

PEACE RIVER REGIONAL DISTRICT  
SPECIAL ELECTORAL AREA DIRECTORS COMMITTEE MEETING

A G E N D A

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for the meeting to be held on Wednesday, May 21, 2014 in the  
Regional District Office Boardroom, 1981 Alaska Avenue,  
Dawson Creek, BC, commencing at 9 a.m.

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1. Call to Order: Director Goodings to Chair the meeting
2. Reports:
  - R-1 May 15, 2014 Report from Bruce Simard, General Manager of Development Services regarding Draft Building Bylaw.
3. Adjournment:



# Peace River Regional District REPORT

R-1

To: Electoral Area Directors Committee

Date: May 15, 2014

From: Bruce Simard, General Manager of Development Services

Subject: **Draft 2014 Building Bylaw**

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## PURPOSE:

Following from the introduction at the April 10, 2014 Board meeting, this report is provided to the EADC so that a detailed review of the Draft 2014 Building Bylaw can be conducted and recommendations made to the Regional Board.

## RECOMMENDATION:

**That the EADC support the updated draft Bylaw in principle and directs administration to prepare a Communications Plan to be reviewed at an upcoming COW Meeting on how the draft Bylaw would be communicated with stakeholders in order to obtain feedback on the revised draft Bylaw.**

## BACKGROUND/RATIONALE:

Tracey Lee Lorensen of Paragon Strategic Services Ltd. has been engaged to facilitate the discussion.

The Draft 2014 Building Bylaw has been updated with particular regard to the following:

- Input from the Community Conversation (CC-2013) meetings held in 2013. (Appendix 1)
- Reference to the boundaries and content of repealed Building Bylaw No. 1189, 1998. Using the same content of Bylaw 1189 would not address some concerns raised. It is noted where specific elements of Bylaw 1189 have been included.
- Report from Fred Banham, (former CAO) and Bruce Simard, GM of Development Services regarding the detrimental effect on other PRRD services and objectives, in the absence of a building inspection service. (Appendix 2)
- Legislative review of Building Bylaw 1996, 2011 by Bill Buholzer. (Appendix 3)
- Reference to a list of principles that are understood to guide the operations of the Regional District. (This list has been compiled by senior staff to assist in the preparation of the draft bylaw and is NOT Regional Board policy. The list is not exhaustive or definitive and the EADC may also want to consider other principles) (Appendix 4)

A detailed comparison on a side-by-side basis has been prepared, including notes summarizing the rationale for changes made. (Appendix 5)

Staff Initials:

Dept. Head: *Bruce Simard* CAO: *Chibrik*

Page 1 of 2

**May 21, 2014**

Some highlights of the changes from Building Bylaw 1996, 2011 to the Draft 2014 Building Bylaw include:

- ✚ Emphasis to exclude farm buildings and properties.
- ✚ Return of the mandatory area from Bylaw No. 1189, plus industrial, commercial, institutional and residential (5 acres or less) construction in the remaining area of the region.
- ✚ Removal of disclaimer provisions.
- ✚ Removal of reference to *Home Owner Protection Act*.
- ✚ Size of accessory buildings that are exempt has been increased.
- ✚ Reduced time required to request inspections.
- ✚ Specified time for entry on land.
- ✚ Flat fee for demolition permits, with opportunity for 90% refund. Removal of need for security deposit on demolitions.
- ✚ Penalties contingent to *Offence Act* rather than implying a \$10,000 fine.

Options for consideration:

1. That the EADC recommend to support the updated draft Bylaw in principle and directs administration to prepare a Communications Plan to be reviewed at an upcoming COW Meeting on how the draft Bylaw would be communicated with stakeholders in order to obtain feedback on the revised draft Bylaw.
2. That the EADC recommend to rescind the constraining enforcement resolution from Building Bylaw No. 1996, 2011. *(as advised by legal counsel)*
3. That the EADC recommend to retain Building Bylaw No. 1996, 2011 with the constraining enforcement resolution. *(This is the status quo option)*
4. That the EADC provide further direction to Administration.

**STRATEGIC PLAN RELEVANCE:** 2012 operational priority

**FINANCIAL CONSIDERATION(S):** dependent on outcome

**COMMUNICATIONS CONSIDERATIONS:**

As an important and sensitive issue to the region, public communication of the outcome is essential. It is advised to discuss communication options at a subsequent COW meeting. The nature and extent of communications will depend on the outcome of the review.

## The Meetings

### The Community Conversations were organized to:

Meetings were then organized to

1. Listen to the rural residents about the Peace River Regional District Building Bylaw No. 1996, 2011.

Since the directors were in the community they also wanted to do the following:

2. Talk to rural residents about Solid Waste Transfer stations, Water, Sewer and Rural Recreation initiatives in their specific communities and garner feedback about those initiatives.
3. Ask rural residents how they would like to be communicated with.

### 2013 PRRD Board Resolutions Related to Building Bylaw 1996, 2011 leading to the Community Conversations

January 24, 2013	<p><b><u>Peace River Regional District Building Bylaw No. 1996, 2011</u></b></p> <p>"That "Peace River Regional District Building Bylaw No. 1996, 2011" be adopted."</p> <p><b>CARRIED</b></p>
March 28, 2013	<p><b><u>PRRD Building Bylaw No. 1996, 2011</u></b></p> <p>"That the March 17, 2013 letter from Gordon Meek be referred to the Electoral Area Directors' Committee to determine if public meetings/consultations should be held in rural areas regarding Building Bylaw No. 1996, 2011."</p> <p><b>CARRIED</b></p> <p>"That the March 20, 2013 letter from Walter and Alva Stewart be referred to the Electoral Area Directors' Committee; and that all future correspondence from community members expressing concerns regarding Building Bylaw No. 1996, 2011 be forwarded to the Electoral Area Directors' Committee."</p> <p><b>CARRIED</b></p>
April 4, 2013	<p><b><u>Re: Building Bylaw No. 1996, 2011</u></b></p> <p>"That further consideration of the April 2, 2013 Electoral Area Directors' Committee meeting Recommendation No. 3 regarding Building Bylaw No. 1996, 2011 be referred to a future Board meeting."</p> <p><b>DEFEATED.</b></p>

"That the enforcement of Building Bylaw No. 1996, 2011 be held in abeyance."

**DEFEATED.**

"That the Board consider Building Bylaw No. 1996, 2011 at a public Committee of the Whole Meeting to be held on May 23, 2013."

**CARRIED**

"That a press release be issued to advise the public that the Board is reviewing Building Bylaw No. 1996, 2011 at a public Committee of the Whole meeting to be held on May 23, 2013."

**CARRIED**

June 13, 2013

**Building Bylaw No. 1996, 2011**

"That the Regional Board repeal Building Bylaw No. 1996, 2011; and initiate a new Building Bylaw that is consistent with Building Bylaw No. 1189, 1999."

**DEFEATED.**

"That Building Bylaw No. 1996, 2011 be retained and public meetings be held to gather feedback for further consideration on how the bylaw could be improved."

**CARRIED with 2 Opposed**

June 27, 2013

**Regional Town Hall Meetings – Building Bylaw No. 1996, 2011 and Other Community Interests**

"That the Regional Board hold at least twenty "Town Hall" style meetings with Building Bylaw No. 1996, 2011 as the leading topic, and including other topics of community interest; and that Chetwynd and Jackfish Lake meetings be combined; and that Buick be added as a meeting location."

**CARRIED**

September 26,  
2013

**Building Bylaw No. 1996, 2011**

"That "Building Bylaw No. 1996, 2011" be referred to the Electoral Area Directors' Committee to bring forward a revised bylaw for the Board's consideration."

**CARRIED**

## Community Conversation Topics Synopsis

### Building Bylaw

There was significant discussion about the complexity of this issue and the challenges in creating and sustaining this large-scale change; however, many of the solutions to this centered on systems and people working together to strengthen the rural relationships through trust.

Below are the themes that emerged with patterns of some of the comments.

See the community conversation summaries appendix for a full commentary at the meetings.

#### 1. Rural Values

Participants in the Conversations spoke passionately about rural values, individuality and interdependence on each other rather than dependency on the local government and bylaws. It was generally felt that the building bylaw was not acceptable or supportive of rural living and development.

#### Comments from meetings

- 1 a. This is not equitable; we don't receive other services that other parts of the region receive; water, sewer, fire protection and we can't subdivide the way we want to.
- 1 b. This is not about health and safety we are responsible for our own health and safety.
- 1 c. Why we were not asked if we wanted this bylaw?
- 1 d. The bylaw is not good for farmers
- 1 e. Requirements for small 4-5 acre properties in development area should be regulated differently than farm properties in rural area, in regards to the size of outbuildings.
- 1 f. In order to retain the natural instinct to survive in rural area and to preserve a lifestyle in the north it is important that the PRRD recognize the contributions of the rural residents and the need to work collectively to develop rural standards that support this lifestyle
- 1 g. Amenities enjoyed by rural residents mostly come from their own efforts

- 1 h. This bylaw is deemed contrary to agricultural sustainability and the negative impacts on the future growth in the rural area
- 1 i. People move to the country to get away from rules
- 1 j. This bylaw is incredibly poorly written. The creator of this used the Fort St. John building bylaw as a template that was supposed to suit a rural area. Why didn't he study other Regional Districts' bylaws, he would have found better examples.
- 1 k. Purpose – is not clear; definition of farm building is not crystal clear; occupancy permit has no conditional terms, there are examples in other bylaws that would work

## 2. Bureaucracy

Attendees at the meetings asked for more "common sense" and "less bureaucracy". The phrase "red tape" was used a lot. Some felt that the building permit process is too complicated. They also voiced that it is a duplication of other legislations; The BC Building Code, the Home Owners Protection Act. The banks and insurance companies also have regulations that need to be followed.

### Comments from meetings

- 2 a. We can get a home inspection and do when we are selling and buying a house, this is up to us.
- 2 b. We already follow the BC Building Code why do we need this other layer of bureaucracy.
- 2 c. The Homeowners Protection Warranty insurance program does not need to be in the bylaw.
- 2 d. Getting a permit informs BC Assessment and then our taxes increase.
- 2 e. Title search should not be a requirement
- 2 f. What was wrong with having it a voluntary area like before we could make choices for ourselves

**3. Vision and leadership**

Leadership was challenged about voting on the bylaw without discussion with the rural constituents. Many felt that there should have been more notification, conversation and consultation before the Directors voted on the bylaw.

## Comments from meetings

- 3 a. The bylaw was brought in to make it the same for everyone. Before, it was only enforced in some areas of the Regional District which caused some confusion.
- 3 b. Why did we not get to vote on this bylaw?
- 3 c. Why did you change the bylaw?
- 3 d. The PRRD already has a tough time enforcing the bylaws in place how are they going to enforce this building bylaw?
- 3 e. The directors worked on this bylaw with staff for 2.5 years and you did not think that the people wanted to know about it or have input into this bylaw?
- 3 f. This can be compared to the HST situation – the bylaw was rolled out the wrong way, it may be a good thing but you should have talked to us first.
- 3 g. Local government is not required to put in this type of a bylaw, they have a choice.
- 3 h. You voted in my name, I thought you represent us, are we not the people you represent?
- 3 i. Did you take a phone poll?



**4. Language in the bylaw**

There were many comments about the language in the bylaw. Many felt that it was not clear, concise and was open to much interpretation increasing the confusion of what each section actually meant.

Rural residents and business representatives living within Area "E" – Chetwynd BC submitted a Chetwynd Community Position paper highlighting their concerns about the language in the bylaw.

See appendix to view the Chetwynd Community Position paper.

Comments from meetings:

- 4 a. Why have a code if it is for health and safety and then you won't take any responsibility.
- 4 b. Who decides what a minor repair is?
- 4 c. Section 3.4 the disclaimer of warranty or representation gets the PRRD and the inspector off the hook if anything happens after the inspection is completed. It absolves the building inspector of any liability so why should anyone bother with getting a building permit
- 4 d. The definitions should be plainly written rather than referring to other documents i.e. the BC Building Code
- 4 e. A member of the public suggested alternative wording for the bylaw including amendments that would keep enforcement to specific areas rather than the whole Regional District, reduce the number of inspections required; and rather than having full time staff, contract inspections out when needed.
- 4 f. There is no reference in the bylaw regarding "moving" buildings.

**5 Resource Allocation**

Attendees were concerned that the Peace River Regional District did not have enough resources to enact this bylaw. A lot of concern was expressed surrounding the need to enforce, the immense size of the enforcement area, the ability of the PRRD to enforce the bylaw with only two building inspectors and at what cost to the taxpayer.

**Comments from meetings**

- 5 a. There are only two inspectors for entire region!
- 5 b. What qualifications does the Building Inspector have?
- 5 c. Reduce the size of the enforcement area to boundaries that are acceptable to the general public.
- 5 d. When an inspector is not available it halts construction
- 5 e. We have a small window to build in this country and if we have to wait for an inspector to come out it impedes our ability to finish construction before the weather changes.
- 5 f. If you built a place, then you would not be asking these types of questions, building inspectors work with you.
- 5 g. Inspections were helpful to me when I got a permit for my wood burning stove. I handed the permit to the insurance company.

**6. Cost Prohibitive**

Many people felt that the building inspections fees were inflated and unreasonable.

**Comments from the meetings**

- 6 a. The BC Building standards already adds \$20,000 to the cost of building a home
- 6 b. The demolition deposit of \$10,000 is too high
- 6 c. It's a cash grab for fees and taxes
- 6 d. Why is the reapplication fee so high
- 6 e. Why isn't the cost of Building inspection a flat rate
- 6 f. There are now additional costs to hire an engineer
- 6 h. Fines are too high

**7 General Opposition**

At every meeting the following comments were heard

- 7 a. There is no requirement under bylaw to show your identification.
- 7 b. We don't want this bylaw.
- 7 c. Rescind the bylaw.
- 7 d. People are upset.
- 7 e. We tell you what we need or what we want done, and you come and tell us what you are doing.
- 7 f. There is no Provincial law requiring any local government to have a building inspection bylaw.
- 7 h. If there were no problems with home and building construction in the past, why put in a new bylaw.
- 7 i. Building Inspection is an unwanted service because ultimately it is the responsibility of the home owner
- 7 j. Signing the building permit application is like signing a contract with the Regional District – why would anyone sign their name committing to the items that the building bylaw requires?

***Please Note: This grouping of building bylaw themes is intended to assist in organizing the input received. It is not meant to be definitive and should be considered open to, changes, alterations and additions with reference to the detailed notes.***



**Peace River Regional District  
REPORT**

To: Regional Board

From: Fred Banham, CAO  
Bruce Simard, GM of Development Services

**Subject: Building Bylaw Service**

Date: December 31, 2013

Building inspection is a Public Service to benefit property owners, their neighbours and their neighbourhoods.

The Peace River Regional District building bylaw gets its authority from the Provincial Government. The building bylaw is legislation that provides the legal authority and creates the limitations for a public service that identifies and monitors development; sites (locates) development; monitors and controls land use activities; inspects new construction to BC Building Code standard; and monitors structural weight, load and design construction to ensure that safety has been considered for human occupancy. It is a service to ensure the integrity and safety of all building types and structures that will usually last many decades. *"Build it right the first time"* is a time honored and highly valued principle. Very few owners are building experts, able to assess whether standards are being met. Building inspection is a cost effective service to ensure building standards are met, for the vast majority of owners that are not building experts. Safety is especially important when the public and workers come into a building.

In addition, the building permit process is widely used as a trigger mechanism for many other applications both government related and non-government related to assist in identifying, valuing and tracking development that over time benefits both the current and future property owners of all property.

Examples of government related triggers would be siting of a new building on a property within the setback limitations identified in the Peace River Regional District (PRRD) zoning bylaw; or, the proposed development of a new structure like a truck shop in a residential neighbourhood. The Provincial Government uses building permit statistics to assist in monitoring regional and provincial growth. Other government agencies like School Districts use building permits to monitor development areas and to trigger the siting of schools along with School Site Acquisition Charges. BC Assessment uses building permits to identify new assessment for the assessment role ensuring that everyone is paying their equal share of property tax.

Examples of non-government agencies utilizing the building inspection service to assist in the delivery of their service include financial institutions that release banking funds based upon an independent, unbiased government agency specified inspection process, realtors and conveyance lawyers proving minimum adherence to BC Building Code standards, surveyors in preparing real property reports, and insurance adjusters in assisting in insurance claims just to name a few.

**BACKGROUND:**

Staff Initials:

Dept. Head:

CAO: 

Page 1 of 6

May 21, 2014

At the November 14, 2013 meeting the Board resolved as follows:

RD/13/11/38

*That the report that staff produced that indicated ramifications of repealing the Building Bylaw No. 1996, 2011 be expanded upon to provide details on the impacts; and that the report be brought forward to the January 9, 2014 Board meeting for consideration.*

At the November 28, 2013 meeting the Board approved the following resolution:

RD/13/11/31 (28)

*That the Regional Board only enforce Peace River Regional District Building Bylaw No. 1996, 2011 as follows:*

*for those permits issued before November 14, 2013, and  
for those that request to obtain a permit.*

Upon reconsideration at the December 2, 2013 meeting, the Board defeated the adoption of the bylaw which repealed Building Bylaw 1996, 2011, which brought the building bylaw back into force. However, application of the building bylaw is constrained by the Board's November 28 resolution that essentially made participation in the bylaw voluntary from December 2 onward. This condition of a voluntary application of the building bylaw continues to have a detrimental effect on other PRRD initiatives, as if the building bylaw were repealed, as outlined in the November 6, 2013 report from the CAO.

This report provides further detail of the detrimental effects of not enforcing the building bylaw service.

## **1. Development Permits**

Development permits are an instrument that allows the Regional District to require supplementary land use conditions for specific purposes. The primary trigger for activating these requirements is an application for a building permit. Without a building permit the planning objectives of the development permits are not triggered and cannot be enforced once new construction occurs with no development permit.

The development permits and their purposes are listed below:

### **North Peace Fringe Area OCP**

#### **Commercial DPA No. 1**

"Commercial Development Permit Area No.1 aims to ensure that any commercial development is in keeping with the community's expectations and that:

- a) the development has a visual quality that enhances the areas general appearance, including appropriate screening and landscaping to minimize the impacts on adjoining parcels; and
- b) the development offers safe and efficient access to all users."

The primary planning goals achieved through these requirements are landscape buffers facing the main highways, landscape buffers separating commercial from residential and agricultural land, general appearance requirements, location of parking, and requirements that yard lighting does not affect adjacent properties.

#### **Industrial DPA No. 2**

**May 21, 2014**

“Industrial Development Permit Area No.2 aims to ensure that industrial development is in keeping with the community’s expectations that:

- a) the development has a visual quality that enhances the area’s general appearance, including appropriate screening and landscaping to minimize the impacts on adjoining parcels;
- b) the industrial development offers safe and efficient access to all users.”

The planning goals are very similar to the commercial DPA in promoting requirements for landscape buffers facing the main highways, landscape buffers separating industrial from residential and agricultural land, general appearance requirements, location of parking, and requirements that yard lighting does not affect adjacent properties.

#### Charlie Lake DPA No. 3

“The Charlie Lake Development Permit Area No. 3, aims to ensure that future development along the Charlie Lake shoreline is in keeping with the community’s expectations that:

- a) the water quality of Charlie Lake is improved and preserved;
- b) a balance be found, between the preservation of ecological resources and the desire to develop lakeshore lots around Charlie Lake; and
- c) Charlie Lake is ultimately a public resource and should be accessible to all who use and enjoy it.”

These planning objectives are achieved by the application and enforcement of the Lakeshore Development Guidelines. This is a policy well supported and vigorously advocated for Charlie Lake by local residents and can be traced back to the very reason the Charlie Lake Sewer System was established.

#### Agriculture Development Permit No. 4

“This OCP recognizes agriculture as an integral part of the rural landscape and a major contributor to the local area economy and a critical food source and attempts to protect it from conflicting encroachment. Most lands in the Agriculture designation are within the ALR and are subject to the *ALC Act* and the *Farm Practices Protection Act*, and thus this OCP aims at ensuring these lands are utilized for long term food production. *Buffering in accordance with the ALC’s “Landscape Buffer Specifications”, March 1993, and is recommended as a guide to help protect agriculture and for planning buffers between agricultural and non-agricultural uses.”*

#### Old Fort Development Permit Area No. 5

“These properties have steep river banks or unstable creek banks, which may be vulnerable to flooding, slope instability, erosion, or landslides. These identified parcels may also be subject to storm water drainage or lagoon wall failure or other hazards. There has been a demonstrated need to ensure that all hazards to persons and property are eliminated through the control of the location and nature of the development.”

In this planning objective site specific requirements are established which could include geotechnical assessment and precise survey for building setbacks from the top of banks, all in the interest of long term public safety.

### Swan Lake Development Permit Area

“The purpose of this development permit area is to maintain a majority of undeveloped lakeshore areas which is necessary to sustain existing environmentally sensitive areas and wildlife habitat. As per the Peace River Regional District Lakeshore Development Guidelines, a maximum development perimeter of 30% has been established for this Limited Development designated Lake, which leaves only 4% of the lake perimeter available for development. “

These planning objectives are achieved through the application and enforcement of the Lakeshore Development Guidelines. This is another policy well supported and vigorously advocated for Swan Lake by the local residents.

## **2. Zoning Bylaw Compliance**

Confirming that a proposal meets the requirements of zoning regulations is an essential step in the review of building permit applications. Without this initial assessment through the building permit process there is a highly increased likelihood that buildings will be constructed contrary to zoning regulations, which will then result in non-compliance and enforcement problems.

Recent examples include: building more homes on a property than allowed; locating a building too close to property lines – resulting in exterior decks and eaves encroaching over property lines; building accessory structures larger than permitted; constructing buildings for uses not permitted.

The building permit process provides the initial step for a review of proposals to ensure that zoning regulations and the land use management objectives of the Regional District are upheld. This supports Regional District policies, community objectives, and provides a valuable service to land owners, with assistance and information to meet zoning requirements. Enforcement of PRRD regulations has been a dominant theme throughout the development of three very recent Official Community Plans. Without this early step in the construction process, many things can and have gone wrong that result in costly, time consuming and controversial enforcement proceedings.

## **3. Development Cost Charges (DCCs)**

The Charlie Lake Sewer system will be undergoing a substantial upgrade over the next couple years. To properly finance future expansion resulting from expected growth, the Board has directed that a scheme of Development Cost Charges be established for the additional burden that new development will inevitably put on the system.

Development Cost Charges are calculated in terms of equivalent “development units” (DUs) for each category of development. Collection of DCCs is triggered by application for a building permit because the specific DUs can only be calculated when the size and scope of a development is determined.

Without building permits to trigger the calculation and collection of DCCs, the Charlie Lake Sewer System risks underfunding to accommodate expansion required by the additional burden expected from growth.

## **4. Industrial Development (Assessment & Work Camps)**

May 21, 2014



It is expected that there will be significant and rapid industrial development throughout the region, such as: gas plants, compressor stations, wind-farms, industrial shops, work camps, etc. These projects represent multimillions of dollars of investment in the region. It has been and continues to be a concern of the Regional District to know where and when major projects are constructed. This is important to know with regard to potential impacts and opportunities for the region and communities.

Since the Regional District provides building permit reports to the BC Assessment Authority, the requirement for a permit also triggers awareness of a project for BC Assessment to ensure that it is captured in the assessment. Making sure that all development is captured in the regional assessment, helps pay for services, supports the Fair Share program and ensures that individual people don't pay more than their share of property taxes.

Building permits provide a timely and accurate way to ensure that development is included in the regional assessment, which otherwise tends to be very hard for BC Assessment to find because there is no equivalent mechanism for them to become aware of all development.

Another result of the rapid industrial development is the incidence of work camps. Following from a major research report and inter-agency workshop conducted in 2013, the Regional District and member municipalities have expressed major concerns about the impacts of fragmented management of worker camps. There are concerns that the troubles experienced in Fort McMurray could also occur here, if proactive measures are not taken. A primary concern is tracking the location and size (number of persons) of worker camps, so as to be prepared or respond to any potential burdens they would have on the local area and nearby communities. There is no single agency that is responsible for oversight of work camps, thus an accurate and ongoing comprehensive record of the location and size of all work camps is not available.

If building permits were required, then the Regional District would be able to record the location and size of work camps as they were installed. The building permit tool is the only central mechanism that could conceivably capture all work camps.

## **5. School Site Acquisition Charges (SSAC)**

School District #60 (North Peace) is expected to experience challenging expansion pressures concurrent to the expanding economy of the area. Prior to supporting capital infrastructure development the Provincial Government requires local commitment to funding a portion of the cost. This is achieved through a charge on new residential development to collect funds for acquiring land for new school sites.

In 2011 the PRRD supported a scheme by SD# 60 to collect SSAC on new residential development for the collection of funds for new school sites. The primary trigger for collection of these funds would be issuance of a building permit.

Without a building permit to trigger collection of the necessary regional contribution the school district would be severely hampered (if not disqualified) in its ability to obtain provincial support to develop new school sites in response to rapid growth.

Note: With the impact of the Montney Shale development in the South Peace, SD# 59 (South Peace) is also considering the need for a SSAC.

## **6. Rural Fire Protection Services**

The PRRD directly provides rural fire protection services in the Charlie Lake/Grandhaven communities and partners with both municipalities and fire protection societies to provide fire protection services to approximately two thirds the rural residential population. In addition to structural safety, a primary goal of building standards is preventing fires. The building inspection service insures a minimum safe construction standard has been achieved for all new construction, as well as identifying the number of buildings on a property to ensure they conform to a set standard based upon the use of land and location. While building inspection has not been an issue for fire departments in the past, as there has been building inspection in place, it could be a reason to not want to provide fire protection services in the future because there has been no government oversight of all new construction.

## **7. Fire Safety – Firefighter Safety**

Where fire protection is provided it is expected that buildings are safe and built to a minimum standard - the BC Building Code dictates that standard including fire proofing and fire suppression where required. The Building Inspection service ensures that fire code requirements are considered during construction and not afterwards, for greater public good. Public assembly buildings need to ensure public safety and emergency response personnel need to be assured that a minimum construction standard for safety has been met.

## **8. Community Grants**

It has been past practice to ensure that any project where public dollars (local government grants) are provided to a community group that the structures and facilities are fit and safe for human occupation, which means meeting the minimum building code standards. As a matter of public record, the only way to track safety for public occupancy is through local government building inspection.

## **9. PRRD Risk Management**

The PRRD has a mandate authorized under Provincial supplementary letters patent authorizing the service of building inspection. Legal opinion has told us that when a Regional District has the authority to provide a service, it is also liable to ensure that service is available and enforceable to those who contribute and benefit from the service. In providing a full range of building inspection services that risk of liability is reduced significantly by the standard of care provided. In scaling back government oversight of the service, the exposure to liability is increased. Under today's voluntary building inspection service the liability is significantly more than it was in say September or October when building inspection was required of all new construction.

REPLY TO: VANCOUVER OFFICE

VIA EMAIL: fred.banham@prrd.bc.ca

February 11, 2014

Fred Banham  
Chief Administrative Officer  
Peace River Regional District  
P.O. Box 810  
1981 Alaska Avenue  
Dawson Creek, BC V1G 4H8

Dear Mr. Banham:

**Re: Building Bylaw Process Review**  
**Our File No. 00033-0443**

You have requested our review of and opinion on events involving the Regional District's enactment and repeal of Building Bylaw 1996, 2011 and the subsequent reconsideration of the resolution adopting the repeal bylaw. In conducting our review, we examined extensive documentation initially provided by Regional District staff as well as supplementary documentation provided pursuant to our requests. Regional District staff have commented on a draft of this letter to ensure that we have covered all the matters within the scope of the regional board's resolution of January 9 seeking this opinion. We're satisfied that we had seen all of the information that was required to conduct our review and prepare our opinion.

### **Principal Conclusions**

We have concluded that Building Bylaw 1996, 2011 was properly enacted, that Bylaw 2098 repealing Bylaw 1996 was properly adopted, that the regional board's meeting of December 2, 2013 was properly convened, that Bylaw 2098 was properly reconsidered, and that Building Bylaw 1996 remains in effect.

### **Chronology of Building Regulation in the Regional District**

The Peace River Regional District has had building regulations in some form or another since the issuance in 1971 of supplementary letters patent that deemed the plumbing, sewage disposal and building regulations made by the Province for rural areas under the *Local Services Act* to remain in force on and after March 31, 1971 in respect of the areas then known as Community Planning Areas 12, 15 and 17, as if they were Regional District bylaws adopted

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WWW.YOUNGANDERSON.CA

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1616 - 808 Nelson Street, Box 12147 Nelson Square, Vancouver, BC V6Z 2H2 | tel: 604.689.7400 | fax: 604.689.3444 | toll free: 1.800.665.3540  
201 - 1456 St. Paul Street, Kelowna, BC V1Y 2E6 | tel: 250.712.1130 | fax: 250.712.1180

**May 21, 2014**

under the *Municipal Act*. (The provincial regulations required owners to obtain a building permit before commencing building construction and authorized the provincial building inspector to conduct inspections.) By 1975, the Regional District had adopted its own building bylaw (Bylaw No. 48) and in that year it amended the bylaw to make it applicable “over a greater portion of the Regional District”, in particular to five areas described by metes and bounds in a Schedule to Bylaw No. 60 (Dawson Creek, Fort St. John and Fort Nelson Districts, Moberly Lake and a Highway Control area.) In 1985 Bylaw No. 400 was adopted to replace Bylaw 48; it applied to four areas described in a Schedule (Fort St. John, Dawson Creek, Fort Nelson and Chetwynd Districts). Building regulations have been in force throughout the entire rural areas of the Peace River Regional District since 1989. On July 27 of that year the regional board adopted Bylaw 571 which amended the area of application of Building Bylaw 400 to include “all of the Regional District not within a city, district, town or village”. Concurrently with the adoption of Bylaw 571, the regional board adopted a resolution prohibiting the enforcement of the building bylaw outside of the four areas to which the bylaw had previously applied, and the provision of building inspections outside of those areas, unless the building owner had obtained a building permit.

Bylaws 1189 of 1999 and 1996 of 2011 made no further changes as regards the area of application of the building regulations; the bylaws continued to apply to all areas of the Regional District not within a municipality. However Bylaw 1189, as will be noted below, made building permits optional outside of certain areas indicated in a Schedule to the bylaw. Bylaw 1996 contained no such provision. A resolution was passed on November 28, 2013, after Bylaw 1996 had been repealed, that the bylaw be enforced only in respect of those permits issued before November 14, 2013 and those construction projects whose owners chose to apply for a permit. We commented on this resolution in our companion letter of February 5.

### **Extension of Service Area in 1989**

The basic rule regarding the provision of regional district services under the *Local Government Act* is that a service establishment bylaw is required except in relation to services previously established by letters patent issued by the Province. The Regional District’s building regulation service was originally established by letters patent issued in 1969, and the enabling legislation has over the years provided for the continuation of such services, while a regional district establishing bylaw is required to amend the service area or the scope of the service. On December 8, 1989 the regional board adopted Bylaw 653 which extended the building regulation service throughout Electoral Areas B, C, D and E. The bylaw recites the fact that “at least two-thirds of the participants have consented to this bylaw”. This reflected what was then s. 802(1) of the *Municipal Act*, which required a 2/3 vote of participants to amend or repeal a bylaw establishing an “extended service” (the category of services that included building regulation). Section 802(6) required the approval of the Inspector of Municipalities of such a bylaw, and Bylaw 653 on its face indicates that the Inspector approved it on November 29, 1989. Then as now, the enabling legislation permitted the Minister of Municipal Affairs to

require the assent of the electors of participating areas to be obtained either separately or together before the service was extended to their area. This power was evidently not exercised in relation to Bylaw 653.

Once the building regulation service had been established throughout Electoral Areas B, C, D and E of the Regional District by Bylaw 653, the regional board had jurisdiction to enact regulatory bylaws within the scope of the established service without further consent from the participating electoral areas. The adoption of Bylaw 1189 in 1999 was therefore valid in this respect; this bylaw was applicable in "all parts of the Regional District not within a municipality". Bylaw 1189 provided in s. 2.6.3 that building permits were optional except in the area outlined in Schedule A to the bylaw; we believe that this area more or less corresponds to the area outside of which the enforcement of the building regulations had previously been prohibited by board resolution.

We note that the Minister of Municipal Affairs approved Bylaws 400 and 571 but not Bylaw 1189. The requirement for ministerial approval of regional district building regulation bylaws, last found in s. 818(2) of the *Municipal Act* R.S.B.C. 1979, was repealed on July 31, 1989. Thus Bylaw 1189 and subsequent building regulation bylaws could be adopted and come into force without the approval of the Minister.

#### **Enactment of Bylaw 1996**

Bylaw 1996 imposed building permit and inspection requirements throughout the area of the Regional District not within the boundaries of a municipality, but contained no provisions making a building permit requirement optional in any area. This aspect of the bylaw was highlighted as a substantive change in a November 17, 2011 staff report to the Chair and Directors from the General Manager of Development Services on first and second readings of the bylaw; it was highlighted both directly with a reference to "expansion to entire area of PRRD", and indirectly by reference to a recommendation that a second building inspector be recruited to administer the bylaw. We have reviewed the legislative procedures by which this bylaw was adopted. There are no mandatory consultation obligations or public hearing requirements associated with the enactment of a regulatory bylaw like Bylaw 1996.

Regional district voting rules are set out in s. 791 of the *Local Government Act*. Section 791(2) sets out the "one director, one vote" rule and s. 791(3)(b) makes that rule applicable to "bylaws exercising a regulatory authority in relation to a regulatory service". (This is in contrast to the "participants only" voting rule in s. 791(4) and the weighted voting rule in s. 791 (6).) The term "regulatory service" is defined in s. 5 of the Act in such a way as to include the building regulation service established by Bylaw 653, and the adoption of a building bylaw is an exercise of regulatory authority that is subject to the "one director, one vote" voting rule. The minutes of the January 24, 2014 board meeting indicate that the motion to adopt Bylaw 1996 carried with nobody opposed and that all directors except Director Schembri, who was absent, voted in



favour of adopting the bylaw. Like Bylaw 1189, Bylaw 1996 did not require the approval of the Minister. We have concluded that this bylaw was properly enacted.

### **Repeal of Bylaw 1996**

According to s. 27(4) of the *Interpretation Act*, "if in an enactment a power is conferred to make regulations, the power includes a power exercisable in the same manner, and subject to the same consent and conditions, if any, to repeal or amend the regulations and make others". The term "regulation" is defined in the *Interpretation Act* so as to include a regional district bylaw. Thus the repeal or amendment of a bylaw requires the same procedure as the enactment of a bylaw. The enactment of a regional district bylaw requires three readings plus a resolution to adopt the bylaw, so the repeal of the bylaw similarly requires three readings and a resolution to adopt the repeal bylaw.

- *Resolution to repeal building bylaw*

In view of the foregoing, the regional board's resolution of November 14, 2013 purporting to repeal Bylaw 1996 was a nullity. It was beyond the board's powers and had no legal effect. This was brought to the board's attention at the November 14 meeting once the resolution had passed.

- *Procedural motions of November 14, 2013*

The minutes of the November 14, 2013 board meeting indicate that there were two procedural motions in addition to the motions to give three readings to Bylaw 2098 and to adopt Bylaw 2098. The first procedural motion (Hadland/Jarvis) was "to amend the PRRD meeting procedures bylaw to allow the Board to enact a bylaw to repeal Building Bylaw No. 1996, 2011"; the motion carried. The first point that we would make about this motion is the same as the point made above: the board could not "amend" the meeting procedures bylaw by resolution. An amending bylaw is required. We would also note that s. 794(2) of the *Local Government Act* establishes special procedural rules for the amendment of Bylaw 1633 (5 days' advance notice to directors) that weren't followed here. We understand that the purpose of this motion was simply to address s. 61 of Bylaw 1633 which requires that a copy of any proposed bylaw be provided to each member of the board "unless the Board otherwise resolves", and the term "amend" was chosen in haste, the requirement for a bylaw to repeal Bylaw 1996 having only just been identified during the board meeting then in progress. In our view, the resolution was effective notwithstanding its use of the term "amend", to waive the Bylaw 1633 requirement that a copy of the repeal bylaw be provided to each board member.

The second procedural motion (Schembri/Hiebert) was "that permission be given to adopt "Building Bylaw No. 2098, 2013". We understand that the Regional District has a longstanding practice of passing such a resolution before exercising its power to give three readings to and adopt a bylaw at the same meeting. This resolution seems to us unnecessary under the *Local*

*Government Act*; that power is given to the board in s. 794(3) of the *Local Government Act* and requires no “permission” from the board itself. It may be that this resolution, which we understand is routinely passed when the board exercises this power, originates in some bygone procedural bylaw requirement.

- *Adoption of repeal bylaw*

The minutes of the November 14, 2013 meeting indicate that 12 directors were present at the meeting and that two directors opposed the resolution to adopt Bylaw 2098, whereupon the resolution was declared to have been carried. Mr. Banham has advised us that Alternate Director Shuman had left the meeting by the time this vote was taken. Thus the vote on the resolution was 9 in favour and 2 opposed with each director present at the meeting casting one vote. The vote was held in accordance with the applicable “one director, one vote” voting rule in s. 791(2) of the *Local Government Act*, referred to earlier in connection with the adoption of Bylaw 1996.

Section 794(3) of the *Local Government Act* permits the board to adopt a bylaw at the same meeting at which the bylaw passes third reading, only if the motion for adoption receives at least 2/3 of the votes cast. (Otherwise, at least one clear day must separate the adoption of the bylaw from third reading of the bylaw.) The vote in favour of adopting Bylaw 2098 on November 14 obtained at least 2/3 of the votes cast, and therefore complied with the Act.

Notwithstanding that the repeal of Bylaw 1996 was subsequently reconsidered with the result that Bylaw 1996 is again in force and effect, the merits of a local building bylaw may continue to occupy the board’s agenda. In that regard, we are attaching to this letter as an Appendix some comments on the role of building bylaws in local government administration, some of which we had to take into consideration in connection with the question of whether a building regulation service can exist without a regulatory bylaw.

### **Reconsideration of Bylaw 2098**

At the regional board’s November 28, 2013 meeting the Chair gave notice that she intended to require the board to reconsider the adoption of Bylaw 2098, and the repeal of Bylaw 1996, and the board resolved by majority vote to hold a special meeting on December 2 for that purpose.

- *Convening of special meeting*

Reconsideration of the repeal bylaw occurred at a special meeting held on December 2, 2013. Rules governing the calling and conduct of board meetings are set out in s. 793 of the *Local Government Act*. The Act provides for the calling of a special meeting by the corporate officer, on the request of the chair or of any 2 directors. Notice of such a special meeting stating its general purpose and the day, hour and place of the meeting must be mailed “at least 5 days” before the meeting date to each director at the address they have given for such purposes;

such notice may be waived by unanimous consent of the directors. There are also emergency special meeting procedures that are not applicable here. Under the *Interpretation Act*, “at least 5 days” means at least five clear days, not including the date of the notification and the date of the meeting. If the special meeting had been requested by 2 directors and called by the corporate officer under s. 793(2) on November 28, the meeting could not have been held until December 4 at the earliest if notices had been mailed on the 28<sup>th</sup>. We understand that in the Regional District, email addresses are used for all director meeting notifications.

Part III of the Regional District’s Procedure Bylaw 1663 also deals with special meetings. It requires the Administrator to call a special meeting on the request of any 2 directors and requires that notice of such a meeting be given in accordance with the *Local Government Act*. It also requires the Administrator to give public notice of the time, place and date of a special meeting by way of a notice posted on notice boards in two Regional District offices 24 hours before the meeting time. We believe that the bylaw would be interpreted to require this posting “at least 24 hours” before the meeting time.

The minutes of the November 28, 2013 board meeting at which the Chair gave notice that she intended to require the regional board to reconsider the adoption of Bylaw 2098 repealing Bylaw 1996, indicate that board members were advised at the meeting that formal notice of the chair’s requirement would be distributed to them via email. We have reviewed a printed copy of an email headed “Notice of Special Meeting” that was sent to the board members at 3:25 pm on the 28<sup>th</sup>, over the signature of Fran Haughian, Communications Manager. We have also reviewed a copy of a calendar reminder that was emailed to board members at 8:54 am on November 29<sup>th</sup> over the signature of Jo-Anne Frank, Corporate Officer, indicating the time, date, place and purpose of the special meeting. Finally we have reviewed a copy of a “Notice of Special Meeting” that we have been advised by Fred Banham was posted at the Regional District offices in Dawson Creek in the afternoon of November 28 and in Fort St. John on the morning of November 29, bearing the names of Karen Goodings, Chair and Mr. Banham. The special meeting was called to order just after 10:00 a.m. on December 2.

In our view, the special meeting notice procedures set out in s. 793 of the *Local Government Act* and Part III of Bylaw 1633 apply only to special meetings called pursuant to those provisions, that is, special meetings requested by any 2 directors outside the context of a board meeting. This is not how the December 2, 2013 special meeting was called. Rather, the regional board itself resolved, during a regular meeting, to hold a special meeting to deal with a specific matter that was identified in the board resolution. In such circumstances, subject to what we address below in relation to directors who were not present at the regular meeting, a notice of special meeting given to regional board members would be unnecessary. The purpose of the special meeting notification rules in the Act and Bylaw 1633, in relation to board members, is to ensure that each board member has reasonable notice that the board will be holding a previously unscheduled meeting and potentially making decisions that bind the Regional District, and notice of what business will be conducted at the meeting. Those purposes were fully served by



the board's November 28 resolution to hold a special meeting, and notices given pursuant to the Act and Bylaw 1633 would have told board members present at the November 28 meeting nothing that they didn't already know. With respect to Directors Ackerman and Kut, who were apparently absent from the November 28 meeting, all board members were given email notice of the special meeting later that day. We are not aware that either of those directors has complained that they were taken by surprise by the holding of the December 2 special meeting, or by the topic that was on the agenda of that meeting.

We don't think that either s. 793 of the *Local Government Act* or Bylaw 1633 prevent the regional board from convening a special meeting as it did on November 28, 2013. The establishment of procedures for one type of special meeting would not be interpreted to preclude the regional board from convening another type of special meeting outside of its schedule of regular meetings. Section 222.1(2) of the Act defines a special board meeting as "a board meeting other than a statutory, regular or adjourned meeting", and not as "a board meeting called under s. 793(2)" which it would do if the Legislature intended to restrict special meetings in that way. In regard to notice of special meetings, the notification rules in s. 793(2) – including the "five clear days" rule – do not, in our view, apply to special meetings that are called by the regional board itself, by resolution, in the course of one of its own meetings. The director notice provisions in s. 793(2) and Bylaw 1633 are intended to ensure that the board does not convene and conduct business on the initiative of any 2 directors without all members having an opportunity to learn of and attend the meeting. The problem the provisions are addressing simply does not arise when the board itself resolves during a regular meeting to hold a special meeting.

It's likely, however, that some sort of notice to directors and public notice is required, at common law, when the regional board passes a resolution to hold a special meeting and the *Local Government Act* specifies no requirements for notice. Such notice should be sufficient to ensure that directors not present when the resolution is passed have a reasonable opportunity to make arrangements to attend the meeting or have their alternate attend. Again, board members present and voting on the resolution to hold the special meeting obviously require no such notice. We note the following in relation to the December 2, 2013 special meeting:

- (a) all directors were aware of the meeting and none complained of inadequate notice.
- (b) the Regional District complied with the public notice requirements of Bylaw 1633 as if the meeting had been called under s. 793(2), by posting notices in accordance with the bylaw.
- (c) the email notices provided to directors on November 28 were apparently sufficient to give directors who were not present at the November 28 meeting notice of the special meeting, since one of them attended the special meeting and one of them was represented at the special meeting by their alternate.

We have concluded that the December 2, 2013 special meeting was properly convened with adequate notice to directors and the public.

- *Reconsideration of Bylaw 2098*

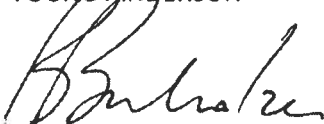
At the special meeting on December 2, the board first adopted the meeting agenda, which consisted solely of reconsideration of adoption of Bylaw 2098, and then proceeded to reconsider the motion to adopt Bylaw 2098 over a period of about an hour and a half. On reconsideration, the motion to adopt that bylaw (and thereby repeal Bylaw 1996) was defeated on a vote held, properly, under the voting rule in s. 791(2) of the *Local Government Act*. Under s. 131(4) of the *Community Charter*, which applies to the Regional District by way of s. 219 of the *Local Government Act*, Bylaw 2098 is of no effect and is itself deemed to be repealed.

In our view, this was a valid exercise of the board's duty to reconsider the bylaw at the initiation of the Chair, and Bylaw 1996 was again in force once the second vote was held on the motion to adopt Bylaw 2098 and the motion was declared to have been defeated. As noted earlier, the Regional District applied the correct voting rule to the vote on reconsideration of Bylaw 2098.

We hope that the information in this letter will be helpful to the regional board as it continues to deal with the building regulation matter. As we have discussed, it may be possible for the Regional District to adopt a building bylaw that imposes building permit and inspection requirements only in relation to certain classes of construction, certain areas of the Regional District or certain parcel sizes, makes a building plan review and inspection service available without making it mandatory, or some combination of these features.

Sincerely,

YOUNG ANDERSON



Bill Buholzer

[buholzer@younganderson.ca](mailto:buholzer@younganderson.ca)

BB/mw

## APPENDIX

The purpose of a building bylaw is primarily to provide for the administration of the B.C. Building Code and, secondarily, to establish construction standards for buildings that are not subject to the Code. While the B.C. Building Code applies throughout B.C. by provincial law, there is no provincial building permit requirement as there is in Alberta, and no such requirement exists if there is no local building bylaw. The service established by Bylaw 653 is, as we note in our opinion letter, a “regulatory service” and if there are no building regulations there is a significant issue as to whether there is a regulatory service at all. If the Regional District’s building bylaw is repealed and not replaced, the effect might be that the building regulation service established by Bylaw 653 in 1989 no longer exists, and if that is the case, then the effect would be that the Regional District cannot recover the cost of the service, including building inspector salaries and benefits, from service participants as contemplated by s. 4(b) of the bylaw (property value tax).

There are some particular consequences of the Regional District losing its ability to require building permits to which we also draw the Regional District’s attention.

- *Monitoring compliance with zoning regulations*

We believe that the board is probably aware that building permit applications provide an opportunity for Regional District staff to review building plans for compliance with applicable zoning regulations and in particular those dealing with permitted uses and permitted building size, dimensions and siting. Building inspectors usually perform this review. The Regional District may wish to consider amending its zoning to provide some kind of “siting and use permit” scheme similar to that established under the *Islands Trust Act* for jurisdictions that have zoning regulations and no building regulations, if it repeals the Building Bylaw. These provisions allow for the submission of plans for review of compliance with zoning regulations, with no attention to building standards.

- *Extent of damage determinations – non-conforming uses*

Building inspectors are also required to provide opinions under s. 911() of the *Local Government Act* as regards the extent of damage to buildings occupied by lawful non-conforming uses. If a local government does not employ a building inspector and it wishes to take the position that such a building cannot be reconstructed for the non-conforming use because it has been damaged to too great an extent, it would have to engage a qualified building inspector to quantify the extent of damage, perhaps recovering the cost from participants in the Part 26 service on the basis that this is a matter of zoning enforcement.

- *Section 57 notices of Building Code contraventions*

Similarly the “notice on title” provisions in s. 57, which the Regional District theoretically could exercise in relation to serious Building Code contraventions even in the absence of a building bylaw, depend on an initial recommendation of a building inspector. Again, the Regional District would have to engage a contract building inspector to initiate such a process to deal with a significant health or safety hazard in a private building, if it ceased to employ building inspectors.

- *Off-site servicing requirements and development cost charges*

We would also note that in the absence of a building permit scheme, the Regional District will lack certain powers that it would otherwise have under Part 26 of the *Local Government Act*. Included here are the power to impose off-site works requirements (for example sewer main extensions and upgrades) in relation to development projects not involving subdivision, and the power to collect development cost charges and school site acquisition charges should such charges be imposed in the future. Building permits and subdivision applications are, under the *Local Government Act*, the only triggers for the provision of these works and the payment of these charges.

- *Fire department reviews of building plans*

Building permit plan reviews and inspections enable the Regional District to ensure that new buildings will be safe for firefighters to enter in emergency situations. This includes firefighters directly engaged in the Regional District’s own fire protection services, and other firefighters attending emergencies in the rural areas under mutual aid arrangements. Fire departments can conduct regular inspections of premises for firefighting hazards under the *Fire Services Act*, but it’s more efficient and less costly for owners to detect hazards that are inherent in the design of the building itself, as building plans are reviewed and before construction has been commenced.

- *New home warranty protection*

Finally, we would note that the *Homeowner Protection Act* uses local government building permit systems as a means of ensuring that only “qualified residential builders” are constructing homes in the region that are not owner-built, and that homes built by qualified residential builders are covered by home warranty insurance. One of the consequences of repealing Bylaw 1996 would be that the effectiveness of the new home warranty protection system afforded by the Act will likely be impaired. There will likely be more circumstances in which the construction of a new home is commenced and even completed before the Homeowner Protection Office determines that the builder is neither a qualified residential builder nor an owner builder, or that a qualified residential builder has failed to arrange home warranty insurance and is therefore in contravention of the Act. In such circumstances, the

Homeowner Protection Office may obtain a Supreme Court injunction pursuant to which construction of the home would be halted pending resolution of the contravention of the Act, and it may be necessary for the owner to engage a properly qualified builder to complete the project. In that event the partially completed home may have to be demolished or significantly altered to qualify for home warranty insurance and meet the Building Code standards that a qualified residential builder is required to follow. The linkage between HPA requirements and the local building permit process is designed to avoid these scenarios, which can be very costly for the owners involved, by ensuring that construction of homes other than owner-built homes is not started except by qualified residential builders.

There are three basic roles of Regional Districts as set-out in provincial statute. Regional Districts provide a political and administrative framework for:

1. Providing region-wide services, such as emergency 9-1-1 telephone services, solid waste disposal;
2. Providing inter-municipal or sub-regional services such as recreation facilities;
3. Acting as the local government and providing local services for unincorporated (rural areas) such as fire protection, sewer and water service

Regional District Principles:

1. To respond to community needs and expectations the Regional Board supports and requires long range planning in all aspects of regional district operations. (financial, administrative, safety, health, environmental, development, etc.)
2. Meeting recognized standards (financial, administrative, safety, health, environmental, development, etc.) ensures that greater public interests are properly served now and for the future.
3. There are various tools available to achieve community goals and the Regional Board recognizes that using these tools needs to be done in a fair and equitable way.
4. Sustainable economic growth and development is a desired goal of the Regional Board. To determine priorities, there should be a system to identify and report on the growth and development of the region.
5. The Regional Board supports management of land use and development to achieve community, economic and environmental goals, such as compact, livable, energy efficient communities.
6. It is a goal of the Regional Board to encourage mitigation (or resolution) of land use conflicts that arise from competing types and demands for development.
7. New development is expected to contribute to the cost of infrastructure upgrades necessary as a result of its' additional burden on the system. (i.e. Development Cost Charges, School Site Acquisition Charges)
8. To have an effect in the mitigation of land use conflicts the Regional District should know where and when development is occurring in order to facilitate orderly development that meets community, economic and environmental goals.
9. The Regional Board recognizes the traditional importance and challenges of the agricultural sector in the Peace Region which may require exceptional approaches for land use management, and development.



PEACE RIVER REGIONAL DISTRICT BUILDING BYLAW NO. 1996, 2011	PEACE RIVER REGIONAL DISTRICT BUILDING BYLAW NO. XXXX, 2014	NOTES
WHEREAS section 694 of the <i>Local Government Act</i> 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;	WHEREAS section 694 of the <i>Local Government Act</i> 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 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;	AND WHEREAS the Regional District has adopted zoning bylaws containing regulations in respect of the use of land buildings and structures and the siting of buildings and structures;	Added with advice from lawyer for including siting requirements with regard to zoning bylaws, where BPs not required.
NOW THEREFORE the Board of the Peace River Regional District, in open meeting assembled, enacts as follows:	AND WHEREAS it is deemed necessary to provide for the administration of the building code and the zoning bylaws;	Follows principle to manage land use & development
	NOW THEREFORE the Board of the Peace River Regional District, in open meeting assembled, enacts as follows:	
PART 1      TITLE	PART 1      TITLE	
1.1      This Bylaw may be cited for all purposes as “Peace River Regional District Building Bylaw No. 1996, 2011”.	1.1      This Bylaw may be cited for all purposes as “Peace River Regional District Building Bylaw No. XXXX, 2014”.	
PART 2      DEFINITIONS	PART 2      INTERPRETATION	
2.1      In this Bylaw:	2.1      Section headings are inserted in this Bylaw for ease of reference only and are not to be used in interpreting this Bylaw.	
(a)      the following words and terms have the meanings set out in section 1.4.1.2 of the <i>Building Code</i> : <i>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</i> ;	2.2      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.	Moved from back end to front end for clarity
(b) <i>Building Code</i> means the British Columbia Building Code, as amended from time to time;	Definitions	
(c) <i>building official</i> includes building inspectors, plan checkers, and plumbing inspectors designated by the <i>Regional District</i> ;	2.3      Where words and terms are not specifically defined in this bylaw, they have the meanings set out in section 1.4.1.2 of the <i>Building Code</i> .	Provides general reference to definitions provided in the BC Building Code.
(d) <i>complex building</i> means:	2.4      In this Bylaw:	Section 1.4.1.2 (Definitions) of the BC <i>Building Code</i> , included as an appendix because it is not easily or readily available to public.
(i)      a <i>building</i> used for a <i>major occupancy</i> classified as an <i>assembly occupancy, care or detention occupancy</i> , or <i>high-hazard industrial occupancy</i> ; or	(a) <i>agent</i> means a person representing the owner by written authorization.	List of definitions increased from 23 to 40 for added clarity.
(ii)      a <i>building</i> exceeding 600 square meters in <i>building area</i> or exceeding three stories in <i>building height</i> used for a <i>major occupancy</i> classified as a <i>residential occupancy, business and personal services occupancy, mercantile occupancy</i> , or <i>medium- and low-hazard industrial occupancy</i> ; and	(b) <i>agriculture zone</i> means A-1 and A-2 zone in Zoning Bylaw No. 1343, 2001 and A-1 and A-2 zone in Zoning Bylaw NO. 1000, 1996 and A-1 and A-2 zone in Dawson Creek Rural Area Zoning Bylaw No. 479, 1986 and A-1 and A-2 zone in Chetwynd Rural Area Zoning Bylaw No. 506, 1986.	These changes in direct response to input from CC-2013.
(iii)      all tenant improvements in a <i>complex building</i> except where the <i>owner</i> provides the <i>building official</i> with evidence to demonstrate such requirement is unnecessary;	(c) <i>alteration</i> means a change or extension to any matter or thing or to any occupancy regulated by the Building Code	
(e) <i>construction value</i> means all costs of construction, including materials and labour, but	(d) <i>authority having jurisdiction</i> means the governmental body responsible for the enforcement of the Building Code or the official or agency designated by that body to exercise such a function.	
	(e) <i>basement</i> means a storey or storeys of a building located below the first storey.	
	(f) <i>building</i> means any structure used or intended for supporting or sheltering any use or occupancy.	

<p>excluding taxes;</p> <p>(f) <i>demolition permit</i> means a <i>permit</i> authorizing the demolition of all or part of a <i>building</i> or <i>structure</i>;</p> <p>(g) <i>dwelling unit</i> 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 <i>building</i>;</p> <p>(h) <i>finished grade</i> means the final elevation of the ground surface after construction;</p> <p>(i) <i>garage</i> means a <i>building</i> or part of a <i>building</i> that is designed or used for the sheltering of motor vehicles and the storage of household goods incidental to the residential use of the <i>building</i>;</p> <p>(j) <i>grade</i> means the average of the mean elevation of all the natural or finished levels of the ground adjoining all walls of a <i>building</i> or <i>structure</i>;</p> <p>(k) <i>manufactured home</i> means a factory built <i>structure</i> 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;</p> <p>(l) <i>occupancy permit</i> means a <i>permit</i> authorizing the <i>occupancy</i> of a <i>building</i> or <i>structure</i> for which a <i>building permit</i> was issued or required;</p> <p>(m) <i>permit</i> means a permit required or issued under this Bylaw;</p> <p>(n) <i>permit fee</i> means the fee payable for a <i>permit</i>, as set out in Schedule A;</p> <p>(o) <i>plumbing fixture</i> 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> <p>(p) <i>plumbing permit</i> means a <i>permit</i> authorizing the construction or <i>alteration</i> of a <i>plumbing system</i>;</p> <p>(q) <i>reconstruction</i> means the rebuilding of a <i>building</i> or <i>structure</i>, including structural elements, to its pre-existing design and dimensions, using original materials;</p> <p>(r) <i>Regional District</i> means the Peace River Regional District;</p> <p>(s) <i>retaining wall</i> means a wall constructed for the retention of soil;</p> <p>(t) <i>solid fuel burning appliance</i> means an appliance, such as a stove, pellet stove, fireplace insert, or factory-built fireplace, that burns solid fuel, including wood and coal;</p> <p>(u) <i>standard building</i> means a <i>building</i> of three storeys or less in <i>building height</i>, having a <i>building area</i> not exceeding 600 square meters, and used for a <i>major occupancy</i> classified as a <i>residential occupancy</i>, <i>business and personal services occupancy</i>, <i>mercantile occupancy</i>, or <i>medium- and low-hazard industrial occupancy</i>;</p> <p>(v) <i>structure</i> 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;</p> <p>(w) <i>temporary building</i> means a <i>building</i> that is not intended to be permanent, and includes a</p>	<p>(g) <i>building area</i> means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the outside surface of the exterior walls and the centre line of firewalls.</p> <p>(h) <i>Building Code</i> means the British Columbia Building Code, as amended from time to time;</p> <p>(i) <i>building official</i> includes building inspectors, plan checkers and plumbing inspectors designated by the <i>Regional District</i>;</p> <p>(j) <i>complex building</i> means:</p> <p>(i) a building used for a major occupancy classified as an assembly occupancy, care or detention occupancy, or high-hazard industrial occupancy; or</p> <p>(ii) a <i>building</i> exceeding 600 square meters (6,459 sf) in <i>building area</i> 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</p> <p>(iii) all tenant improvements in a <i>complex building</i> except where the <i>owner</i> provides the <i>building official</i> with evidence to demonstrate such requirement is unnecessary;</p> <p>(k) <i>construction</i> means build, erect, install, repair, alter, add, enlarge, locate, relocate, move, reconstruct, demolish, remove, excavate and shore and includes installing or replacing plumbing systems, chimneys, fireplaces and solid-fuel burning appliances including the fittings and accessories thereto.</p> <p>(l) <i>construction value</i> means all costs of construction, including materials and labour, but excluding taxes and land.</p> <p>(m) <i>demolition permit</i> means a <i>permit</i> authorizing the demolition of all or part of a <i>building</i> or <i>structure</i>;</p> <p>(n) <i>dwelling</i> 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 <i>building</i>;</p> <p>(o) <i>duplex</i> means two dwelling units separated by a common wall.</p> <p>(p) <i>farm buildings</i> means a building or part thereof which does not contain a residential occupancy and which is associated with and located on land devoted to the practice of farming and used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds.</p> <p>(q) <i>finished grade</i> means the final elevation of the ground surface after construction;</p> <p>(r) <i>garage</i> means a <i>building</i> or part of a <i>building</i> that is designed or used for the sheltering of motor vehicles and the storage of household goods incidental to the residential use of the <i>building</i>;</p> <p>(s) <i>manufactured home</i> means a factory built <i>structure</i> conforming to CSA STANDARD Z-240 MH series-92 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;</p> <p>(t) <i>multi-family residential structure</i> means a single building containing three or more separate</p>	
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<p>construction site office, seasonal storage <i>building</i>, special events facility, emergency facility, or similar <i>structure</i>.</p>	<p>dwelling units.</p> <p>(u) <i>occupancy</i> means the use of a building or part thereof for the shelter or support of persons, animals or property.</p> <p>(v) <i>occupancy permit</i> means a <i>permit</i> authorizing the <i>occupancy</i> of a <i>building</i> or <i>structure</i> for which a <i>building permit</i> was issued or required;</p> <p>(w) <i>permit</i> means a permit required or issued under this Bylaw;</p> <p>(x) <i>permit fee</i> means the fee payable for a <i>permit</i>, as set out in Schedule A;</p> <p>(y) <i>plumbing fixture</i> 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> <p>(z) <i>plumbing permit</i> means a <i>permit</i> authorizing the construction or <i>alteration</i> of a <i>plumbing system</i>.</p> <p>(aa) <i>professional design</i> means the plans and supporting documents bearing the seal and/or stamp of the professional designer.</p> <p>(bb) <i>professional designer</i> means a person who is registered in the Province of British Columbia as a member in good standing of the Architectural Institute of BC or the Association of Professional Engineers and Geoscientists of BC.</p> <p>(cc) <i>professional field review</i> means the inspection of construction for which a permit under this Bylaw is required, by or under the supervision of a Professional designer, in order to ensure that the construction complies with the permit and the Building Code and includes certification of compliance by the Professional designer.</p> <p>(dd) <i>professional plan certification</i> means certification by a professional designer that the plans submitted with an application for a building permit comply with the Building Code and other applicable enactments.</p> <p>(ee) <i>Regional District</i> means the Peace River Regional District;</p> <p>(ff) <i>retaining wall</i> means a wall constructed for the retention of soil.</p> <p>(gg) <i>seasonal</i> means a period of time not exceeding six (6) months.</p> <p>(hh) <i>site plan</i> means a plan showing the location of a proposed construction in relation to all the parcel boundaries, any existing structures on the site and including lagoons, cisterns, wells and road ways.</p> <p>(ii) <i>siting permit</i> means a <i>permit</i> for the placing of a building or structure;</p> <p>(jj) <i>solid fuel burning appliance</i> means an appliance such as a stove, fireplace insert, or factory-built fireplace, that burns solid fuel, including wood, wood pellets and coal;</p> <p>(kk) <i>standard building</i> means a <i>building</i> of three storeys or less in <i>building height</i>, having a <i>building area</i> not exceeding 600 square meters (6,459 sf) 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;</p> <p>(ll) <i>structure</i> means a construction or portion thereof of any kind, whether fixed to, supported</p>	<p>R-1</p>
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<div>PART 3PURPOSE OF BYLAW</div> <div>Interpretation</div> <div>3.1This Bylaw shall be interpreted in accordance with this Part.</div> <div>Purpose</div> <div>3.2This Bylaw has been enacted for the health, safety and protection of persons and property, and the activities undertaken by or on behalf of the <i>Regional District</i> 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.</div> <div>Limitation</div> <div>3.3The <i>Regional District</i>, by enacting this Bylaw, and the <i>Regional District's</i> officers, employees, contractors and agents, in administering and enforcing this Bylaw:</div> <div>(a)do not assume any responsibility for ensuring compliance by any person with the <i>Building Code</i>, the requirements of this Bylaw, or any other applicable enactments;</div> <div>(b)do not provide to any person any representation, warranty or other assurance with respect to the design or workmanship of any <i>building or structure</i>; and</div> <div>(c)do not provide to any person any representation, warranty or other assurance that any work undertaken pursuant to a <i>permit</i> is free from any defects, or complies with this Bylaw, the <i>Building Code</i> or any other applicable enactments.</div> <div>Disclaimer of Warranty or Representation</div> <div>3.4Neither the issuance of a <i>permit</i> under this Bylaw, nor the review and acceptance of the design, drawings, plans or specifications, nor inspections made by a <i>building official</i>, shall constitute a representation, warranty, assurance or statement that the <i>Building Code</i>, this Bylaw, or other enactments respecting health and safety have been complied with or that the <i>building or structure</i> meets any standard of materials and workmanship, and no person shall rely on any of those acts as establishing compliance with the <i>Building Code</i>, this Bylaw or any other applicable enactments.</div> <div>PART 4SCOPE OF BYLAW</div> <div>Application of Bylaw</div> <div>4.1This Bylaw applies to the design, construction and <i>occupancy</i> of new <i>buildings</i> and <i>structures</i>, and to the <i>alteration, reconstruction, demolition</i>, removal, relocation and <i>occupancy</i> of existing <i>buildings</i> and <i>structures</i>.</div> <div>4.2This Bylaw applies to all parts of the <i>Regional District</i> not within a municipality.</div>	<div>by or sunk into land or water, but specifically excludes landscaping, fences, paving and signs;</div> <div>(mm)<i>temporary building</i> means a <i>building</i> that is not intended to be permanent and includes a construction site office, seasonal storage <i>building</i>, special events facility, emergency facility, or similar <i>structure</i>.</div> <div>(nn)<i>working days</i> means any of the following, Monday, Tuesday, Wednesday, Thursday, or Friday that is not a statutory holiday.</div> <div>PART 3PURPOSE OF BYLAW</div> <div>3.1This Bylaw shall be interpreted in accordance with this Part.</div> <div>Purpose</div> <div>3.2This Bylaw has been enacted for the health, safety and protection of persons and property and the inspections undertaken by or on behalf of the <i>Regional District</i> pursuant to this Bylaw are for the sole purpose of providing a limited spot-checking function for the health, safety and protection of persons and property.</div> <div>PART 4SCOPE OF BYLAW</div> <div>Application of Bylaw</div> <div>4.1This Bylaw applies to the design, construction and <i>occupancy</i> of new <i>buildings</i> and <i>structures</i> and to the <i>alteration, reconstruction, demolition, removal, relocation</i> and <i>occupancy</i> of existing <i>buildings</i> and <i>structures</i>.</div> <div>4.2This Bylaw applies to all parts of the <i>Regional District</i> not within a municipality.</div>	<div>R-1</div> <div>Sections 3.3 &amp; 3.4 removed due to concerns raised at CC-2103 about PRRD attempt to absolve responsibility and legal advice that sections are not a necessary requirement.</div>

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; {this provision deleted as it is already included in the Building Code}*
- (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

Exemptions from Bylaw

4.3 This Bylaw does not apply to:

- (a) single family *dwellings* situated on parcels greater than 2.02 Ha (5 acres) in an *agricultural zone* and located outside the shaded area shown in Schedule B.
- (b) *farm buildings*;
- (c) *retaining walls* less than 1.2 meters (4 ft) in height;
- (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) accessory buildings having a floor area not exceeding 55 square meters (592 sf); or
- (f) minor repairs to and replacement of *plumbing fixtures*, where such work does not include an extension to or addition of *plumbing fixtures*.

Siting Permit

4.4 Notwithstanding section 4.3, a *siting permit* is required under this Bylaw for the placement of a building or structure referred to in sections 4.3(a), (d) and (e) unless the building is the subject of a voluntary application under section 4.5.

Voluntary Applications

4.5 An owner may make a voluntary application for and obtain a *building permit* for situations described in section 4.3 and upon payment of any fees, all requirements of this Bylaw shall apply, with no opportunity to opt-out.

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 other than *siting permits* 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 the applicable provisions of this Bylaw, the *Building Code* and any other applicable enactments respecting health and safety.

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New section(a) which exempts dwellings on parcels greater than 2.02 Ha (5 acres) in an agriculture zone and outside of the mandatory area of Bylaw 1189. Also responds to CC-2103 input which accepted BP for smaller residential properties.

This also responds to concerns from CC-2013 about impacts on farmers and applies the principle which recognizes the challenges of the agr sector which may require a different approach. Farm bldgs. are exempt.

Size for accessory building exemption increased, in response to CC-2013 input, and now applies to any accessory building rather than specific types.

Added (for cases when BP not required) so that the use and location of a building can be evaluated against zoning regulations. This supports principles for long range planning, land use management and mitigation of land use conflicts.

Added to allow voluntary applications when they could be exempt.

Section (c) deleted in response to input from CC-2103 about PRRD attempt to absolve responsibility and liability.

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;

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 *permit* for the work and the permit has not expired.

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 an *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 at variance with the 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 a *building official* or other authorized official of the *Regional District* 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, other than a *siting permit*, substantially conform to the requirements of



<div>(e) order the cessation of an <i>occupancy</i> that is proceeding without or in contravention of an <i>occupancy permit</i> by posting a “do not occupy” notice on the <i>building</i> or <i>structure</i>;</div> <div>(f) order the correction of work that is being or has been done in contravention of a <i>permit</i>.</div> <div>Entry on Land</div> <div>7.2 A building official:</div> <div>(a) may enter any land, <i>building</i>, <i>structure</i>, or premises at any reasonable time for the purpose of ascertaining whether the terms of this Bylaw are being observed;</div> <div>(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</div> <div>(c) shall carry proper credentials confirming his or her status as a <i>building official</i>.</div> <div>PART 8 PERMIT APPLICATIONS AND FEES</div> <div>Required Applications</div> <div>8.1 Every person shall apply for and obtain:</div> <div>(a) a <i>building permit</i> before:</div> <div>(i) constructing, <i>reconstructing</i>, repairing or <i>altering</i> a <i>building</i> or <i>structure</i>;</div> <div>(ii) placing a <i>building</i> or <i>structure</i> that has been moved;</div> <div>(iii) installing or placing a <i>manufactured home</i> on a foundation;</div> <div>(b) a <i>temporary building permit</i> before constructing, installing, or placing a <i>temporary building</i>;</div> <div>(c) a <i>plumbing permit</i> before constructing, installing or altering a <i>plumbing system</i>;</div> <div>(d) a <i>demolition permit</i> before demolishing a <i>building</i> or <i>structure</i>, or any part of a <i>building</i> or <i>structure</i>;</div> <div>(e) a <i>solid fuel burning appliance permit</i> before installing a <i>solid fuel burning appliance</i> within a <i>building</i> or <i>structure</i>; and</div> <div>(f) an <i>occupancy permit</i> prior to occupying a <i>building</i> or <i>structure</i>.</div> <div>Form of Application</div> <div>8.2 <i>Permit</i> applications shall be made in the prescribed form.</div> <div>Required Information</div> <div>8.3 All plans submitted with a <i>permit</i> application shall bear the name and address of the</div>		<div>the <i>Building Code</i>;</div> <div>(d) order the cessation of work that is proceeding without or in contravention of a <i>permit</i> by posting a “stop work” notice on the property where such work is undertaken;</div> <div>(e) order the cessation of an <i>occupancy</i> that is proceeding without or in contravention of an <i>occupancy permit</i> by posting a “do not occupy” notice on the <i>building</i> or <i>structure</i>;</div> <div>(f) order the correction of work that is being or has been done in contravention of a <i>permit</i>.</div> <div>Entry on Land</div> <div>7.2 A building official:</div> <div>(a) may enter any land <i>building</i>, <i>structure</i>, or premises between the hours of 7:00 am and 7:00 pm for the purpose of ascertaining whether the terms of this Bylaw are being observed;</div> <div>(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</div> <div>(c) shall carry proper credentials confirming his or her status as a <i>building official</i>.</div> <div>PART 8 PERMIT APPLICATIONS AND FEES</div> <div>Required Applications</div> <div>8.1 Every person shall apply for and obtain:</div> <div>(a) a <i>building permit</i> before:</div> <div>(i) constructing, reconstructing, repairing or <i>altering</i> a <i>building</i> or <i>structure</i>;</div> <div>(ii) placing a <i>building</i> or <i>structure</i>;</div> <div>(iii) installing or placing a <i>manufactured home</i> on a foundation;</div> <div>(b) a <i>siting permit</i> before constructing, installing or placing a <i>building</i> described in sections 4.3(a), (e) and (f);</div> <div>(c) a <i>temporary building permit</i> before constructing, installing, or placing a <i>temporary building</i>;</div> <div>(d) a <i>plumbing permit</i> before constructing, installing or altering a <i>plumbing system</i>;</div> <div>(e) a <i>demolition permit</i> before demolishing a <i>building</i> or <i>structure</i>, or any part of a <i>building</i> or <i>structure</i>;</div> <div>(f) a <i>solid fuel burning appliance permit</i> before installing a <i>solid fuel burning appliance</i> within a <i>building</i> or <i>structure</i>; and</div> <div>(g) an <i>occupancy permit</i> prior to occupying a <i>building</i> or <i>structure</i>.</div> <div>Form of Application</div> <div>8.2 <i>Permit</i> applications shall be made in the prescribed form.</div> <div>8.3 <i>Permit</i> applications shall be signed by the owner or owner’s agent.</div>		<div>R-1</div> <div>Reasonable hours of entry specified as 7:00am to 7:00pm. (same as Bylaw 1189). This responds to input from CC-2013</div> <div>Added (for cases when BP not required) so that the use and location of a building can be evaluated against zoning regulations. This supports principles for long range planning, land use management and mitigation of land use conflicts.</div> <div>Added to allow owner’s agent to make application.</div>
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<i>designer of the building or structure.</i>		Required Information		R-1
Separate Permits Required		8.4 All plans submitted with a <i>building permit</i> application shall bear the name and address of the <i>designer</i> of the <i>building</i> or <i>structure</i> .		
8.4 Each <i>building</i> or <i>structure</i> to be constructed on a parcel requires a separate <i>building permit</i> and shall be assessed a separate <i>permit fee</i> based on the value of that <i>building</i> or <i>structure</i> , as determined in accordance with Schedule A to this Bylaw.		Separate Building Permits Required		
8.5 Each <i>plumbing system</i> to be constructed on a parcel requires a separate <i>plumbing permit</i> for each <i>building</i> and shall be assessed a separate <i>permit fee</i> .		8.5 Each <i>building</i> or <i>structure</i> to be constructed on a parcel requires a separate <i>building permit</i> and shall be assessed a separate <i>permit fee</i> based on the value of that <i>building</i> or <i>structure</i> , as determined in accordance with Schedule A to this Bylaw.		
		8.6 Each <i>plumbing system</i> to be constructed on a parcel requires a separate <i>plumbing permit</i> for each <i>building</i> and shall be assessed a separate <i>permit fee</i> .		Added to simplify process for multiple buildings on residential property in response to CC-2013 to reduce red tape.
		8.7 Notwithstanding sections 8.5 and 8.6 a combined <i>permit</i> application may be accepted for multiple <i>buildings</i> or <i>structures</i> in association with:		
		(a) a condominium type development;		
		(b) a multiple residential type development;		
Permit Fees		(c) a dwelling and detached accessory building.		
8.6 In addition to applicable fees and charges required under other bylaws, an application for a <i>permit</i> shall be accompanied by the appropriate <i>permit fee</i> , calculated in accordance with Schedule A to this Bylaw.		Plan Processing Fee		
Plan Processing Fee		8.8 An application made for a <i>building permit</i> 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 <i>permit fee</i> when the <i>building permit</i> is issued. The plan-processing fee shall be forfeited if the <i>owner</i> fails to pay the applicable <i>permit fee</i> within one hundred and eighty (180) days of the date written notification is sent to the <i>owner</i> that the <i>building permit</i> is ready to be issued		Sections 8.8 & 8.9 switched to better reflect actual order of application process, i.e. Plan Processing fee is paid before Permit Fees. In response CC-2013 for language clarity.
8.7 In addition to the applicable <i>permit fee</i> , an application made for a <i>building permit</i> 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 <i>permit fee</i> when the <i>building permit</i> is issued. The plan-processing fee shall be forfeited if the <i>owner</i> fails to pay the applicable <i>permit fee</i> within one hundred and eighty (180) days of the date written notification is sent to the <i>owner</i> that the <i>building permit</i> is ready to be issued.		Permit Fees		
Refund of a Permit Fee		8.9 In addition to applicable fees and charges required under other bylaws, an application for a <i>permit</i> shall be accompanied by the appropriate <i>permit fee</i> , calculated in accordance with Schedule A to this Bylaw.		
8.8 The <i>owner</i> may obtain a refund of the applicable <i>permit fee</i> when a <i>permit</i> is surrendered and cancelled before construction begins, provided:		Refund of a Permit Fee		
(a) the refund shall not include the plan-processing fee paid in accordance with section 8.7 of this Bylaw; and		8.10 The <i>owner</i> may obtain a refund of the applicable <i>permit fee</i> when a <i>permit</i> is surrendered and cancelled before construction begins, provided:		
(b) no refund shall be given where construction has begun or an inspection has been made.		(a) the refund shall not include the plan-processing fee paid in accordance with section 8.8 of this Bylaw; and		
		(b) no refund shall be given where construction has begun or an inspection has been made.		
		8.11 Ninety percent (90%) of the <i>demolition permit fee</i> shall be available for refund upon written application by the owner to the Peace River Regional District advising that the <i>demolition</i> has been completed and that all requirements under the conditions of the granting of the <i>permit</i> have been complied with.		Added in response to CC-2013 that “up to \$10,000 security for demolition” was onerous. Return to flat fee with refund upon completion. (as in Bylaw 1189)
Re-Inspection Fee		(a) Application for refund must be made within six (6) months of completion of the demolition		
8.9 Where, for any reason, more than one inspection is necessary when one inspection is normally required, the <i>owner</i> shall pay a re-inspection fee in the amount set out in Schedule A prior to each additional inspection being performed.		Re-Inspection Fee		
		8.12 Where, for any reason, more than one inspection is necessary when one inspection is		

<div>8.10</div> <div>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.</div>	<div>normally required, the <i>owner</i> shall pay a re-inspection fee in the amount set out in Schedule A prior to each additional inspection being performed.</div> <div></div>	<div>R-1</div> <div>Section 8.10 deleted as it is too restrictive. There may be other timing and situations depending on project that require multiple inspections, which will be determined between the inspector and applicant.</div>
<div>PART 9      PERMIT APPLICATION REQUIREMENTS</div> <div>Building Permit Applications for Standard Buildings</div> <div>9.1      An application for a <i>building permit</i> with respect to a <i>standard building</i> shall be signed by the <i>owner</i> (or a signing officer if the <i>owner</i> is a corporation), and shall include:</div> <div><div>(a)</div><div>an acknowledgement of responsibility and undertaking, in the prescribed form, signed by the <i>owner</i> (or a signing officer if the <i>owner</i> is a corporation);</div></div> <div><div>(b)</div><div>a title search for the property, made within thirty (30) days of the date of the application;</div></div> <div><div>(c)</div><div>where the application is in respect of a <i>building</i> that includes, or will include, a <i>residential occupancy</i>, evidence pursuant to section 30(1) of the <i>Homeowner Protection Act</i> (British Columbia) that:</div><div><div>Deleted</div><div><div>(i)</div><div>the proposed <i>building</i> is covered by home warranty insurance, and</div></div><div><div>(ii)</div><div>the <i>constructor</i> is a licensed residential builder,</div></div><div>unless the <i>owner</i> is exempted by regulation from the requirement to obtain home warranty insurance and the requirement to be licensed;</div></div><div><div>(d)</div><div>if the parcel is located within a development permit area, a copy of the approved development permit;</div></div><div><div>(e)</div><div>a site plan showing:</div><div><div>(i)</div><div>the location and dimensions of the parcel taken from the registered subdivision plan;</div></div><div><div>(ii)</div><div>the legal and civic address of the parcel;</div></div><div><div>(iii)</div><div>the location and dimensions of all statutory rights of way, easements, and setback requirements;</div></div><div><div>(iv)</div><div>the location and dimensions of all existing and proposed <i>buildings</i> or <i>structures</i> on the parcel, including all onsite sewage disposal systems;</div></div><div><div>(v)</div><div>proposed elevations for top of <i>basement</i> and <i>garage</i> foundations;</div></div><div><div>(vi)</div><div>the location, dimension and gradient of parking and driveway access, unless the <i>permit</i> is sought for the repair or <i>alteration</i> of an existing <i>building</i> or <i>structure</i>, and the requirement for a site plan has been waived by a <i>building official</i>;</div></div></div><div><div>(f)</div><div>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; <i>plumbing fixtures</i>; structural elements; and stair dimensions;</div></div><div><div>(g)</div><div>a cross-section through the <i>building</i> or <i>structure</i> illustrating foundations, drainage, ceiling heights, and construction systems;</div></div></div>	<div>PART 9      PERMIT APPLICATION REQUIREMENTS</div> <div>Building Permit Applications for Standard Buildings</div> <div>9.1      An application for a <i>building permit</i> with respect to a <i>standard building</i> shall include:</div> <div><div>(a)</div><div>a letter of consent form authorizing an agent, signed by the owner, if the owner is not the applicant;</div></div> <div><div>(b)</div><div>proof of ownership at time of application, provided by</div><div><div>(i)</div><div>a title search print, made within thirty (30) days of the date of the application, or;</div></div><div><div>(ii)</div><div>a recent property tax notice, or;</div></div><div><div>(iii)</div><div>a transfer of title certificate.</div></div><div></div><div><div>(c)</div><div>a site plan showing:</div><div><div>(i)</div><div>the location and dimensions of the parcel taken from the registered subdivision plan;</div></div><div><div>(ii)</div><div>the legal and civic address of the parcel;</div></div><div><div>(iii)</div><div>the location and dimensions of all statutory rights of way, easements and setback requirements;</div></div><div><div>(iv)</div><div>the location and dimensions of all existing and proposed <i>buildings</i> or <i>structures</i> on the parcel, including all onsite sewage disposal systems;</div></div><div><div>(v)</div><div>proposed elevations for top of <i>basement</i> and <i>garage</i> foundations;</div></div><div><div>(vi)</div><div>the location, dimension and gradient of parking and driveway access;</div></div><div><div>(vii)</div><div>where the <i>permit</i> is sought for the repair or <i>alteration</i> of an existing <i>building</i> or <i>structure</i>, the requirement for a site plan may be waived by a <i>building official</i> ;</div></div></div><div><div>(d)</div><div>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; <i>plumbing fixtures</i>; structural elements; and stair dimensions;</div></div></div>	<div></div> <div>In response to CC-2013, alternative types of documentation for proof of ownership, other than just title search print, now accepted.</div> <div></div> <div>In response to CC-2013, reference to <i>Homeowner Protection Act (HPA)</i> removed, to reduce confusion. HPA still applies and need not be in building bylaw.</div>

				R-1	
<div>Deleted</div>	(h)	elevations of all sides of the <i>building</i> or <i>structure</i> showing finish details, roof slopes, windows, doors, and <i>finished grade</i> ;	(e)	a cross-section through the <i>building</i> or <i>structure</i> illustrating foundations, drainage, ceiling heights and construction systems;	Section 9.2 (a) & (b) deleted as being redundant to requirements already established in the Building Code
	(i)	cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the <i>building</i> or <i>structure</i> substantially conforms to the <i>Building Code</i> ;	(f)	elevations of all sides of the <i>building</i> or <i>structure</i> showing finish details, roof slopes, windows, doors and <i>finished grade</i> ;	
	(j)	a foundation design;	(g)	cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the <i>building</i> or <i>structure</i> substantially conforms to the <i>Building Code</i> ;	
	(k)	a truss plan and truss drawings prepared by a truss provider and stamped by a professional engineer;	(h)	a foundation design;	
	(l)	a roof plan and roof height calculations;	(i)	a truss plan and truss drawings prepared by a truss provider and stamped by a professional engineer;	
	(m)	two (2) sets of drawings at a suitable scale of the design, including the information required in subsections (f) through (l).	(j)	a roof plan and roof height calculations;	
	9.2	In addition to the documents required under section 9.1, the <i>building official</i> may require that the following be submitted with a <i>building permit</i> application for the construction of a <i>standard building</i> :	(k)	two (2) sets of drawings of the design, at a suitable scale, including the information required in subsections (d) through (k).	
	(a)	where the complexity of the proposed <i>building</i> or <i>structure</i> or siting circumstances warrant, letters of assurance in the form of Schedule A to Division C – Part 2 of the <i>Building Code</i> , signed by the <i>owner</i> , or a signing officer if the <i>owner</i> is a corporation, and the <i>coordinating registered professional</i> ;	----->		
	(b)	letters of assurance in the form of Schedule B to Division C – Part 2 of the <i>Building Code</i> , signed by each <i>registered professional</i> as the <i>building official</i> or <i>Building Code</i> may require to prepare the design for and conduct <i>field reviews</i> of the construction of the <i>building</i> or <i>structure</i> ; and			
	(c)	any other information required by the <i>building official</i> or the <i>Building Code</i> to establish substantial compliance with this Bylaw, the <i>Building Code</i> , and other bylaws and enactments relating to the <i>building</i> or <i>structure</i> .	(l)	any other information required by the <i>building official</i> or the <i>Building Code</i> to establish compliance with this Bylaw, the <i>Building Code</i> and other bylaws and enactments relating to the <i>building</i> or <i>structure</i> .	
Additional Requirements for Manufactured Homes		Requirements for Manufactured Homes		Section deleted as being unnecessary, because this requirement is established by zoning bylaw requirements and confirmed at the plan check stage.	
9.3	In addition to the documents required under sections 9.1 and 9.2, an application for a <i>building permit</i> to install or place a <i>manufactured home</i> shall include:	9.2	In addition to the documents required under sections 9.1, an application for a <i>building permit</i> to install or place a <i>manufactured home</i> 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 <i>building official</i> that the <i>manufactured home</i> 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	(a)	evidence satisfactory to the <i>building official</i> that the <i>manufactured home</i> has been constructed and certified under current editions of Canadian Standards Association (CSA) Standards A277-01 or Z240 MH series-92, 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.	(b)	information regarding site preparations, foundations, mountings, service connections and installation of appliances.		
Building Permit Applications for Complex Buildings		Building Permit Applications for Complex Buildings			
9.4	An application for a <i>building permit</i> with respect to a <i>complex building</i> shall be signed by the <i>owner</i> (or a signing officer if the <i>owner</i> is a corporation) and the <i>coordinating registered professional</i> , and shall include:	9.3	An application for a <i>building permit</i> with respect to a <i>complex building</i> shall be signed by the <i>owner</i> or the <i>coordinating registered professional</i> and shall include:		
(a)	an acknowledgement of responsibility and undertaking, in the prescribed form, signed by the <i>owner</i> ;	(a)	a letter of consent form authorizing an agent, signed by the owner, if the owner is not the applicant;		
				Owner undertaking removed as being redundant. Consent for an agent by the owner required.	
May 21, 2014					



<div>(b) a title search for the property, made within 30 days of the date of the application;</div> <div>(c) where the application is in respect of a <i>building</i> that includes, or will include, a <i>residential occupancy</i>, evidence pursuant to section 30(1) of the <i>Homeowner Protection Act</i> (British Columbia) that:<div>Deleted<div>(i) the proposed <i>building</i> is covered by home warranty insurance, and</div><div>(ii) the <i>constructor</i> is a licensed residential builder,</div><div>unless the <i>owner</i> is exempted by regulation from the requirement to obtain home warranty insurance and the requirement to be licensed;</div></div><div>(d) if the parcel is located within a development permit area, a copy of the approved development permit;</div><div>(e) a cost estimate from a <i>registered professional</i> for completion of the proposed work, or a signed copy of the <i>construction value</i> contract to complete the work;</div><div>(f) a site plan prepared by a British Columbia Land Surveyor showing:<div>(i) the bearing and dimensions of the parcel taken from the registered subdivision plan;</div><div>(ii) the legal and civic address of the parcel;</div><div>(iii) the location and dimensions of all statutory rights of way, easements, and setback requirements;</div><div>(iv) the location and dimensions of all existing and proposed <i>buildings</i> or <i>structures</i> on the parcel, including all onsite sewage disposal systems;</div><div>(v) the location of all fire hydrants, fire sprinklers, standpipe connections, and fire flow calculations;</div><div>(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 <i>building</i> or <i>structure</i> where the Regional District's land use regulations establish siting requirements related to minimum floor elevation;</div><div>Revised</div><div>(vii) the location, dimension and gradient of parking and driveway access,</div><div>unless the <i>permit</i> is sought for the repair or <i>alteration</i> of an existing <i>building</i> or <i>structure</i>, and the requirement for a site plan has been waived by a <i>building official</i>;</div><div>(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; <i>plumbing fixtures</i>; structural elements; and stair dimensions;</div><div>(h) a cross section through the <i>building</i> or <i>structure</i> illustrating foundations, drainage, ceiling heights, and construction systems;</div><div>(i) elevations of all sides of the <i>building</i> or <i>structure</i> showing finish details, roof slopes, windows, doors, and <i>finished grade</i>;</div><div>(j) cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the <i>building</i> or <i>structure</i> substantially conforms to the <i>Building Code</i>;</div><div>(k) three (3) sets of drawings at a suitable scale of the design, prepared by each <i>registered</i></div></div></div>		<div>(b) proof of ownership at time of application, provided by<div>(i) a title search print, made within thirty (30) days of the date of the application, or;</div><div>(ii) a recent property tax notice, or;</div><div>(iii) a transfer of title certificate;</div><div>-----&gt;</div></div> <div>(c) a cost estimate from a <i>registered professional</i> for completion of the proposed work, or a signed copy of the <i>construction value</i> contract to complete the work;</div> <div>(d) a site plan prepared by a <i>professional designer</i> showing:<div>(i) the bearing and dimensions of the parcel taken from the registered subdivision plan;</div><div>(ii) the legal and civic address of the parcel;</div><div>(iii) the location and dimensions of all statutory rights of way, easements and setback requirements;</div><div>(iv) the location and dimensions of all existing and proposed <i>buildings</i> or <i>structures</i> on the parcel, including all onsite sewage disposal systems;</div><div>(v) the location of all fire hydrants, fire sprinklers, standpipe connections and fire flow calculations;</div><div>(vi) the existing and finished ground levels;</div><div>(vii) the location, dimension and gradient of parking and driveway access,</div><div>(viii) where the <i>permit</i> is sought for the repair or <i>alteration</i> of an existing <i>building</i> or <i>structure</i> and the requirement for a site plan may be waived by a <i>building official</i>;</div></div> <div>(e) 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; <i>plumbing fixtures</i>; structural elements; and stair dimensions;</div> <div>(f) a cross section through the <i>building</i> or <i>structure</i> illustrating foundations, drainage, ceiling heights and construction systems;</div> <div>(g) elevations of all sides of the <i>building</i> or <i>structure</i> showing finish details, roof slopes, windows, doors and <i>finished grade</i>;</div> <div>(h) cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the <i>building</i> or <i>structure</i> substantially conforms to the <i>Building Code</i>;</div> <div>(i) two (2) sets of drawings of the design at a suitable scale, prepared by each <i>registered professional</i> and including the information required in subsections (e) through (i);</div>		<div>R-1</div> <div>In response to CC-2013, alternative types of documentation for proof of ownership, other than just title search print, now accepted.</div> <div>In response to CC-2013, reference to <i>Homeowner Protection Act (HPA)</i> removed, to reduce confusion. HPA still applies and need not be in building bylaw.</div> <div>Sub-section (vi) revised for clarity.</div> <div>Sets of drawings required reduce from 3 to 2.</div>
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<p><i>professional</i>, and including the information required in subsections (g) through (j);</p> <p>(l) a letter of assurance in the form of Schedule A to Division C – Part 2 of the <i>Building Code</i>, signed by the <i>owner</i>, or a signing officer if the <i>owner</i> is a corporation, and the <i>coordinating registered professional</i>; and</p> <p>(m) letters of assurance in the form of Schedule B to Division C – Part 2 of the <i>Building Code</i>, signed by each <i>registered professional</i> as the <i>building official</i> or <i>Building Code</i> may require to prepare the design for and conduct <i>field reviews</i> of the construction of the <i>building</i> or <i>structure</i>.</p> <p>9.5 In addition to the documents required under section 9.4, the <i>building official</i> may require that the following be submitted with a <i>building permit</i> application for the construction of a <i>complex building</i>:</p> <p>(a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a <i>registered professional</i>;</p> <p>(b) a section through the site showing <i>grades, buildings, structures</i>, parking areas, and driveways; and</p> <p>(c) any other information required by the <i>building official</i> or the <i>Building Code</i> to establish substantial compliance with this Bylaw, the <i>Building Code</i>, and other bylaws and enactments relating to the <i>building</i> or <i>structure</i>.</p>	<p>(j) a letter of assurance in the form of Schedule A to Division C – Part 2 of the <i>Building Code</i>, signed by the <i>owner</i>, or authorized agent of the <i>owner</i> and the <i>coordinating registered professional</i>; and</p> <p>(k) letters of assurance in the form of Schedule B to Division C – Part 2 of the <i>Building Code</i>, signed by each <i>registered professional</i> as the <i>building official</i> or <i>Building Code</i> may require for preparing the design for and conducting <i>field reviews</i> of the construction of the <i>building</i> or <i>structure</i>.</p> <p>9.4 In addition to the documents required under section 9.4, the <i>building official</i> may require that the following be submitted with a <i>building permit</i> application for the construction of a <i>complex building</i>:</p> <p>(a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a <i>registered professional</i>;</p> <p>(b) a section through the site showing <i>grades, buildings, structures</i>, parking areas and driveways; and</p> <p>(c) any other information required by the <i>building official</i> or the <i>Building Code</i> to establish substantial compliance with this Bylaw, the <i>Building Code</i> and other bylaws and enactments relating to the <i>building</i> or <i>structure</i>.</p>	
<p>Temporary Building Permit Applications</p> <p>9.6 In addition to the requirements of this Bylaw that apply to all <i>permit</i> applications, an application for a <i>temporary building permit</i> for the construction, installation, or placement of a <i>temporary building</i> shall include:</p> <p>(a) plans and supporting documents showing the proposed location of the <i>temporary building</i>;</p> <p>(b) plans and supporting documents showing construction details of the <i>temporary building</i>;</p> <p>(c) a statement by the <i>owner</i> indicating the intended use of the <i>temporary building</i> and the duration of the use;</p> <p>(d) a written description of the project explaining why the <i>temporary building</i> is to be considered temporary;</p> <p>(e) a report or drawing by an architect or engineer registered in British Columbia confirming that the <i>temporary building</i> complies with the <i>Building Code</i>, this Bylaw, and all other <i>Regional District</i> bylaws;</p> <p>(f) security in the form of cash or irrevocable letter of credit for up to \$10,000.00, which security:</p> <p>(i) may be used by the <i>Regional District</i> to remove the <i>temporary building</i> upon expiry of the <i>permit</i>, or</p> <p>(ii) will be returned to the owner if the owner removes the <i>temporary building</i> upon expiry of the <i>permit</i>.</p>	<p>Temporary Building Permit Applications</p> <p>9.5 In addition to the requirements of this Bylaw that apply to all <i>permit</i> applications, an application for a <i>temporary building permit</i> for the construction, installation, or placement of a <i>temporary building</i> shall include:</p> <p>(a) plans and supporting documents showing the proposed location of the <i>temporary building</i>;</p> <p>(b) plans and supporting documents showing construction details of the <i>temporary building</i>;</p> <p>(c) a statement by the <i>owner</i> indicating the intended use of the <i>temporary building</i> and the duration of the use;</p> <p>(d) a written description of the project explaining why the <i>temporary building</i> is to be considered temporary;</p> <p>(e) a report or drawing by <i>professional designer</i> registered in British Columbia confirming that the <i>temporary building</i> complies with the <i>Building Code</i>, this Bylaw and all other <i>Regional District</i> bylaws;</p> <p>(f) security deposit for the estimated cost of removal of the <i>temporary building</i>, in the form of cash or irrevocable letter of credit, not to exceed \$10,000.00, which security:</p> <p>(i) may be used by the <i>Regional District</i> to remove the <i>temporary building</i> 90 days after expiry of the <i>permit</i>, if the <i>temporary building</i> has not been removed, or</p> <p>(ii) will be returned to the owner if the owner removes the <i>temporary building</i> within 90 days of expiry of the <i>permit</i>.</p>	<p>Clarification added that purpose of security is for removal of a temporary building.</p> <p>Provides 90 days for owner to remove temp building after expiry of permit.</p>
<p>Building Permit Applications for Retaining Walls</p> <p>9.7 In addition to the requirements of this Bylaw that apply to all <i>permit</i> applications, an application for a <i>building permit</i> for construction of a <i>retaining wall</i> shall include sealed</p>	<p>Building Permit Applications for Retaining Walls</p> <p>9.6 In addition to the requirements of this Bylaw that apply to all <i>permit</i> applications, an application for a <i>building permit</i> for construction of a <i>retaining wall</i> shall include two (2)</p>	

<p>copies of design drawings, prepared by a <i>registered professional</i>.</p> <p>Solid Fuel Burning Appliance Permit Applications</p> <p>9.8 In addition to the requirements of this Bylaw that apply to all <i>permit</i> applications, an application for a <i>solid fuel burning appliance permit</i> shall include a copy of the manufacturer’s manual for the <i>solid fuel burning appliance</i>.</p> <p>Demolition Permit Applications</p> <p>9.9 In addition to the requirements of this Bylaw that apply to all <i>permit</i> applications, an application for a <i>demolition permit</i> shall include security in the form of cash or irrevocable letter of credit for up to \$10,000.00, which security:</p> <p>(a) may be used by the <i>Regional District</i> to carry out the <i>owner’s</i> obligations under the <i>demolition permit</i>, or otherwise under section 13.4 of this Bylaw, or</p> <p>(b) will be returned to the <i>owner</i> if the owner completes all obligations under the <i>demolition permit</i> and under section 13.4 of this Bylaw.</p> <p>Occupancy Permit Applications</p> <p>9.10 In addition to the requirements of this Bylaw that apply to all <i>permit</i> applications, an application for an <i>occupancy permit</i> for a <i>complex building</i>, or for a <i>standard building</i> in circumstances where letters of assurance have been required in accordance with this Bylaw, the <i>owner</i> shall provide the <i>Regional District</i> with letters of assurance in the form of Schedules C-A or C-B to Division C – Part 2 of the <i>Building Code</i>, as is appropriate.</p>	<p>copies of design drawings, prepared under the seal of a <i>registered professional</i>.</p> <p>Solid Fuel Burning Appliance Permit Applications</p> <p>9.7 In addition to the requirements of this Bylaw that apply to all <i>permit</i> applications, an application for a <i>solid fuel burning appliance permit</i> shall include a copy of the manufacturer’s manual for the <i>solid fuel burning appliance</i>.</p> <p>Demolition Permit Applications</p> <p>9.8 In addition to the requirements of this Bylaw that apply to all <i>permit</i> applications, an application for a <i>demolition permit</i> shall include:</p> <p>(a) a plan or description of the <i>demolition</i> of a <i>building</i> or <i>structure</i>, that:</p> <p>(i) describes all services and utilities connected to the property, that will be disconnected and capped;</p> <p>(ii) indicates the means of disposal of demolished materials;</p> <p>(iii) describes reclamation of the site.</p> <p>-----&gt;</p> <p>Siting Permit Applications</p> <p>9.9 In addition to the requirements of this Bylaw that apply to all <i>permit</i> applications, an application for a <i>siting permit</i> shall include:</p> <p>(a) proof of ownership at time of application, provided by</p> <p>(i) a title search print, made within thirty (30) days of the date of the application, or;</p> <p>(ii) a recent property tax notice, or;</p> <p>(iii) a transfer of title certificate.</p> <p>(b) if the parcel is located within a development permit area, a copy of the approved development permit;</p> <p>(c) a description of the proposed use of the building or structure;</p> <p>(d) a site plan showing:</p> <p>(i) the location and dimensions of the parcel taken from the registered subdivision plan;</p> <p>(ii) the legal and civic address of the parcel;</p> <p>(iii) the location and dimensions of all statutory rights of way, easements and setback requirements applicable under a zoning bylaw;</p>	<p>In response to CC-2013 – security deposit for demolition permit changed to a 90% refundable flat fee.</p> <p>Application requirements specified.</p> <p>Occupancy Permit Application no longer required. Occupancy granted upon successful final inspection. Reduced “red tape” responding to CC-2013</p> <p>Application for Siting Permit required in certain cases where building permits are not required. This is to ensure that use and siting adhere to zoning requirements. This follows principles for long range planning and management of development, mitigation of conflicts, environmental stewardship.</p>
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		(iv) the dimensions of all existing and proposed <i>buildings</i> or <i>structures</i> on the parcel, and the location of proposed <i>buildings</i> and <i>structures</i> in relation to parcel boundaries; and	R-1
Professional Plan Certification		Requirement for Professional Designer	
9.11	The letters of assurance in the form of Schedules B, C-A, and C-B to Division C – Part 2 of the <i>Building Code</i> , and provided pursuant to sections 9.2, 9.4., and 9.10 of this Bylaw are relied upon by the <i>Regional District</i> and its <i>building officials</i> as certification that the design and plans to which the letters of assurance relate comply with the <i>Building Code</i> and other applicable enactments respecting health and safety.	9.10 Where the <i>building official</i> determines that site conditions, size or complexity of a building or <i>structure</i> or building component warrant, the building official may require, at the owner's expense, a professional design and a field review.	
		9.11 The letters of assurance in the form of Schedules B, C-A and C-B to Division C – Part 2 of the <i>Building Code</i> and provided pursuant to sections 9.2 and 9.4., of this Bylaw are relied upon by the <i>Regional District</i> and its <i>building officials</i> as certification that the design and plans to which the letters of assurance relate comply with the <i>Building Code</i> and other applicable enactments respecting health and safety.	This section updated to clarify requirement for professional designers for complex structures as determined by Building Code and inspector, including the submission of letters of assurance.
9.12	A <i>building permit</i> issued for the construction of a <i>complex building</i> , or a <i>standard building</i> for which a <i>building official</i> has required professional design and letters of assurance pursuant to this Bylaw, shall include a notice to the <i>owner</i> that the <i>building permit</i> is issued in reliance upon the certification of the <i>registered professionals</i> that the design and plans submitted in support of the application for the <i>building permit</i> comply with the <i>Building Code</i> and other applicable enactments respecting health and safety.	9.12 A <i>building permit</i> issued for the construction of a <i>complex building</i> , or a <i>standard building</i> for which a <i>building official</i> has required professional design and letters of assurance pursuant to this Bylaw, shall include a notice to the <i>owner</i> that the <i>building permit</i> is issued in reliance upon the certification of the <i>registered professionals</i> that the design and plans submitted in support of the application for the <i>building permit</i> comply with the <i>Building Code</i> and other applicable enactments respecting health and safety.	
		9.13 After completion of <i>construction</i> but prior to occupancy of a building that is subject to <i>professional field review</i> , the owner shall submit letters of assurance pursuant to the BC <i>Building Code</i> incorporating the assurances of the <i>professional designers</i> that:  (a) the <i>professional field review</i> has been completed for all the applicable disciplines; and  (b) the <i>construction</i> of the project conforms with the plans, specifications and related documents for which the building <i>permit</i> was issued	
9.13	When a <i>building permit</i> is issued for the construction of a <i>complex building</i> , or a <i>standard building</i> for which a <i>building official</i> has required professional design and letters of assurance pursuant to this Bylaw, the <i>permit fee</i> 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).	9.14 When a <i>building permit</i> is issued for the construction of a <i>complex building</i> , or a <i>standard building</i> for which a <i>building official</i> has required professional design and letters of assurance pursuant to this Bylaw, the <i>permit fee</i> 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		PART 10 ISSUANCE OF PERMITS	Parts 10 and 11 switched to better reflect order of process. i.e. permits issued before inspections made.
Reliance on Field Reviews		Issuance of Permit	
10.1	When a <i>registered professional</i> provides letters of assurance in accordance with section 9.2 or 9.4 of this Bylaw, the <i>building official</i> and the <i>Regional District</i> shall rely solely on <i>field reviews</i> undertaken by the <i>registered professional</i> and the letters of assurance submitted pursuant to section 9.10 of this Bylaw as assurance that the construction substantially complies with the <i>Building Code</i> , this Bylaw and other applicable enactments respecting health or safety.	10.1 When:  (a) a completed <i>permit</i> application has been submitted, including all required supporting documentation;  (b) the proposed work set out in the <i>permit</i> application substantially conforms to the <i>Building Code</i> , this Bylaw and other applicable bylaws and enactments;	
10.2	Notwithstanding section 10.1 of this Bylaw, a <i>building official</i> may attend the site from time to time during the course of construction to ascertain that the <i>field reviews</i> are taking place	(c) the <i>owner</i> has paid all applicable <i>permit fees</i> , as set out in this Bylaw;	

and to monitor the <i>field reviews</i> undertaken by the <i>registered professionals</i> .				R-1
Health and Safety Aspects				
10.3	A <i>building official</i> may attend periodically at the site of the construction of <i>buildings</i> or <i>structures</i> to ascertain whether the health and safety aspects of the work are being carried out in substantial conformance with those portions of the <i>Building Code</i> , this Bylaw and any other applicable enactments respecting health and safety.			
Inspection Prior to Concealing Work				
10.4	The <i>owner</i> or his or her representative shall give at least seventy-two (72) hours' notice to the <i>Regional District</i> when requesting an inspection and shall obtain an inspection and receive a <i>building official's</i> 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 <i>building</i> or <i>structure</i> 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 <i>building</i> drain, water service, sanitary or storm sewer connection is covered;			
(f)	when framing and sheathing of the <i>building</i> 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 <i>solid fuel burning appliance</i> ; and			
(i)	after the <i>building</i> or <i>structure</i> is substantially complete and ready for <i>occupancy</i> , but before <i>occupancy</i> takes place of the whole or part of the <i>building</i> or <i>structure</i> .			
10.5	Upon completion of work under a <i>building permit</i> and prior to a final inspection of the <i>building</i> under 10.4(i) of this Bylaw, the <i>owner</i> shall apply for an <i>occupancy permit</i> .			
10.6	An <i>owner</i> shall not conceal any aspect of the work referred to in section 10.4 of this Bylaw until a <i>building official</i> has accepted the work in writing.			
10.7	An <i>owner</i> shall uncover any aspect of the work that has been concealed contrary to section 10.6 of this Bylaw in order to allow the <i>building official</i> 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 <i>registered professional's</i> letter of assurance provided in accordance with section 9.2, 9.4, and 9.10 of this Bylaw.			
10.9	The <i>building inspector</i> will not carry out any inspection unless requested to do so by the <i>owner</i> .			
		(d)	the <i>owner</i> has paid all charges and met all requirements imposed by any other bylaw or enactment;	Application for Occupancy Permit no longer required. Occupancy is authorized with a final inspection. Reduces unnecessary paperwork. Specifies that a final inspection must occur to authorize occupancy.
		(e)	no enactment, covenant, agreement, or regulation in favour of, or regulation of, the <i>Regional District</i> authorizes the <i>permit</i> to be withheld;	
		(f)	the <i>owner</i> has retained a professional engineer or geoscientist if required by the provisions of the <i>Engineers and Geoscientists Act</i> (British Columbia); and	
		(g)	the <i>owner</i> has retained an architect if required by the provisions of the <i>Architect's Act</i> (British Columbia),	
		the <i>building official</i> shall issue the <i>permit</i> for which the application is made.		
		Occupancy		
		10.2	In addition to the requirements of this Bylaw that apply to all <i>permit</i> applications, a final inspection authorizing occupancy is required for all <i>buildings</i> and <i>structures</i> .	
		10.3	Prior to final inspection and granting occupancy, where letters of assurance Schedule A or B of the Building Code have been required in accordance with this Bylaw, the <i>owner</i> shall provide the <i>Regional District</i> with letters of assurance in the form of Schedules C-A or C-B to Division C – Part 2 of the <i>Building Code</i> , to confirm that field review has been conducted.	
		10.4	<i>Occupancy</i> shall not be authorized unless:	
		(a)	all letters of assurance have been submitted when required in accordance with this Bylaw; and	
		(b)	all aspects of the work requiring inspection and acceptance pursuant to section 11.4 of this Bylaw have been inspected and accepted, or the inspections and acceptance are not required in accordance with section 11.8 of this Bylaw.	
		10.5	A <i>building official</i> may issue an <i>occupancy permit</i> for part of a <i>building</i> or <i>structure</i> when the part of the <i>building</i> or <i>structure</i> 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		
		10.6	A <i>permit</i> is deemed to have been issued on the date of the <i>permit</i> was signed by the <i>building official</i> .	
		Expiration of Permit		
		10.7	Every <i>permit</i> is issued upon the condition that the <i>permit</i> shall expire and the rights of the <i>owner</i> under the <i>permit</i> shall terminate if:	
		(a)	the work authorized by the <i>permit</i> is not commenced within twelve (12) months from the date of issuance of the <i>permit</i> ; or	
		(b)	the work authorized by the <i>permit</i> is discontinued for a period of twelve (12) months; or	
		(c)	the work authorized by the <i>permit</i> remains incomplete thirty-six (36) months after the date of issuance of the <i>permit</i> .	
		(d)		

PART 11ISSUANCE OF PERMITS		R-1	
Issuance of Permit	11.1When:	Extension of Permit	10.8A <i>building official</i> may extend the period of time set out under sections 10.7 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 <i>owner's</i> control.
	(a)a completed <i>permit</i> application has been submitted, including all required supporting documentation;		
	(b)the proposed work set out in the <i>permit</i> application substantially conforms to the <i>Building Code</i> , this Bylaw and other applicable bylaws and enactments;		
	(c)the <i>owner</i> has paid all applicable <i>permit fees</i> , as set out in this Bylaw;	Issuance and Expiry of Temporary Building Permit	10.9Notwithstanding section 10.7 of this Bylaw, a <i>temporary building permit</i> shall expire on the date designated on the <i>permit</i> and in no case shall the <i>permit</i> exceed two (2) years. Upon application, a <i>building official</i> may extend the expiry date of a <i>temporary building permit</i> by up to two (2) years. Upon expiry of a <i>temporary building permit</i> , the <i>owner</i> shall remove the <i>temporary building</i> , failing which the <i>Regional District</i> may remove the <i>temporary building</i> at the <i>owner's</i> cost and may apply the security provided in accordance with section 9.5(f) towards the costs of such removal.
	(d)the <i>owner</i> 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 <i>Regional District</i> authorizes the <i>permit</i> to be withheld;		
	(f)the <i>owner</i> has retained a professional engineer or geoscientist if required by the provisions of the <i>Engineers and Geoscientists Act</i> (British Columbia); and	PART 11FIELD REVIEWS AND INSPECTIONS	Reliance on Field Reviews
	(g)the <i>owner</i> has retained an architect if required by the provisions of the <i>Architect's Act</i> (British Columbia),		
	the <i>building official</i> shall issue the <i>permit</i> for which the application is made.		
Issuance of Occupancy Permit	11.2Notwithstanding section 11.1, an <i>occupancy permit</i> shall not be issued unless:		11.1When a <i>registered professional</i> provides letters of assurance in accordance with section 9.2, 9.4 or 9.13 of this Bylaw, the <i>building official</i> of the <i>Regional District</i> shall perform a final inspection while relying on <i>field reviews</i> undertaken by the <i>registered professional</i> and the letters of assurance submitted pursuant to this Bylaw as assurance that the construction substantially complies with the <i>Building Code</i> , this Bylaw and other applicable enactments respecting health or safety.
	(a)all letters of assurances have been submitted when required in accordance with this Bylaw; and		
	(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.		
	11.3A <i>building official</i> may issue an <i>occupancy permit</i> for part of a <i>building</i> or <i>structure</i> when the part of the <i>building</i> or <i>structure</i> 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.	Health and Safety Aspects	11.3A <i>building official</i> may attend periodically at the site of the construction of <i>buildings</i> or <i>structures</i> to ascertain whether the health and safety aspects of the work are being carried out in substantial conformance with those portions of the <i>Building Code</i> , this Bylaw and any other applicable enactments respecting health and safety.
	Date of Issuance		
	11.4A <i>permit</i> is deemed to have been issued on the date of the <i>permit</i> was signed by the <i>building official</i> .		
Expiration of Permit	11.5Every <i>permit</i> is issued upon the condition that the <i>permit</i> shall expire and the rights of the <i>owner</i> under the <i>permit</i> shall terminate if:	Inspections	11.4An owner or authorized agent to whom a <i>permit</i> is issued pursuant to this Bylaw shall give at <b>least two (2) working days'</b> notice to the <i>building official</i> in order to obtain inspection of the <i>construction</i> and receive permission to continue with permitted work:
	(a)the work authorized by the <i>permit</i> is not commenced within twelve (12) months from the date of issuance of the <i>permit</i> ;		
	(b)the work authorized by the <i>permit</i> is discontinued for a period of twelve (12) months;		
	(c)the work authorized by the <i>permit</i> remains incomplete thirty-six (36) months after the date of		(a)after forms for footings are complete, but before concrete is poured and;  (i)where the <i>building</i> or <i>structure</i> 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;



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:

(c)

after under slab plumbing is completed and while it is under test as required by the BC Plumbing Code

(d)

after the foundations have been completed, which includes either concrete or preserved wood foundation and the installation perimeter drainpipe and damp-proofing, but prior to backfilling against the foundation;

(e)

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;

(f)

before a *building* drain, water service, sanitary or storm sewer connection is covered;

(g)

after framing and sheathing, all exterior doors, windows and roof membrane are completed, including the installation of flashing, fire-stopping, bracing, chimney and duct-work, rough wiring, gas venting and rough plumbing but before the insulation, or other interior or exterior finish is applied which would conceal such work;

(h)

after placing of insulation and vapour barriers, but prior to concealing such work;

(i)

after installation of a *solid fuel burning appliance* and associated flue pipes or chimneys, but before any use of such appliance; and

(j)

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*.

11.5

An *owner* shall not conceal any aspect of the work referred to in section 11.4 of this Bylaw until a *building official* has accepted the work in writing.

11.6

An *owner* shall uncover any aspect of the work that has been concealed contrary to section 11.6 of this Bylaw in order to allow the *building official* to complete an inspection in accordance with this Bylaw.

11.7

The requirements of section 11.4 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 10.3 of this Bylaw.

11.8

The *building inspector* will not carry out any inspection unless requested to do so by the *owner*.

May 21, 2014

R-1

<div><div>(a)post and maintain the <i>permit</i> in a conspicuous place on the property in respect of which the <i>permit</i> was issued;</div><div>(b)keep a copy of the accepted designs, plans, and specifications on the property; and</div><div>(c)post the civic address on the property in a location visible from any adjoining streets.</div></div> <div>Site Conditions during Construction</div> <div><div>12.4Every <i>owner</i> to whom a <i>permit</i> is issued shall, during construction, ensure:</div><div><div>(a)no material or equipment is placed or stored on adjacent property, without permission from the adjacent property <i>owner</i>;</div><div>(b)no disturbance is caused to adjacent properties or to existing erosion and sediment control appurtenances;</div><div>(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;</div><div>(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;</div><div>(e)there is located on the property a container with a closable lid for rubbish and debris, and that the <i>building</i> site is kept in a neat and tidy condition at all times.</div></div></div> <div>Compliance with Stop Work Notice</div> <div><div>12.5The <i>owner</i> 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 <i>permit</i>, the <i>Building Code</i>, and this Bylaw have been complied with and the “stop work” notice has been rescinded by the <i>building official</i>.</div></div> <div>Compliance with Do Not Occupy Notice</div> <div><div>12.6The <i>owner</i> 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 <i>building</i> or <i>structure</i>, or cause <i>occupancy</i> of the <i>building</i> or <i>structure</i> to cease, and shall not occupy or allow <i>occupancy</i> of the <i>building</i> or <i>structure</i> until all applicable provisions of the <i>permit</i>, the <i>Building Code</i>, and this Bylaw have been complied with and the “do not occupy” notice has been rescinded by the <i>building official</i>.</div></div> <div><div>PART 13REGULATIONS</div><div>Demolition Regulations</div><div><div>13.1Prior to carrying out the demolition of a <i>building</i> or <i>structure</i>, the <i>owner</i> 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.</div><div>13.2Where an <i>owner</i> fails to disconnect all services and utilities, and such failure results in damage to the <i>Regional District’s</i> sanitary sewer or drainage systems, the <i>owner</i> shall pay the actual costs incurred by the <i>Regional District</i> in repairing the resulting damage.</div><div>13.3In carrying out the demolition of a <i>building</i> or <i>structure</i>, the <i>owner</i> shall do everything necessary to ensure protection of public safety, in accordance with the <i>Building Code</i> and</div></div></div>	<div><div>(b)keep a copy of the accepted designs, plans and specifications on the property; and</div><div>(c)post the civic address on the property in a location visible from any adjoining streets.</div></div> <div>Site Conditions During Construction</div> <div><div>12.4Every <i>owner</i> to whom a <i>permit</i> is issued shall, during construction, ensure:</div><div><div>(a)no material or equipment is placed or stored on adjacent property, without permission from the adjacent property <i>owner</i>;</div><div>(b)no disturbance is caused to adjacent properties or to existing erosion and sediment control appurtenances;</div><div>(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;</div><div>(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;</div><div>(e)there is located on the property a container with a closable lid for rubbish and debris and that the <i>building</i> site is kept in a neat and tidy condition at all times.</div></div></div> <div>Compliance with Stop Work Notice</div> <div><div>12.5The <i>owner</i> 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 <i>permit</i>, the <i>Building Code</i> and this Bylaw have been complied with and the “stop work” notice has been rescinded by the <i>building official</i>.</div></div> <div>Compliance with Do Not Occupy Notice</div> <div><div>12.6The <i>owner</i> 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 <i>building</i> or <i>structure</i>, or cause <i>occupancy</i> of the <i>building</i> or <i>structure</i> to cease and shall not occupy or allow <i>occupancy</i> of the <i>building</i> or <i>structure</i> until all applicable provisions of the <i>permit</i>, the <i>Building Code</i> and this Bylaw have been complied with and the “do not occupy” notice has been rescinded by the <i>building official</i>.</div></div> <div><div>PART 13REGULATIONS</div><div>Demolition Regulations</div><div><div>13.1Prior to carrying out the demolition of a <i>building</i> or <i>structure</i>, the <i>owner</i> 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 Regional District.</div><div>13.2Where an <i>owner</i> fails to disconnect all services and utilities and such failure results in damage to the <i>Regional District’s</i> sanitary sewer or drainage systems, the <i>owner</i> shall pay the actual costs incurred by the <i>Regional District</i> in repairing the resulting damage.</div><div>13.3In carrying out the demolition of a <i>building</i> or <i>structure</i>, the <i>owner</i> shall do everything necessary to ensure protection of public safety, in accordance with Part 8 of the <i>BC Building Code</i> and other applicable enactments respecting safety.</div><div>13.4Upon completed demolition of a <i>building</i> or <i>structure</i>, the <i>owner</i> shall remove all cellars,</div></div></div>	<div>R-1</div> <div>Section revised to reflect that security no longer required.</div>



other applicable enactments respecting safety.		foundations and other remaining <i>structures</i> and the <i>owner</i> shall backfill excavations to <i>grade</i> level with native backfill or other granular material.	R-1
13.4	Upon completed demolition of a <i>building</i> or <i>structure</i> , the <i>owner</i> shall remove all cellars, foundations, and other remaining <i>structures</i> , and the <i>owner</i> shall backfill excavations to <i>grade</i> level with native backfill or other granular material, failing which the <i>Regional District</i> may undertake the required work at the <i>owner's</i> cost and may apply the security provided in accordance with section 9.9 towards the costs of completing such work.		
Delayed Demolitions		Filling of Excavations	Moved from Part 11 for consistency.
		13.5 When a site has been excavated under a <i>building permit</i> , but the <i>building permit</i> expires before the <i>owner</i> commences or completes construction of a <i>building</i> or <i>structure</i> , the <i>owner</i> shall fill in the excavation to restore the original gradients of the site within sixty (60) days of being served notice by the <i>Regional District</i> to do so.	
		13.6 Where the <i>owner</i> has not undertaken the work required pursuant to a notice under section 10.9 within the time required, the <i>Regional District</i> may undertake the work and invoice the <i>owner</i> to recover the costs of completing the work.	
		Delayed Demolitions	
		13.7 Where an <i>owner</i> wishes to continue to use an existing <i>dwelling unit</i> as a residence while constructing another <i>dwelling unit</i> on the same parcel and the <i>Regional District's</i> zoning bylaw permits only one <i>dwelling unit</i> on the parcel, the <i>owner</i> shall, prior to issuance of the <i>building permit</i> , provide an undertaking to the <i>Regional District</i> to do the following upon completion of the new <i>dwelling unit</i> :	
		(a) remove the existing <i>dwelling unit</i> ; or	
		(b) convert the existing <i>dwelling unit</i> to a non-residential use as permitted by applicable zoning regulations, to the satisfaction of the <i>building official</i> .	
		13.8 The undertaking referred to in section 13.7 must be registered against title to the parcel in the form of a covenant in favour of the <i>Regional District</i> , pursuant to section 219 of the <i>Land Title Act</i> .	
Solid Fuel Burning Appliance Regulations		Solid Fuel Burning Appliance Regulations	
		13.9 All <i>solid fuel burning appliances</i> must carry a certification label from the Canadian Standards Association, Underwriters Laboratories of Canada, or other certification acceptable to the <i>building official</i> .	
		13.10 All <i>solid fuel burning appliances</i> and associated chimneys must be installed as per manufacturer specifications, including but not limited to pipe sizing and setbacks.	
PART 14 PENALTIES AND ENFORCEMENT		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 <i>Regional District</i> .	14.1 Every person who does anything that this By-law prohibits, fails or omits to do anything this By-law requires to be done, or who breaches any provisions of this By-law, commits an offence. Each day an offence continues shall be a separate offence.	This Part revised and simplified (similar to Bylaw 1189). Responding to input from CC-2013 regarding excessive penalties.
14.2	Each day that an offence continues shall constitute a separate offence against this Bylaw.	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 <i>building official</i> contravenes this Bylaw.	14.3 Every person who fails to comply with any notice issued by a <i>building official</i> contravenes this Bylaw.	
14.4	Every person who commits an offence contrary to the provisions of this by-law is liable on summary conviction to the maximum a penalty pursuant to the Offence Act in addition to the costs of the prosecution.	14.4 Every person who commits an offence contrary to the provisions of this by-law is liable on summary conviction to the maximum a penalty pursuant to the Offence Act in addition to the costs of the prosecution.	
May 21, 2014			

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 March 18, 2013, at which time Building Bylaw No. 1189, 1999 shall be simultaneously repealed.
16.2	This Bylaw will only apply to <i>permits</i> for which applications were received after the effective date set out in section 16.1. Any <i>permit</i> 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 <i>permit</i> issued under Building Bylaw No. 1189, 1999, all construction shall be carried out under this Bylaw.
READ A FIRST TIME this <u>24</u> day of <u>November</u> , 2011.	
READ A SECOND TIME this <u>24</u> day of <u>November</u> , 2011.	
READ A THIRD TIME this <u>26<sup>th</sup></u> day of <u>April</u> , 2012.	
ADOPTED this <u>24<sup>th</sup></u> day of <u>January</u> , 2013.	
CERTIFIED a true and correct copy of “Peace River Regional District Building Bylaw No. 1996, 2011.	THE CORPORATE SEAL of the Peace River Regional District was hereto affixed in the presence of:
<div>_____</div> <div>Fred Banham, Chief Administrative Officer</div>	<div>_____</div> <div>Karen Goodings, Chair</div>
	<div>_____</div> <div>Fred Banham, Chief Administrative Officer</div>
May 21, 2014	

PART 15      TRANSITION	
15.1	This Bylaw shall come into force and effect upon adoption, at which time Building Bylaw No. 1996, 2011 shall be repealed except to the extent provided for in this Part.
15.2	This Bylaw will only apply to <i>permits</i> for which applications were received after the effective date set out in section 16.1. Any <i>permit</i> for which an application was pending or in effect, on or before the effective date of this Bylaw will be governed by the terms and conditions of Building Bylaw No. 1996, 2011 and all amendments thereto. After expiry of a <i>permit</i> issued under Building Bylaw No. 1996, 2011, all construction on the land to which the permit pertained shall be subject to this Bylaw.
READ A FIRST TIME this _____ day of _____, 2014.	
READ A SECOND TIME this _____ day of _____, 2014.	
READ A THIRD TIME this _____ day of _____, 2014.	
ADOPTED this _____ day of _____, 2014.	
CERTIFIED a true and correct copy of “Peace River Regional District Building Bylaw No. XXXX, 2014.	THE CORPORATE SEAL of the Peace River Regional District was hereto affixed in the presence of:
<div>_____</div> <div>Chris Cvik Chief Administrative Officer</div>	<div>_____</div> <div>Karen Goodings, Chair</div>
	<div>_____</div> <div>Chris Cvik, Chief Administrative Officer</div>

Interpretation provisions moved to Part 2 at beginning.
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<div>SCHEDULE A</div> <div>FEEES</div> <div>Permit Fees</div> <div>Building Permit ..... \$5.00 per \$1000 of construction value (to a maximum fee of \$500,000)</div> <div>Minimum Building Permit Fee.....equal to Plan Processing Fee</div> <div>Plumbing Permit ..... \$50.00 additional fee per plumbing fixture ..... \$5.00</div> <div>Demolition Permit ..... \$50.00</div> <div>Solid Fuel Burning Appliance Permit ..... \$50.00</div> <div>Temporary Building Permit ..... \$500.00</div> <div>Plan Processing Fees</div> <div>For construction of a new standard building ..... \$125.00</div> <div>For construction of a new complex building ..... \$250.00</div> <div>For construction of addition to standard building up to 50 square meters ..... \$75.00</div> <div>For construction of addition to standard building greater than 50 square meters..... \$100.00</div> <div>For construction of addition to complex building up to 100 square meters ..... \$100.00</div> <div>For construction of addition to complex building greater than 100 square meters ..... \$150.00</div> <div>Re-Inspection Fee ..... \$100.00</div> <div>Value of Construction</div> <div>Standard Buildings - \$180 per square foot</div> <div>Complex Buildings – As per cost estimate provided</div> <div>May 21, 2014</div>	<div>SCHEDULE A</div> <div>PERMIT FEES</div> <div>Building Permit ..... \$5.00 per \$1000 of construction value (to a maximum fee of \$500,000)</div> <div>Minimum Building Permit Fee.....equal to Plan Processing Fee</div> <div>Plan Processing Fees</div> <div>For construction of a new standard building ..... \$125.00</div> <div>For construction of a new complex building ..... \$250.00</div> <div>For construction of addition to standard building up to 50 square meters ..... \$75.00</div> <div>For construction of addition to standard building greater than 50 square meters..... \$100.00</div> <div>For construction of addition to complex building up to 100 square meters ..... \$100.00</div> <div>For construction of addition to complex building greater than 100 square meters ..... \$150.00</div> <div>Plumbing Permit ..... \$50.00 additional fee per plumbing fixture ..... \$5.00</div> <div>Demolition Permit ..... \$500.00</div> <div>Solid Fuel Burning Appliance Permit ..... \$50.00</div> <div>Temporary Building Permit ..... \$500.00</div> <div>Siting Permit ..... \$50.00</div> <div>Manufactured Homes..... \$5.00/\$1000 of foundation cost (min. \$125.00)</div> <div>Worker Camps (any size) - Temporary Building Permit .....\$500.00 Plus Security deposit</div> <div>Re-Application After Permit Expiry ..... equal to Plan Processing Fee</div> <div>Re-Inspection Fee ..... \$75.00</div> <div>NOTE: Section 9.14 provides a reduction of fees by 5% up to \$500, when a <i>professional designer</i> provides <i>letters of assurance</i>.</div> <div>Guideline to Estimate Value of Construction</div> <div>1. Standard Buildings - \$180 per square foot.</div> <div>2. Complex Buildings – As per cost estimate provided.</div>	<div>R-1</div> <div>Increase to \$500. No security required. 90% refundable upon completion. Effective cost \$50.</div> <div>Specified fee for manufactured homes.</div> <div>Specified fee for works camps as Temporary Building Permit. (will also require security for removal) Specified fee after expiry – no more than plan processing fee.</div> <div>Highlights fee reduction for professional designer</div>
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	<div>SCHEDULE B</div> <div>Map for Area of Conditional Exemption Pursuant to Section 4.3(a)</div>	<div>R-1</div>
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