

DISTRICT OF VANDERHOOF

BUILDING BYLAW NO. 965, 2004

A bylaw to provide for the regulation of building and the requirement for a permit as a condition precedent to building within the building regulation service area.

WHEREAS Part 2, Division 1 of the *Community Charter* authorizes Council, by bylaw, to regulate, prohibit and impose requirements in relation to buildings and structures;

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 of the Province;

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

NOW THEREFORE THE COUNCIL OF THE DISTRICT OF VANDERHOOF, in open meeting assembled, enacts as follows:

Contents

The contents of this bylaw are as follows:

<u>Section</u>	<u>Subject</u>
1	Purpose of Bylaw
2	Permit Conditions
3	Application
4	Definitions
5	Scope and Exemptions
6	Prohibitions and Requirements
7	Powers of the Building Official
8	Building Permits and Applications
9	Applications for Complex Buildings
10	Applications for Standard Buildings
11	Professional Plan Certification
12	Demolition of Buildings or Structures
13	Moving of Manufactured Homes & Buildings
14	Responsibilities of the Owner
15	Notice for Inspection
16	Professional Design and Field Review
17	Occupancy Permits
18	Water and Sewer Servicing
19	Climatic Data
20	Stop Work Orders
21	Penalty
22	Repeal
23	Severability
24	Citation
Schedule A	Map - Area of Bylaw Application
Schedule B	Building Permit Fees
Schedule C	Ground Snow Load Values
Schedule D	Owner's Undertaking of Building Foundation
Schedule E	Contaminated Sites Questionnaire
Schedule F	Owner's Undertaking of Building Siting
Schedule G	Water Meter Installation

1. Purpose of Bylaw

- 1.1. This bylaw shall, notwithstanding any other provision herein, be interpreted in accordance with this section.
- 1.2. This bylaw has been enacted for the purpose of regulating **construction** within the **District of Vanderhoof** in the general public interest. The activities undertaken by or on behalf of the **District of Vanderhoof** pursuant to this bylaw are for the sole purpose of providing a limited and interim spot-checking function for reasons of health, safety and the protection of **persons** and property and to make the public aware that it is in their interest to comply with the **Building Code** and this bylaw. It is not contemplated nor intended, nor does the purpose of this bylaw extend:
 - 1.2.1. to the protection or indemnification of **owners, owner/builders, contractors** or other persons from economic loss;
 - 1.2.2. to the assumption by the **District of Vanderhoof** of any responsibility for ensuring the compliance by any **owner, an owner's representative, or any employees, contractors, or design professionals retained by the owner, with the Building Code, the requirements of this bylaw, or any other applicable, bylaws, codes, standards and enactments;**
 - 1.2.3. to providing any **person** a warranty of design or workmanship with respect to any **building or structure** for which a **building permit** is issued under this bylaw; and
 - 1.2.4. to providing a warranty or assurance that **construction** undertaken pursuant to **building permits** issued by the **District of Vanderhoof** is free from latent, or any defects.

2. Permit Conditions

- 2.1. A **permit** is required whenever **work** regulated by this bylaw is to be undertaken.
- 2.2. Neither the issuance of a **permit** under this bylaw nor the acceptance and/or review of plans, drawings or specifications and/or supporting documents, nor any inspections made by or on behalf of the **District of Vanderhoof** shall in any way relieve the **owner** from full and sole responsibility to perform the **work** in strict accordance with this bylaw, the **Building Code**, and all other applicable bylaws, codes, standards, and enactments.
- 2.3. It shall be the full and sole responsibility of the **owner** to carry out the **work** in respect of which the **permit** was issued in compliance with the **Building Code** and this bylaw and all other applicable bylaws, codes, standards, and enactments.

2.4. Neither the issuance of a **permit** under this bylaw nor the acceptance and/or review of plans, drawings or specifications and/or supporting documents, nor any inspections made by or on behalf of the **District of Vanderhoof** constitute in any way a representation, warranty, assurance, or statement that the **Building Code**, this bylaw, or any other applicable bylaws, codes, standards, or enactments have been complied with.

2.5. No **person** shall rely upon any **permit** as establishing compliance with the bylaw or assume or conclude that the bylaw has been administered or enforced according to its terms. The **person** to whom the **building permit** is issued and his or her **agents** are responsible for making such determinations.

3. **Application**

3.1. This bylaw applies and is enforceable within the area shown on Schedule "A" to this bylaw.

4. **Definitions**

4.1. In this bylaw:

The following words and terms have the meanings set out in Section 1.1.3.2 of the British Columbia Building Code 1998: *assembly occupancy, building, building area, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, field review, high hazard industrial occupancy, industrial occupancy, low hazard industrial . occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, occupancy, registered professional, and residential occupancy.*

Accepted means, in the context of descriptions, plans or specifications, that the descriptions, plans or specifications have been accepted by the **building official** as a condition and part of the **permit** with which compliance is required under this bylaw.

Agent means a **person** acting for or on behalf of the **owner** of land.

Authority Having Jurisdiction means the **Regional District** and the **District of Vanderhoof**

Council means the Council of the **District of Vanderhoof**.

Building Code means the Provincial Building Code for British Columbia, known as the British Columbia Building Code, made under the *Local Government Act* and at the time this Bylaw is applied.

Building Official means the Chief Building Inspector, Building Inspectors and Plan Checkers appointed from time to time by **Council**.

Building Permit means those certain documents authorizing **construction**.

Complex Building means:

- (a) all **buildings** used for major **occupancies** classified as:
 - (i) **assembly occupancies**,
 - (ii) **care or detention occupancies**,
 - (iii) **high hazard industrial occupancies**, and
- (b) all **buildings** exceeding 600 square meters in **building area** or exceeding three storeys in **building height** used for major **occupancies** classified as:
 - (i) **residential occupancies**,
 - (ii) **business and personal services occupancies**,
 - (iii) **mercantile occupancies**, and
 - (iv) **medium and low hazard industrial occupancies**.

Construction means any erection, repair, alteration, enlargement, addition, installation, demolition and removal.

District means the District of Vanderhoof.

Farm Building 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 feed.

Health and safety aspects of the work means design and **construction** regulated by Part 1, Part 2, Part 3, Part 4, Part 6, Part 7 and sections 9.4, 9.7, 9.8, 9.9, 9.10, 9.13, 9.14, 9.15, 9.17, 9.18, 9.19, 9.20, 9.21, 9.22, 9.23, 9.24, 9.25, 9.31, 9.32, 9.34, and 9.36 of Part 9 of the **Building Code**.

Manufactured Home means a **building** manufactured as a dwelling unit, office or storage building and intended to be occupied in a place other than that of its manufacture.

Owner in respect of real property means the registered **owner** and includes the **owner's agent**, a tenant for life under a registered life estate, the registered holder of the last registered agreement for sale, and the holder or occupier of Crown land or municipal land (other than the Crown or the municipality).

Permit means a permit required or issued under this bylaw.

Person means in addition to its ordinary meaning means, a partnership, association, company, society and corporation.

Regional District means the Regional District of Bulkley-Nechako.

Site means the location of any **work** carried out under a **permit**.

Standard building means a **building** of three storeys or less in **building height**, having a **building area** not exceeding 600 square meters and used for major **occupancies** classified as

- (a) **residential occupancies**,
- (b) **business and personal services occupancies**,
- (c) **mercantile occupancies**, or
- (d) **medium and low hazard industrial occupancies**.

Structure means a **construction** or portion thereof of any kind, whether fixed to, supported by or sunk into the land or water, specifically including retaining **structures** of any size directly connected to a **building** or other **structure** but specifically excluding all other retaining **structures**, landscaping, fences and paving.

Temporary means a **building** or **structure** intended to be erected or placed on a parcel of land for 12 months or less.

Work means the same as **construction**.

5. Scope and Exemptions

- 5.1. This bylaw applies to the design, **construction** and **occupancy** of new **buildings** and **structures**, and the alteration, reconstruction, demolition, removal, relocation and **occupancy** of existing **buildings** and **structures**.
- 5.2. This bylaw does not apply to **buildings** or **structures** exempted by Part 1 of the **Building Code** except as expressly provided herein, nor to retaining **structures** other than those which are directly connected to a **building** or other **structure**.
- 5.3. This bylaw does not apply to proposed **building** maintenance **work**, which a **building official** determines, will not affect structural, safety, or health factors considered under the **Building Code**.
- 5.4. This bylaw does not apply to **farm buildings** located on property, which has been classified as a farm by the B.C. Assessment Authority.
- 5.5. This bylaw does not apply to the **construction**, installation, or location of a storage or garden shed having a ground floor area not exceeding 10 square meters (108 sq. ft.), provided such **building** complies with all other applicable bylaws, codes, standards and enactments.
- 5.6. No **permit** is required for the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures or hot water tanks.

6. Prohibitions and Requirements

- 6.1. No **person** shall commence or continue any **work** related to the **construction**, erection, replacement, reconstruction, alteration, repair, moving or demolition, of a **building** or change the **occupancy** of any **building** or **structure** unless a valid and subsisting **permit** has been issued by a **building official**.
- 6.2. No **person** shall do any **work** that is substantially at variance with the **accepted** description, plans and specifications for a **building** or **structure** for which a **permit** has been issued, unless the variance has been **accepted** in writing by a **building official**.
- 6.3. No **person** shall occupy or use any **building, structure** or part thereof without an **occupancy permit** issued by a **building official**.
- 6.4. No **person** shall occupy or use a **building, structure** or part thereof contrary to the terms of any **permit**, notice, order or certificate issued under the bylaw.
- 6.5. No **person** shall, unless authorized by a **building official**, reverse, alter, deface, cover, remove, or in any way tamper with any **permit**, notice, order or certificate posted upon or affixed to any **building** or **structure** pursuant to this bylaw.
- 6.6. No **person** shall interfere with or obstruct the entry on property of a **building official** acting in the administration and enforcement of this bylaw.
- 6.7. No **person** shall build, install, place or locate any **manufactured home** or any factory built modular **building** upon any land without holding a valid and subsisting **permit**.
- 6.8. No **person** shall install or alter a stove or heater that uses solid fuel, including pellet stoves, nor shall they install or alter a chimney, without a valid and subsisting **permit**.
- 6.9. No **person** shall knowingly submit any false or misleading information to a **building official** in relation to an application for a **building permit** or any other aspect of a regulated **construction** project.
- 6.10. No **person** shall change the class of **occupancy** of a **building** without obtaining a **permit**.

7. Powers of a *Building Official*

7.1. Each ***Building Official*** is authorized to:

- 7.1.1. administer this bylaw;
- 7.1.2. establish whether any method of ***construction*** or type of ***construction*** material used in the ***construction*** of any ***building*** or ***structure*** substantially conforms with the requirements of the ***Building Code*** and revoke or refuse to issue a ***permit*** where he or she identifies non-compliance with such requirements of the ***Building Code***;
- 7.1.3. enter any property at any reasonable time to ascertain whether the terms of this bylaw are being observed provided that he or she shall give twenty-four (24) hours written notice of entry in respect of an occupied dwelling and shall carry identification and credentials on entry;
- 7.1.4. order the correction of any ***work*** which is being or has been done in contravention of this bylaw;
- 7.1.5. order the immediate cessation of ***work*** that is proceeding in contravention of this bylaw;
- 7.1.6. where a person occupies a ***building*** in contravention of section 6.3 of this bylaw a ***building official*** may post a Do Not Occupy notice on the ***building***;
- 7.1.7. require that any ***building, structure***, or part thereof, be vacated or its occupancy or use prohibited, by posting a condemnation notice in the manner set out in section 19 for a Stop ***Work*** order, if the ***building*** is unsafe to human life or property, or is in imminent danger of becoming so. This notice shall remain in place until, at the ***owner's*** expense, the unsafe condition is rendered safe, and the ***building official*** authorizes in writing the removal of the notice. If the ***owner*** prefers demolition, a ***permit*** in accordance with Section 12.1 of this bylaw is required;
- 7.1.8. determine the estimated value of proposed work for the purpose of calculating ***permit*** fees, based upon the ***District of Vanderhoof*** "Formula for Estimated Value of Construction" Policy;
- 7.1.9. allow a conditional ***occupancy*** of a ***building, structure*** or part thereof for the accepted use prior to completion of the ***construction*** where ***work*** under the ***permit*** is substantially complete, provided that all ***health and safety*** requirements under the ***Building Code*** have been completed;
- 7.1.10. provide forms for applications, ***permits*** and other written documents required under this bylaw;

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- 7.1.11 keep records of **permit** applications, **permits**, notices and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of the bylaw or microfilm or electronic copies of such documents; and
- 7.1.12 require an **owner** to perform, at the **owner's** expense, tests or inspections required to establish substantial compliance with the Bylaw and **Building Code**.
- 7.2. The Chief Administrative Officer and the Bylaw Enforcement Officer of the **District of Vanderhoof** may exercise the powers of entry and inspection under section 7.1.3.

8. **Building Permits and Applications**

- 8.1. The **Building Official** shall issue a **building permit** where:
- 8.1.1. an application for a **building permit** has been made and completed;
 - 8.1.2. the proposed **work** set out in the application substantially conforms with the **Building Code**, this bylaw, the **District of Vanderhoof** Zoning Bylaw, and all other applicable bylaws, codes, standards or enactments;
 - 8.1.3. the applicant for a **permit** has paid the **permit** fee as prescribed out in Schedule "B" to this bylaw;
 - 8.1.4. connection fees for off-site utilities to service the subject property have been paid; and
 - 8.1.5. no statutory provision, bylaw, agreement, or covenant in favour of the **District of Vanderhoof** authorizes refusal of the **building permit**.
- 8.2. A **building official** may issue a **building permit** for a portion of a **building** or **structure** before the design, plans and specifications for the entire **building** or **structure** have been accepted, provided sufficient information has been provided to the **District of Vanderhoof** to demonstrate to the **building official** that the portion authorized to be constructed substantially complies with this and other applicable bylaws and the **permit** fee applicable to that portion of the **building** or **structure** has been paid. The issuance of the **permit** notwithstanding, the requirements of this bylaw apply to the remainder of the **building** or **structure** as if the **permit** for the portion of the **building** or **structure** had not been issued.
- 8.3. No **permit** shall be issued for the **construction** of an accessory **building** or **structure** on any **site**, unless the principal **building** to which the accessory **building** or **structure** is an accessory, has been constructed, or will be constructed simultaneously with said accessory **building** or **structure**, unless permitted by the **District of Vanderhoof** Zoning Bylaw.

- 8.4. Applications for **buildings** and other **work** covered in this bylaw shall:
- 8.4.1. be made in the form provided by the **building official**;
 - 8.4.2. be signed by the **owner** or signing officer if the **owner** is a corporation;
 - 8.4.3. state the intended use or uses of the proposed **building** or **structure**;
 - 8.4.4. be accompanied by two copies of the specifications and scale drawings of the **building** or **structure** with respect to which the **work** is to be carried out, showing:
 - 8.4.4.1. the dimensions of the **building** or **structure**;
 - 8.4.4.2. the proposed use of each room or floor area; and
 - 8.4.4.3. the dimensions of the land on which the **building** or **structure** is, or is to be situated, the zoning classification, and the legal description of the **building site**, in sufficient detail to show that the proposed **work** will substantially conform to the **Building Code** and whether it may affect adjoining property.
 - 8.5.5. when required by the **building official**, be accompanied by:
 - 8.5.5.1. any and all information considered necessary by the **building official** to establish substantial compliance with this bylaw;
 - 8.5.5.2. a plan that shows the location and size of every **building** drain and every trap or inspection piece that is on a **building** drain;
 - 8.5.5.3. a sectional drawing which shows the size of every **building** drain and of every trap and vent pipe, in the form and quantities required by the **building official** with design and calculation criteria and bearing the name and address of the designer;
 - 8.5.5.4. the grades and elevations of the street and services abutting the land;
 - 8.5.5.5. the position, height, and horizontal dimensions of all **buildings** on the land;
 - 8.5.5.6. a current survey of the **building site** by a registered British Columbia Land Surveyor; or
 - 8.5.5.7. a certificate of title for the property on which the **building** will be constructed.

- 8.5.6. when required by the **building official**, indicate the location of the well or other source of water supply on the **site** plan;
- 8.5.7. when required by the **building official**, be accompanied by a valid **permit** to construct a sewage disposal system for the **building** or details of connection to a community sewage disposal system; and
- 8.5.8. when required by the **building official**, be accompanied by a **permit** for road or highway access from the Ministry of Transportation and Highways;
- 8.6. Notwithstanding any other provision of this bylaw, whenever in the opinion of the **building official** the proposed method of **construction** requires specialized technical knowledge or is not referenced in the **Building Code**, it may be required as a condition of the issuance of any **permit** that all drawings, specifications and plot plans or any part thereof be prepared, signed and sealed by, and **construction** carried out under the supervision of a **registered professional**.
- 8.7. Every **permit** is issued upon the condition that:
- 8.7.1. the **permit** expires and the rights of the **owner** under the **permit** terminate if:
- 8.7.1.1. the **work** authorized by the **permit** is not commenced within 6 months from the date of issuance of the **permit**; or
- 8.7.1.2. **work** is discontinued for a period of 1 year; or
- 8.7.1.3. **work** is not completed within 2 years of **permit** issuance.
- 8.7.2. the **owner** signs the following, which may be endorsed on the **permit**:

*In consideration of the granting of this **permit**, I/we agree to release and indemnify the **District of Vanderhoof**, its **Council** members, employees and **agents** from and against all liability, demands, claims, causes or actions, suits, judgments, losses, damages, costs, and expenses of whatever kind which I/we or any other **person**, partnership, or corporation or our respective heirs, successors, administrators or assignees may have or incur in consequence of or incidental to the granting of this **permit** or any representation, advice, inspection, failure to inspect, certification, approval, enforcement or failure to enforce the **District of Vanderhoof Building Bylaw** or the British Columbia **Building Code**, including negligence, on the part of the **District of Vanderhoof**, its **Council** members, employees and **agents** and I/we agree that the **District of Vanderhoof** owes me/us no duty of care in respect to these matters.*

*I acknowledge that if I am granted a **building permit** pursuant to this application I am responsible for compliance with the current edition of the British Columbia **Building Code**, the Building Bylaw of the **District of Vanderhoof**, and any other applicable enactment, code, regulation, or standard relating to the **work** in respect of which the **permit** is issued, whether or not the said **work** is undertaken by me or by those whom I may retain or employ to provide design and/or **construction services**.*

*I acknowledge that the issuance of a **permit** under this bylaw, the acceptance or review of plans, specifications, drawings or supporting documents, or inspections made by or on behalf of the **District of Vanderhoof** do not constitute a representation, warranty, assurance or statement that the current edition of the British Columbia **Building Code**, the Building Bylaw of the **District of Vanderhoof** or any other applicable enactment, code, regulation or standard has been complied with.*

*Where the **District of Vanderhoof** requires that letters of assurance be provided by a **registered professional**, I confirm that I will rely only on the said **registered professional** for the adequacy of the plans, drawings, specifications and supporting documents submitted with this application.*

*I understand that I should seek independent legal advice in respect of the responsibilities I am assuming upon the granting of a **building permit** by the **District of Vanderhoof** pursuant to this application and in respect of the execution of this acknowledgment.*

I have read the above agreement, release and indemnify and understand it.

- 8.7.3. the applicant complies with any special instructions or conditions set out by a **building official** in writing at the time of issuance of the **permit**.
- 8.8. A **building permit** shall lapse in the event that any condition described in Section 8.7 is not met. Any fees paid shall be forfeited to the **District of Vanderhoof** and an additional fee shall be paid if the **permit** is renewed.
- 8.9. A **building official** may extend the period of time set out under sections 8.7.1.1, 8.7.1.2 and 8.7.1.3 where **construction** has not commenced or has been discontinued due to hardships beyond the **owner's** control.
- 8.10. The **building official** may, in writing delivered by registered mail or delivered in **person**, revoke a **permit** where:
- 8.10.1. there is a violation of any condition under which the **permit** was issued; or
- 8.10.2. there is a violation of any provision of the **Building Code**; or

- 8.10.3 the **permit** was issued on the basis of incorrect information in the application.
- 8.11. When a **permit** lapses or is revoked, no further **work** shall take place without a new **permit** being issued, the submission of the appropriate application and payment of fees.
- 8.12. Where a **building permit** is obtained and an **owner** returns the **permit** for cancellation within six months without having commenced **construction**, the **building official** shall refund 75% of the **permit** fee.
- 8.13. The **building official** may issue a **permit** for the erection or replacement of a **temporary building** or **structure** upon substantial compliance with all applicable **health and safety** requirements and the other bylaws of the **District of Vanderhoof**.
- 8.14. The **building official** may issue a **permit** for the **construction** of a phase of a **building** or **structure** before the entire plans and specifications for the whole **building** or **structure** have been submitted or **accepted**, provided adequate information and detailed statements have been filed to establish substantial compliance with this bylaw. The issuance of the **permit** notwithstanding, the requirements of this bylaw apply to the remainder of the **building**.
9. **Applications for Complex Buildings**
- 9.1. An application for a building **permit** with respect to a **complex building** shall:
- 9.1.1. be made in the form provided by the **building official** signed by the **owner**, or a signing officer if the **owner** is a corporation, and the **coordinating registered professional**;
- 9.1.2. be accompanied by the **owner's** acknowledgment of responsibility and undertakings made in the form attached as Schedule "D" to this bylaw, signed by the **owner**, or a signing officer if the **owner** is a corporation;
- 9.1.3. include a copy of a title search made within 30 days of the date of the application;
- 9.1.4. include a **site** plan prepared by a British Columbia Land Surveyor showing:
- 9.1.4.1. the bearing and dimensions of the parcel taken from the registered subdivision plan;
- 9.1.4.2. the legal description and civic address of the parcel;
- 9.1.4.3. the location and dimensions of all statutory rights of way, easements and setback requirements;

- 9.1.4.4. the location and dimensions of all existing and proposed **buildings** or **structures** on the parcel;
 - 9.1.4.5. setbacks to the natural boundary of any lake, swamp, pond or watercourse where the **District of Vanderhoof** land use regulations establish siting requirements related to flooding;
 - 9.1.4.6. the existing and finished ground levels to an established datum at or adjacent to the **site** and the geodetic elevation of the underside of the floor system of a **building** or **structure** where the **District of Vanderhoof** land use regulations establish siting requirements related to minimum floor elevation; and
 - 9.1.4.7. the location, dimension and gradient of parking and driveway access;
- 9.1.5. The **building official** may waive the requirements of section 9.1.4, in whole or in part, where the **permit** is sought for the repair or alteration of an existing **building** or **structure**.
- 9.1.6. include sufficient information on **building** plans to determine substantial compliance with this bylaw such as:
- 9.1.6.1. floor plans showing the dimensions and uses of all areas; the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
 - 9.1.6.2. a cross section through the **building** or **structure** illustrating foundations, drainage, ceiling heights and **construction** systems;
 - 9.1.6.3. elevations of all sides of the **building** or **structure** showing finish details, roof slopes, windows, doors, and finished grade;
 - 9.1.6.4. cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the **building** or **structure** substantially conforms to the **Building Code**; and
 - 9.1.6.5. mechanical information.
- 9.1.7. include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal **permits**, highway access **permits** and Ministry of Health approval;

- 9.1.8. include a letter of assurance in the form of Schedule “A” as referred to in section 2.6 of Part 2 of the **Building Code**, signed by the **owner**, or a signing officer of the **owner** if the **owner** is a corporation, and the **coordinating registered professional**;
- 9.1.9. include letters of assurance in the form of Schedules B-1 and B-2 as referred to in section 2.6 of Part 2 of the **Building Code**, each signed by such **registered professionals** as the **building official** or **Building Code** may require to prepare the design for and conduct **field reviews** of the **construction** of the **building** or **structure**; and
- 9.1.10. include two sets of drawings at a suitable scale of the design prepared by each **registered professional** and including the information set out in sections 9.1.6-9.1.9 of this bylaw.
- 9.2. In addition to the requirements of section 9.1, the following may be required by a **building official** to be submitted with a **building permit** application for the **construction** of a **complex building** where the complexity of the proposed **building** or **structure** or siting circumstances warrant:
- 9.2.1. **site** servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a **registered professional**, in accordance with the **District of Vanderhoof Subdivision and Development Servicing Bylaw**;
- 9.2.2. a section through the **site** showing grades, **buildings**, **structures**, parking areas and driveways; or
- 9.2.3. any other information required by the **building official** or the **Building Code** to establish substantial compliance with this bylaw, the **Building Code** and other applicable codes, standards or enactments relating to the **building** or **structure**.

10. Applications for Standard Buildings

- 10.1. An application for a **building permit** with respect to a **standard building** shall:
- 10.1.1. be made in the form provided by the **building official**, signed by the **owner**, or a signing officer if the **owner** is a corporation;
- 10.1.2. be accompanied by the **owner's** acknowledgment of responsibility and undertakings made in the form attached as Schedule “D” to this bylaw, signed by the **owner**, or a signing officer if the **owner** is a corporation;
- 10.1.3. include a copy of a title search made within 30 days of the date of application or a copy of the current tax assessment notice;

- 10.1.4. include a **site** plan prepared by a British Columbia Land Surveyor showing:
- 10.1.4.1. the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - 10.1.4.2. the legal description and civic address of the parcel;
 - 10.1.4.3. the location and dimensions of all statutory rights of way, easements and setback requirements;
 - 10.1.4.4. the location and dimensions of all existing and proposed **buildings** or **structures** on the parcel;
 - 10.1.4.5. setbacks to the natural boundary of any lake, swamp, pond or watercourse where the **District of Vanderhoof** land use regulations establish siting requirements related to flooding;
 - 10.1.4.6. the existing and finished ground levels to an established datum at or adjacent to the **site** and the geodetic elevation of the underside of the floor system of a **building** or **structure** where the **District of Vanderhoof** land use regulations establish siting requirements related to minimum floor elevation; and
 - 10.1.4.7. the location, dimension and gradient of parking and driveway access;
- 10.1.5. The **building official** may waive the requirements of section 10.1.4, in whole or in part, where the **permit** is sought for the repair or alteration of an existing **building** or **structure**;
- 10.1.6. The **building official** may waive the requirements of section 10.1.4, in whole or in part, where the **owner** signs Schedule "F" of this bylaw acknowledging responsibility for siting the **building** on the property.
- 10.1.7. include floor plans showing the dimensions and uses of all areas; the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
- 10.1.8. include a cross section through the **building** or **structure** illustrating foundations, drainage, ceiling heights and **construction** systems;
- 10.1.9. include elevations of all sides of the **building** or **structure** showing finish details, roof slopes, windows, doors, and finished grade;
- 10.1.10. include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the **building** or **structure** substantially conforms to the **Building Code**;

- 10.1.11. include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal **permits**, highway access **permits** and Ministry of Health approval;
- 10.1.12. include a foundation design prepared by a **registered professional** in accordance with section 4.2 of Part 4 of the **Building Code**, accompanied by letters of assurance in the form of Schedules B-1 and B-2 as referred to in section 2.6 of Part 2 of the **Building Code**, signed by the **registered professional**;
- 10.1.13. include two sets of drawings at a suitable scale of the design including the information set out in sections 10.1.7 -10.1.10 and 10.1.12 of this bylaw;
- 10.1.14. the requirements of section 10.1.12 may be waived by a **building official** in circumstances where the **building official** has required a professional engineer's report pursuant to section 56 (2) of the *Community Charter* and the **building permit** is issued in accordance with sections 56(4) and 56(5) of the *Community Charter*;
- 10.1.15. the requirements of section 10.1.12 may be waived by a **building official** if documentation, prepared and sealed by a **registered professional**, is provided assuring that the foundation design substantially complies with section 9.4.4 of Part 9 the **Building Code** and the foundation excavation substantially complies with section 9.12 of Part 9 of the **Building Code**; and
- 10.1.16. the requirements of section 10.1.12 may be waived by a **building official** for the **construction** of a **standard building** where the **owner**, or signing officer of the **owner** as a corporation signs Schedule "D" to this bylaw acknowledging his or her responsibility for the design and **construction** of the foundation and supporting soils.
- 10.2. In addition to the requirements of section 10.1, the following may be required by a **building official** to be submitted with a **building permit** application for the **construction** of a **standard building** where the project involves two or more **buildings**, which in the aggregate total more than 1000 square meters, or two or more **buildings** that will contain four or more dwelling units, or otherwise where the complexity of the proposed **building** or **structure** or siting circumstances warrant:
 - 10.2.1. **site** servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a **registered professional**, in accordance with the **District of Vanderhoof Subdivision and Development Servicing Bylaw**;
 - 10.2.2. a section through the **site** showing grades, **buildings**, **structures**, parking areas and driveways;
 - 10.2.3. a roof plan and roof height calculations;

- 10.2.4. structural, electrical, mechanical or fire suppression drawings prepared and sealed by a **registered professional**;
- 10.2.5. letters of assurance in the form of Schedules B-1 and B-2 as referred to in section 2.6 of Part 2 of the **Building Code**, signed by the **registered professional**; or
- 10.2.6. any other information required by the **building official** or the **Building Code** to establish substantial compliance with this bylaw, the **Building Code** and other bylaws and enactments relating to the **building** or **structure**.

11. Professional Plan Certification

- 11.1. The letters of assurance in the form of Schedules B-1 and B-2 referred in section 2.6 of Part 2 of the **Building Code** and provided pursuant to sections 9.1.10, 10.1.12, 10.2.5, and 16.1 of this bylaw are relied upon by the **District of Vanderhoof** and its **building officials** as certification that the design and plans to which the letters of assurance relate, comply with the **Building Code** and other applicable enactments relating to safety.
- 11.2. A **building permit** issued for the **construction** of a **complex building**, or for a **standard building** for which a **building official** requires professional design pursuant to section 10.2.4. and letters of assurance pursuant to section 10.2.5. of this bylaw shall be in the form provided by the **building official**.
- 11.3. A **building permit** issued pursuant to section 11.2. of this bylaw shall include a notice to the **owner** that the **building permit** is issued in reliance upon the certification of the **registered professionals** that the design and plans submitted in support of the application for the **building permit** comply with the **Building Code** and other applicable enactments relating to safety.
- 11.4. Pursuant to section 290 of the *Local Government Act*, when a **building permit** is issued in accordance with section 11.2. of this bylaw the permit fee shall be reduced by 5% of the fees payable pursuant to Schedule "B" to this Bylaw, up to a maximum of \$500.00 (five hundred dollars).

12. Demolition of Buildings or Structures

- 12.1. Every person shall apply for and obtain a demolition **permit** before demolishing a **building** or **structure**.
 - 12.1.1. Every applicant for a demolition **permit** shall submit a completed contaminated sites regulation questionnaire form attached as Schedule "E" to this bylaw;

12.1.2. If yes is answered on Schedule “E”, the applicant must complete a **Site** Profile in accordance with the Contaminated Sites Regulation, B.C. Reg. 375/96. When a **Site** Profile has been forwarded to a “manager” as per B.C. Reg. 375/96, an application for a demolition **permit** under this bylaw shall not proceed until the said manager has advised the **District of Vanderhoof** that a **site** investigation under section 20.2 of the *Waste Management Act* will not be required, or until the **District of Vanderhoof** has received a valid and subsisting approval in principle, conditional certificate of compliance, or certificate of compliance under section 20.71 of the *Waste Management Act*.

12.1.3. the **owner** shall abide by the following requirements:

- 12.1.3.1. arrange for the **District of Vanderhoof** to disconnect and cap water and sewer service lines to the property where applicable, prior to demolition;
- 12.1.3.2. arrange disconnection of all power, telephone and gas lines, prior to demolition;
- 12.1.3.3. obtain from the **District of Vanderhoof** any additional **permits** required for street closures, and notify all regulating bodies, prior to demolition;
- 12.1.3.4. protect, as per **Building Code** Requirements (Part 8 “Safety Measures and **Construction** at Demolition Sites”) all public sidewalks, thoroughfares and streets, prior to demolition;
- 12.1.3.5. remove all demolition materials and foundations from the **site**, fill and level all excavations, and leave the **site** in a tidy manner;
- 12.1.3.6. damages to utilities, adjoining properties and all liabilities during demolition are the responsibility of the **owner**;
- 12.1.3.7. ensure compliance with Heritage Bylaws, where applicable; and
- 12.1.3.8. all above items are to be fully complied with within ninety (90) days of the date of issuance of the demolition **permit**.

13. Moving of Manufactured Homes or Buildings

13.1. Every **person** proposing to move a **manufactured home** or **building** into or within the area to which this bylaw applies shall ensure that persons and property are protected from injury and damage during the move.

- 13.2. In addition to obtaining a moving **permit**, the **owner** shall obtain a **building permit** for the placement of the **manufactured home** or **building** and related **construction** at its new location.

14. Responsibilities of the Owner

- 14.1. Every **owner** shall ensure that all **construction** complies with the **Building Code**, this bylaw and other applicable enactments respecting safety.
- 14.2. Every **owner** of property for which a **permit** is issued shall be responsible for the cost of repair of any damage to public works that occur as a result of the **work** covered by the **permit**. When required, the **building official** may require security for the repair or replacement of highways, sidewalks, boulevards, public works or other **District of Vanderhoof** property altered or damaged by activities related to the **permit**.
- 14.3. In the event that damage which is the **owner's** responsibility is not resolved by the **owner** prior to the issuance of an **occupancy permit**, or within such other time set by the **building official**, or the damage requires the involvement of **District of Vanderhoof** work crews to resolve, the costs so incurred by the **District of Vanderhoof** shall be paid by the **owner**. Any costs not previously paid by December 31 of the calendar year may be added to the following year's property taxes.
- 14.4. Every **owner** shall:
- 14.4.1. post the **permit** in a conspicuous place on the property in respect of which the **permit** is issued; and
- 14.4.2. post a copy of the **accepted** drawings and specifications on the property in respect of which the **permit** was issued.
- 14.5. Every **owner** shall, where applicable, obtain from the **District of Vanderhoof** the necessary approvals pertaining to moving, alteration, reconstruction, replacement, demolition, excavation, **construction** and repair of **buildings** or **structures**, zoning, changes in classification of **occupancy**, sewers, water, plumbing, signs, canopies, awnings, marquees, blasting, street **occupancy**, electricity, **buildings** or **structures** to be removed and all other approvals required in connection with the proposed **work** prior to the commencement of such **work**.

14.6. Every **owner** shall:

- 14.6.1. in all cases where it is proposed to conduct the waste from plumbing fixtures to a public sewer, make certain such public sewer is at a sufficient depth and of sufficient capacity to receive such discharge, and also to arrange the plumbing to suit the location of the connection provided for the lot;
- 14.6.2. where it is deemed necessary to connect the **building** or storm sewer with any **building** or storm sewer extension, furnish such information as a **building official** may require to show that the proposed sewers will be laid at such a depth, and in such a position as to connect the property with the **building** or storm extension; and
- 14.6.3. ensure that all water supply and drainage piping is tested in accordance with the B.C. Plumbing Code.
- 14.7. When requested by the **building official** the **owner** shall perform, or have performed, at his or her expense, tests or inspections required to prove substantial compliance with the requirements of this bylaw and the B.C. **Building Code** and shall promptly file a copy of the test or inspection reports with the **building official**.
- 14.8. When required by the **building official**, the **owner** shall uncover and replace, at his or her expense, any **work** that has been covered contrary to a notice or order, or prior to the completion of an inspection required under this bylaw.
- 14.9. The **owner** shall be responsible for ensuring that the siting of all **buildings** and **structures** meets the requirements of all bylaws and regulations.
- 14.10. The **owner** shall ensure that all **work** is confined within the boundaries of the property on which the **work** is, or is to be located and does not affect adjacent properties.

15. Notice of Inspection

- 15.1. When a **registered professional** provides letters of assurance in accordance with sections 9.1.9, 10. 1. 12, 10.2.5 and 16.1 or 16.2 of this bylaw, the **District of Vanderhoof** will rely solely on **field reviews** undertaken by the **registered professional** and the letters of assurance submitted pursuant to section 16.2 of this bylaw as assurance that the **construction** substantially conforms to the design and that the **construction** substantially complies with the **Building Code**, this bylaw and other applicable enactments respecting safety.
- 15.2. Notwithstanding section 15.1 of this bylaw, a **building official** may attend the **site** from time to time during the course of **construction** to ascertain that the **field reviews** are taking place and to monitor the **field reviews** undertaken by the **registered professionals**.

- 15.3. A **building official** may attend periodically at the **site** of the **construction** of **standard buildings** or **structures** to ascertain whether the **health and safety aspects of the work** are being carried out in substantial conformance with those portions of the **Building Code**, this bylaw and any other applicable enactment concerning safety.
- 15.4. Every **owner** or **owner's agent** who holds a **building permit**, shall:
- 15.4.1. give at least one week's notice to the **building official** of an intention to start **work** on the **building site**;
- 15.4.2. give a least seventy-two (72) hours notice to the **building official** to obtain an inspection and acceptance of the **work** as substantially conforming with the **Building Code** at each of the following stages:
- 15.4.2.1. after excavation and the forms for footings and foundations are complete, including the placement of required reinforcing, but prior to placement of any concrete therein;
- 15.4.2.2. after removal of formwork from a concrete foundation and installation of perimeter drain tiles and damp-proofing but prior to backfilling against the foundation; for preserved wood foundations, when all framing and sheathing of the foundation is complete, including the construction of floors and completion of drainage systems and damp-proofing, but prior to backfilling;
- 15.4.2.3. when framing and sheathing of the **building** or **structure** are complete, including fire stopping, bracing, chimney, duct work, plumbing, gas venting and wiring, but before any insulation, lath or other interior or exterior finish is applied which would conceal such **work**;
- 15.4.2.4. when the chimney is complete but before the fireplace facing is applied;
- 15.4.2.5. when the insulation and vapor barrier are completed; and
- 15.4.2.6. after the **building, structure** or part thereof is substantially complete and ready for **occupancy**, but before **occupancy** takes place of the whole or a portion of the **building, structure** or part thereof.

- 15.5. Where an architect or a professional engineer, or both, lawfully authorized to practice in the Province of British Columbia, is engaged by the **owner** for the design and inspection of the **construction** of a **building** or a **structure**, certificates of compliance with the **accepted** plans signed and sealed by the architect or engineer, or both as the case may be, may be **accepted** by the **building official** in lieu of inspections required by this bylaw.
- 15.6. The **building official's** acceptance of architect or engineer certification under section 15.5 of this bylaw shall be communicated to the **owner** in writing.

16. Professional Design and Field Review

- 16.1. When a **building official** considers that the **site** conditions, size or complexity of a development or an aspect of a development or an aspect of a development warrant, he or she may require a **registered professional** to provide design and plan certification and **field review** by means of letters of assurance in the form of Schedules B-1, B-2 and C-B referred to in section 2.6 of Part 2 of the **Building Code**.
- 16.2. Prior to issuance of an **occupancy permit** for a **complex building** or **standard building** in circumstances where letters of assurance have been required in accordance with sections 10.1.12, 10.2.5 or 16.1 of this bylaw, the **owner** shall provide the **District of Vanderhoof** with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in section 2.6 of Part 2 of the **Building Code**.
- 16.3. When a **registered professional** provides letters of assurance in accordance with sections 9.1.9, 10.1.12, 10.2.5, 16.1 or 16.2 of this bylaw, he or she shall also provide proof of liability insurance to the **building official**.

17. Occupancy Permits

- 17.1. No person shall occupy a **building** or **structure** or part of a **building** or **structure** until an **occupancy permit** has been issued.
- 17.2. An **occupancy permit** shall not be issued unless:
- 17.2.1. all letters of assurance have been submitted when required in accordance with sections 9.1.8 and 9.1.9 of this bylaw;
- 17.2.2. all aspects of the work requiring inspection and acceptance pursuant to section 15.4.2 of this bylaw have both been inspected and accepted or the inspections and acceptance are not required in accordance with section 15.4 of this bylaw; and

- 17.2.3 all **site work** is completed including, without limitation, paving, curbing and landscaping or otherwise satisfy the **building official** that the **work** in question will be completed by a specified date in accordance with **District of Vanderhoof** by-laws.
- 17.3. A **building official** may issue an **occupancy permit** for part of a **building** or **structure** when the part of the **building** or **structure** is self-contained, provided with essential services and the requirements set out in section 8.2 of this bylaw have been met with respect to it.

18. Water and Sewer Servicing

18.1 Water Meters

- 18.1.1 a water meter complete with remote reader, meter horn, check valve and main shut off shall be installed in each commercial and industrial building that is serviced or deemed to be serviceable by a community water system;
- 18.1.2 the water meter complete with components shall be purchased from the **District**;
- 18.1.3 the water meter shall be installed in accordance with the **District** installation instructions attached at Schedule 'G';
- 18.1.4 the location of the water meter must be approved by the **building official** prior to installation;
- 18.1.5 the water service may not be activated until the water meter has been properly installed and the installation has been approved by the **building official**;
- 18.1.6 the water meter shall be permanently accessible for service and repair.

18.2 Pressure Reducing Valves

Pressure reducing valves shall be installed in all buildings that are connected to the municipal water supply.

18.3 Drainage

No person shall in any way connect to the sanitary sewerage system, drain or permit to be drained into the sanitary sewer system, any roof drains, rainwater run-off, storm water or surface water.

18.4 Sewer Service

When connected to a municipal water supply, a building's main sanitary sewer service line shall be equipped with a back-water valve located inside the building foundation at a point downstream of all building laterals and at a location approved by the **building official**. The back-water valve shall be of the full port (normally open) type and installed in accordance with the **BC Building Code**.

18.5 Low Pressure Sewer System

Where a private, low pressure sewer installation is to be connected to the municipal sewer system, a main stop shall be installed at property line.

- 18.6 Where connected to a municipal system, all water and sewer installations from property line into a building shall be inspected by the Public Works Superintendent, the Works Foreman and/or the **building official**.

19. Climatic Data

- 19.1 Ground snow load values for **building** design under this bylaw are as prescribed in Schedule "C" of this bylaw.
- 19.2 Climatic data, other than ground snow loads, for **building** design under this bylaw shall be those specified for Prince George in Appendix 'C' to the **Building Code**.

20. Stop Work Orders

- 20.1 Where a written stop **work** order is issued under section 7.1.6, the **building official** shall post a copy of the order at the **site** of the **work**.
- 20.2 When a stop **work** order has been issued, no **construction** shall take place until the holder of the **building permit** has secured a written notice from the **building official** that the stop **work** order has been removed.
- 20.3 The **building official** shall not remove the stop **work** order until supplied with satisfactory evidence that the violation giving rise to the order has been corrected, or a proposal for correction of the violation is **accepted** by the **building official**.

21. Penalty

A **person** who violates any provision of this bylaw commits an offence and is punishable in accordance with the *Offence Act*.

22. Repeal

"**District of Vanderhoof** Building Bylaw No. 923, 2002" and amendments thereto are hereby repealed.

23. Severability

If any section, subsection, paragraph, subparagraph, or clause of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

24. Citation

This bylaw shall be cited for all purposes as "**District of Vanderhoof** Building Bylaw No. 965, 2004".

READ A FIRST TIME THIS 23rd DAY OF February, 2004.

READ A SECOND TIME THIS 23rd DAY OF February, 2004.

READ A THIRD TIME THIS 23rd DAY OF February, 2004.

ADOPTED THIS 25th DAY OF February, 2004.

I hereby certify that the foregoing is a true and correct copy of Bylaw No. 965 cited as "**District of Vanderhoof** Building Bylaw No. 965, 2004".

Corporate Officer

MAYOR

CORPORATE OFFICER