2) years. Upon expiry of a *temporary building permit*, the *owner* shall remove the *temporary building*, failing which the *Regional District* may remove the *temporary building* at the *owner's* cost and may apply the security provided in accordance with section 9.6(f) towards the costs of such removal.

Filling of Excavations

- 11.9 When a site has been excavated under a *building permit*, but the *building permit* expires before the *owner* commences or completes construction of a *building* or *structure*, the *owner* shall fill in the excavation to restore the original gradients of the site within sixty (60) days of being served notice by the *Regional District* to do so.
- 11.10 Where the *owner* has not undertaken the work required pursuant to a notice under section 11.9 within the time required, the *Regional District* may undertake the work and invoice the *owner* to recover the costs of completing the work.

PART 12 OWNER OBLIGATIONS

Obligation to Ensure Compliance

- 12.1 Every *owner* is responsible for ensuring that all construction complies with the *Building Code*, this Bylaw, and other applicable enactments respecting health and safety.

Responsibility for Damage

- 12.2 Every *owner* to whom a *permit* is issued is responsible for any damage caused to *Regional District* works and property resulting from the work authorized by the *permit*, and shall pay all costs to repair such damage.

Posting Obligations

- 12.3 Every *owner* to whom a *permit* is issued shall, during construction:
- (a) post and maintain the *permit* in a conspicuous place on the property in respect of which the *permit* was issued;
 - (b) keep a copy of the accepted designs, plans, and specifications on the property; and
 - (c) post the civic address on the property in a location visible from any adjoining

streets.

Site Conditions during Construction

12.4 Every *owner* to whom a *permit* is issued shall, during construction, ensure:

- (a) no material or equipment is placed or stored on adjacent property, without permission from the adjacent property *owner*;
- (b) no disturbance is caused to adjacent properties or to existing erosion and sediment control appurtenances;
- (c) proper site drainage, erosion and sediment control measures are in place to prevent the discharge of sediment into the storm drainage system of neighbouring properties;
- (d) the residue from the cleaning of concrete trucks, and the wash from exposed aggregate concrete is not being discharged directly into the storm drainage system;
- (e) there is located on the property a container with a closable lid for rubbish and debris, and that the *building* site is kept in a neat and tidy condition at all times.

Compliance with Stop Work Notice

12.5 The *owner* of property on which a “stop work” notice has been posted in accordance with section 7.1(d) of this Bylaw, must immediately cause all construction work to cease, and shall not do any work nor permit any work to be done until all applicable provisions of the *permit*, the *Building Code*, and this Bylaw have been complied with and the “stop work” notice has been rescinded by the *building official*.

Compliance with Do Not Occupy Notice

12.6 The *owner* of property on which a “do not occupy” notice has been posted in accordance with section 7.1(e) of this Bylaw, must immediately cease occupying the *building* or *structure*, or cause *occupancy* of the *building* or *structure* to cease, and shall not occupy or allow *occupancy* of the *building* or *structure* until all applicable provisions of the *permit*, the *Building Code*, and this Bylaw have been complied with and the “do not occupy” notice has been rescinded by the *building official*.

PART 13 REGULATIONS

Demolition Regulations

- 13.1 Prior to carrying out the demolition of a *building* or *structure*, the *owner* shall ensure all services and utilities connected to the property, including sanitary sewer and drainage systems, are disconnected and capped to the satisfaction of the General Manager of Development Services.
- 13.2 Where an *owner* fails to disconnect all services and utilities, and such failure results in damage to the *Regional District's* sanitary sewer or drainage systems, the *owner* shall pay the actual costs incurred by the *Regional District* in repairing the resulting damage.
- 13.3 In carrying out the demolition of a *building* or *structure*, the *owner* shall do everything necessary to ensure protection of public safety, in accordance with the *Building Code* and other applicable enactments respecting safety.
- 13.4 Upon completed demolition of a *building* or *structure*, the *owner* shall remove all cellars, foundations, and other remaining *structures*, and the *owner* shall backfill excavations to *grade* level with native backfill or other granular material, failing which the *Regional District* may undertake the required work at the *owner's* cost and may apply the security provided in accordance with section 9.9 towards the costs of completing such work.

Delayed Demolitions

- 13.5 Where an *owner* wishes to continue to use an existing *dwelling unit* as a residence while constructing another *dwelling unit* on the same parcel, and the Regional District's zoning bylaw permits only one *dwelling unit* on the parcel, the *owner* shall, prior to issuance of the *building permit*, provide an undertaking to the *Regional District* to do the following upon completion of the new *dwelling unit*:
- (a) remove the existing *dwelling unit*; or
 - (b) convert the existing *dwelling unit* to a non-residential use as permitted by applicable zoning regulations, to the satisfaction of the *building official*.
- 13.6 The undertaking referred to in section 13.5 must be registered against title to the parcel in the form of a covenant in favour of the Regional District, pursuant to section 219 of the *Land Title Act*.

Solid Fuel Burning Appliance Regulations

- 13.7 All *solid fuel burning appliances* must carry a certification label from the Canadian Standards Association, Underwriters Laboratories of Canada, or other certification acceptable to the *building official*.

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- 13.8 All *solid fuel burning appliances* and associated chimneys must be installed as per manufacturer specifications, including but not limited to pipe sizing and setbacks.

PART 14 PENALTIES AND ENFORCEMENT

- 14.1 Every person who contravenes any provision of this Bylaw commits an offence punishable on summary conviction and shall, upon summary conviction, be liable to a minimum fine of five hundred dollars (\$500.00) and a maximum fine of ten thousand dollars (\$10,000.00), together with such other penalties as may be imposed by the court, including payment of the costs of prosecution and compensation for loss or damage suffered by the Regional District.
- 14.2 Each day that an offence continues shall constitute a separate offence against this Bylaw.
- 14.3 Every person who fails to comply with any notice issued by a *building official* contravenes this Bylaw.

PART 15 INTERPRETATION

Headings

- 15.1 Section headings are inserted in this Bylaw for ease of reference only, and are not to be used in interpreting this Bylaw.

Severability

- 15.2 If any section, subsection, clause, sub-clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed from the Bylaw and such decision shall not affect the validity of the remaining portions of this Bylaw.

PART 16 TRANSITION

- 16.1 This Bylaw shall come into force and effect at 12:00 a.m. MST on September 1, 2012, at which time Building Bylaw No. 1189, 1999 shall be simultaneously repealed.
- 16.2 This Bylaw will only apply to *permits* for which applications were received after the effective date set out in section 16.1. Any *permit* for which an application was pending on or before the effective date of this Bylaw will be governed by the terms and conditions of Building Bylaw No. 1189, 1999, and all amendments thereto. After expiry of a *permit* issued under Building Bylaw No. 1189, 1999, all construction shall be carried out under this Bylaw.

READ A FIRST TIME this 24 day of November, 2012.

READ A SECOND TIME this 24 day of November, 2012.

READ A THIRD TIME this ___ day of _____, 2012.

ADOPTED this ___ day of _____, 2012.

CERTIFIED a true and correct copy of
"Peace River Regional District Building
By-law No. 1996, 2011.

Faye Salisbury,
Corporate Officer

THE CORPORATE SEAL of the Peace
River Regional District was hereto
affixed in the presence of:

Karen Goodings,
Chair

Faye Salisbury, Corporate Officer

SCHEDULE A

FEES

Permit Fees

Building Permit \$5.00 per \$1000 of construction value
(to a maximum fee of \$500,000)

Minimum Building Permit Fee.....equal to Plan Processing Fee

Plumbing Permit \$50.00
additional fee per plumbing fixture \$5.00

Demolition Permit \$50.00

Solid Fuel Burning Appliance Permit \$50.00

Temporary Building Permit \$500.00

Plan Processing Fees

For construction of a new standard building \$125.00

For construction of a new complex building \$250.00

For construction of addition to standard building up to 50 square meters \$75.00

For construction of addition to standard building greater than 50 square meters..... \$100.00

For construction of addition to complex building up to 100 square meters \$100.00

For construction of addition to complex building greater than 100 square meters \$150.00

Re-Inspection Fee \$100.00

Value of Construction

Standard Buildings - \$180 per square foot

Complex Buildings – As per cost estimate provided