

VILLAGE OF PEMBERTON

BYLAW NO. 867, 2019

A bylaw to establish the regulation of the construction, alteration, repair, demolition or occupancy of buildings and structures.

WHEREAS the *Community Charter* authorizes the Village of Pemberton (hereafter referred to as “the Village”), for the health, safety and protection of persons and property to regulate the construction, alteration, repair, demolition, or occupancy of buildings and structures by Bylaw;

AND WHEREAS the Province of British Columbia has adopted a BC Building Code to govern standards in respect of the construction, alteration, repair, demolition or occupancy of buildings in municipalities and regional districts in the Province;

AND WHEREAS it is deemed necessary to provide for the administration of the BC Building Code;

AND WHEREAS in relation to the conservation of energy and the reduction of greenhouse gas emissions, the Village may reference and implement, in whole or in part, the Energy Step Code,

NOW THEREFORE the Council of the Village of Pemberton, in open meeting assembled, enacts as follows:

PART 1: CITATION

- 1.1. This bylaw may be cited for all purposes as the “Village of Pemberton Building Bylaw No. 867, 2019”

PART 2: DEFINITIONS

- 2.1. In this Bylaw, the following words and terms have the meanings set out in Division A Part 1 Section 1.4 of the *British Columbia BC Building Code*:

Assembly Occupancy, Building, Building Area, Building Height, Business and Personal Services Occupancy, Care or Detention Occupancy, Constructor, Coordinating Registered Professional, Designer, Field Review, First Storey, Grade, Heritage Building, High Hazard Industrial Occupancy, Major Occupancy, Mercantile Occupancy, Medium Hazard Industrial Occupancy, Occupancy, Registered Professional, and Residential Occupancy, Retaining Wall, Storey

Affordable Housing means dwelling units constructed and occupied under the terms of a registered housing agreement approved pursuant to section 483 of *the Local Government Act*.

Affordable Rental Housing means rental dwelling units constructed and occupied under the terms of a registered housing agreement approved pursuant to section 483 of *the Local Government Act*.

BC Building Code means the most current *British Columbia BC Building Code* as adopted by the Minister pursuant the *Local Government Act*, as amended or replaced from time to time.

Chief Building Official means the person appointed to this position for the *Village* and any person designated to act in the place of that person.

Cannabis Production Facility means a facility, licensed by the Federal Government under the *Cannabis Act* used solely for the production, manufacturing, processing, testing, packaging, and shipping of marijuana and marijuana products for medical or non-medical purposes.

Complex Building means a *building* categorized as a Part 3 *building* under the *BC Building Code*.

Energy Step Code means the energy performance standards set out in Subsection 9.36.6 of the *BC Building Code* and a reference to a numbered step in the *Energy Step Code* is a reference to a step established in that Subsection.

Essential Services means the services essential to the intended occupancy of a *building* or *structure* of part of a *building* or *structure*, as determined by the *Chief Building Inspector*.

Farm Building means a building or part thereof, which does not contain a residential occupancy or a *Cannabis Production Facility* 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. For the purposes of this exemption, the farm building must be designed for “low human occupancy” as defined in the *National Farm Building Code of Canada* and the land must be classed as “farm” under the *Assessment Act*.

Low Human Occupancy means a density of less than one person per 40 square meters (430 square feet).

Health and Safety Aspects of the Work means design, construction, demolition or occupancy as defined in Division A Section 2.2 of the *BC Building Code*.

Manufactured Home means a factory built *detached dwelling unit*, certified prior to a placement on the *lot* as having been built:

- a) as a modular home in accordance with CSA A277 *building*; or
- b) as a mobile home in accordance with CAN/CSA Z240 building regulations and registered in the BC Manufactured Home Registry, arriving at the *lot* ready for occupancy apart from incidental operations and connections into a *community sewer* and *community water system*.

National Farm BC Building Code means the most current National Farm BC Building Code of Canada as adopted, amended or re-enacted from time to time.

Non-Profit Housing means housing development that a community-based, non-profit housing partner owns and operates.

Owner has the meaning set out in chapter 26, section 1 of the *Community Charter* and reproduced below:

Owner means, in respect of real property,

- a) *The registered owner of an estate in fee simple,*
- b) *The tenant for life under a registered life estate,*
- c) *The registered holder of the last registered agreement for sale,*
- d) *The holder or occupier of land held in the manner referred to in section 228 (taxation of Crown land used by others) or section 229 (taxation of municipal land used by others), and*
- e) *An Indian who is an owner under the letters patent of a municipality incorporated under section 9 (incorporation of reserve residents as village) of the Local Government Act.*

Owner Builder means a person who is authorized by BC Housing to build a new home for personal use.

Plumbing Inspector means the person appointed to this position for the Village and any person designated to act in the place of that person.

Pool means a structure or constructed depression used or intended to be used for swimming, bathing, wading or diving which is designed to contain water and has a depth, at any point, exceeding 0.6 m, including an in-ground pool and hot tub.

Reasonable Grade means that pedestrian travel/access is possible around all sides of the building without specialized knowledge or equipment. Such pedestrian travel/access paths to be a minimum of 1.2m in width and must project a minimum of 1.2m beyond the furthest *structure* on the lowest side of the building.

Solid Fuel Burning Device means a fireplace, chimney, woodstove, or other device that burns a material to release energy, creating heat.

Standard Building means a *building* categorized as a Part 9 *building* under the *BC Building Code*.

Structure means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and *retaining* walls less than 1.2 meters in height.

Supportive Living Housing means a type of housing that provides on-site supports and services to residents who cannot live independently.

Temporary Building means a *building* or *structure* that complies with one or more of the following purposes and can be placed on a lot for a limited time:

- a) offices or storage for a construction site;
- b) relocation of a commercial, industrial or institutional use;
- c) residential sales centre on a multi-family lot;

- d) film or advertisement production;
- e) additional classroom space; or
- f) any other temporary use approved by the *Chief Building Official*.

Village means the Village of Pemberton.

2.2. If any section, subsection, sentence, 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, such decision shall not affect the validity of the remaining portions of this Bylaw.

PART 3: PURPOSE OF BYLAW

- 3.1. The Bylaw, shall, notwithstanding any other provision herein, be interpreted in accordance with this section.
- 3.2. This Bylaw has been enacted for the purpose of regulating construction within the *Village* in the general public interest. The activities undertaken by or on behalf of the *Village* pursuant to this Bylaw are for the sole purpose of providing a limited and interim compliance monitoring function for reason of health, safety and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of this Bylaw extend:
 - a) to the protection of *owners, owner builders or constructors* from economic loss;
 - b) to the assumption by the *Village* or the *Chief Building Official* of any responsibility for ensuring the compliance by any *owner*, their representatives or any employees, *constructors* or *designers* retained by him or her, with the *BC Building Code*, the requirements of this Bylaw or other applicable enactments respecting safety;
 - c) to providing any person a warranty of design or workmanship with respect to any *building* or *structure* for which a building permit or occupancy permit is issued under this bylaw;
 - d) to providing a warranty or assurance that construction undertaken pursuant to building permits issued by the *Village* is free from latent, or any defects.

PART 4: PERMIT CONDITIONS

- 4.1. A permit is required whenever work regulated under this Bylaw is to be undertaken.
- 4.2. Neither the issuance of a permit under this Bylaw nor the acceptance or review of plans, drawings or supporting documents, nor any inspections made by or on behalf of the *Village* shall in any way relieve the *owner* or their representatives from full and sole responsibility to perform the work in strict accordance with this Bylaw, the *BC Building Code* and or other applicable enactments respecting safety.
- 4.3. It shall be the full and sole responsibility of the *owner* (and where the *owner* is acting through a representative) to carry out the work in respect of which the permit was issued in compliance with the *BC Building Code* and this Bylaw or other applicable enactments respecting safety.
- 4.4. Neither the issuance of a permit under this Bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf

of the *Village* constitute in any way a representation, warranty, assurance or statement that the *BC Building Code*, this Bylaw or other applicable enactments respecting safety have been complied with.

- 4.5. 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 building permit is issued and their representatives are responsible for making such determination.

PART 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 *BC Building Code* except as expressly provided herein, nor to *retaining walls* less than 1.2 meters in height.

PART 6: PROHIBITIONS

- 6.1. No person shall commence or continue any construction, alteration, reconstruction, plumbing, demolition, removal, relocation or change the *occupancy* of any *building* or *structure* including excavation or other work related to construction, unless a *Chief Building Official* has issued a valid and subsisting permit for the work.
- 6.2. No person shall occupy or use any *building* or *structure* unless a valid and final inspection services report has been issued by a *Chief Building Official* for the *building* or *structure* or contrary to the terms of any permit issued or any notice given by a *Chief Building Official*.
- 6.3. No person shall knowingly submit false or misleading information to a *Chief Building Official* in relation to any permit application or construction undertaken pursuant to this Bylaw.
- 6.4. No person shall, unless authorized in writing by a *Chief Building Official*, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to a *building* or *structure* pursuant to this Bylaw.
- 6.5. No person shall do any work that is at a 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 the *Chief Building Official*.

PART 7: CHIEF BUILDING OFFICIAL

- 7.1. The *Chief 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 copies of all documents related to the administration of this Bylaw or electronic copies of such documents; and

- 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 *BC Building Code*.

7.2. The *Chief Building Official*:

- a) may enter any land, building, *structure*, or premises at any reasonable time for the purpose of ascertaining that the terms of this Bylaw are being observed;
- b) shall carry proper credentials confirming their status as a *Chief Building Official* when entering on property;
- c) where any residence is occupied, the *Chief Building Official* must, prior to entering the residence,
 - i. obtain the consent of the occupant; or
 - ii. deliver to an occupant at least 24 hours' written notice of the proposed entry stating the reasons for entry;

7.3. The *Chief Building Official* may order the correction of any work that is being or has been done in contravention of this Bylaw.

PART 8: APPLICATIONS

8.1. Every person shall apply for and obtain a permit, prior to:

- a) constructing, repairing or altering a *building* or *structure*;
- b) relocating a *building* or *structure*;
- c) excavating a lot in preparation for construction of a *building* or *structure*;
- d) constructing a foundation of a *building* or *structure*;
- e) demolishing a *building* or *structure*;
- f) constructing a masonry fireplace or installing a solid fuel burning appliance or chimney;
- g) constructing or altering any plumbing system;
- h) altering the use of a *building* or *structure*;
- i) constructing, altering or relocating a fire sprinkler system, unless the fire sprinkler system has not more than two heads; or
- j) installing or modifying a fire detection and alarm system in a complex building

unless the works are the subject of another valid building permit.

8.2. An application for a permit for work regulated under this Bylaw shall be made in in a form approved by the *Chief Building Official*.

- 8.3. All plans submitted with permit applications shall bear the name and address of the designer of the *building* or *structure*.
- 8.4. Every person shall apply for and obtain a separate permit for each *building* or *structure* to be constructed or altered on a site and shall be assessed a separate building permit fee based on the value of that *building* or *structure* as determined in accordance with **Schedule A**.

PART 9: APPLICATION FOR COMPLEX BUILDINGS

- 9.1. An application for a building permit with respect to a *complex building* shall:
- a) be signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*;
 - b) be accompanied by the owner's acknowledgment of responsibility and undertakings made in the form prescribed by the *Chief Building Official*, signed by the *owner*, or a signing officer if the *owner* is a corporation;
 - c) include a copy of a title search made within thirty (30) days of the date of the application;
 - d) include a copy of all covenants, easements, and rights of way registered against the property;
 - e) unless the *Chief Building Official* waives the requirements for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing *building* or *structure*, include a site plan prepared by a British Columbia Land Surveyor or a certified member of the Applied Science Technologists and Technicians of British Columbia who is registered in site improvement surveys (R.S.I.S.) showing:
 - i. the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - ii. the legal description and civic address of the parcel;
 - iii. the location and dimensions of all statutory rights of way, easements and setback requirements;
 - iv. the location and dimensions of all existing and proposed *buildings* or *structures* on the parcel;
 - v. setbacks to the natural boundary of any lake, swamp, pond or watercourse where the Village's land use regulations establish siting requirements related to flooding;
 - vi. the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a *building* or *structure* where the Village's land use regulations establish siting requirements related to minimum flood construction levels; and
 - vii. the location, dimension and gradient of parking and driveway access,
 - f) include floor plans showing:

- i. the dimensions and uses of all areas;
 - ii. the dimensions and height of crawl space and roof spaces;
 - iii. the locations, sizes and swing of doors;
 - iv. the location, size and opening of windows;
 - v. floor, wall and ceiling finishes;
 - vi. plumbing systems including plumbing fixtures;
 - vii. structural elements;
 - viii. stair dimensions; and
 - ix. major appliances;
- g) include a cross section through the *building* or *structure* illustrating foundations, drainage, ceiling heights and construction systems;
- h) include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, finished grade, and spatial separation calculations;
- i) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *BC Building Code*;
- j) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approvals;
- k) include a letter of assurance in the form of Schedule A as referred to in Division C and Note A-2.2.7.2(1)(b) of the *BC Building Code*, signed by the *owner*, or a signing officer of the *owner* if the *owner* is a corporation, and the *coordinating registered professional*;
- l) include letters of assurance in the form of Schedule B as referred to in *the BC Building Code*, each signed by such *registered professionals* as required by the *Chief Building Official* or *BC Building Code* in Division C and Note A-2.2.7.2 to prepare the design for and conduct field reviews of the construction of the building or structure.
- m) include letters in the forms set out in Schedules C-A and C-B (See the end of Division C and Note A-2.2.7.2.(2), if an occupancy permit or final inspection from an authority having jurisdiction is required before an *owner* occupies or receives permission to occupy ; and
- n) include three (3) 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.(f) to 9.1.(i) of this Bylaw.

9.2. In addition to the requirements of section 9.1, the *Chief Building Official* may require that any one or more of the following be submitted with a building permit application for the construction

of a complex building as the *Chief Building Official* considers warranted due to the complexity of the proposed building or structure or siting circumstances:

- a) a *BC Building Code* analysis showing conformance to the building to the current *BC Building Code*;
- b) a zoning analysis showing conformance to the Village's current Zoning Bylaw;
- c) site servicing drawings, including detail of off-site services indicating locations at the property line, in accordance with the Village's current Subdivision and Development Control Bylaw, prepared and sealed by a *registered professional*;
- d) a section through the site showing grades, *building, structures*, parking areas and driveways;
- e) any other information required by the *Chief Building Official* to establish substantial compliance with this Bylaw, the *BC Building Code* and other Bylaws and enactments relating to the *building or structure*.

PART 10: APPLICATION FOR STANDARD BUILDINGS

10.1. An application for a building permit with respect to a *standard building* shall:

- a) be signed by the *owner*, or a signing officer if the *owner* is a corporation;
- b) be accompanied by the *owner's* acknowledgment of responsibility and undertakings made in the form prescribed by the *Chief Building Official*, signed by the *owner*, or a signing officer if the *owner* is a corporation;
- c) include a copy of all title searches made within thirty (30) days of the date of the application;
- d) include a copy of all covenants, statutory rights-of-way and easements registered against the property;
- e) unless the *Chief Building Official* waives the requirements for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing *building or structure*, include a site plan prepared by a British Columbia Land Surveyor or a certified member of the Applied Science Technologists and Technicians of British Columbia who is registered in site improvement surveys (R.S.I.S.) showing:
 - i. the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - ii. the legal description and civic address of the parcel;
 - iii. the location and dimensions of all statutory rights of way, easements and setback requirements;
 - iv. the location and dimensions of all existing and proposed buildings or *structures* on the parcel;

- v. setbacks to the natural boundary of any lake, swamp, pond or watercourse where the Village's land use regulations establish siting requirements related to flooding;
- vi. the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a building or *structure* where the Village's land use regulations establish siting requirements related to minimum flood construction levels; and
- vii. the location, dimension and gradient of parking and driveway access;

f) include floor plans showing:

- i. the dimensions and uses of all areas;
- ii. the dimensions and height of crawl space and roof spaces;
- iii. the locations, sizes and swing of doors;
- iv. the location, size and opening of windows;
- v. floor, wall and ceiling finishes;
- vi. plumbing fixtures;
- vii. structural elements;
- viii. stair dimensions; and
- ix. major appliances;

g) include a cross section through the *building* or *structure* illustrating foundations, drainage, ceiling heights and construction systems;

h) include elevations of all sides of the building or *structure* showing finish details, roof slopes, windows, doors, finished grade, and spatial separation calculations;

i) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *BC Building Code*;

j) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approvals;

k) include letters of assurance in the form of Schedules B-1 and B-2 as required in subsection 2.2.7. of Division C of the *BC Building Code*; and

l) include two (2) sets of drawings at a suitable scale of the design including the information set out in sections 10.1.(e) – 10.1. (i) of this Bylaw.

10.2. In addition to the requirements of section 10.1, the applicant for a permit must provide the *Chief Building Official* with any one or more of following, 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 1,000 square meters, or two or more *buildings* that will contain four or more dwelling units, or otherwise as the *Chief Building Official* considers to be warranted due to the complexity of the proposed *building* or *structure* or siting circumstances:

- a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the Village's current Subdivision and Development Control Bylaw.
- b) a section through the site showing grades, *buildings*, *structures*, parking areas and driveways;
- c) roof plan and roof height calculations;
- d) structural, electrical, mechanical or fire suppression drawings prepared and sealed by a *registered professional*;
- e) a foundation design prepared by a *registered professional* in accordance with section 4.2 of Part 4 of the *BC Building Code*, accompanied by letters of assurance in the form of Schedules B(s) as referred to in the *BC Building Code*, signed by the *registered professional* if a Geotechnical Engineer concludes that the foundation design will be outside the scope of Part 9 of the *BC Building Code*.
- f) any other information required by the *Chief Building Official* to establish substantial compliance with this Bylaw, the *BC Building Code* and other Bylaws and enactments relating to the *building* or *structure*.

PART 11: FARM BUILDINGS

- 11.1. *Farm buildings* shall be designed and built in conformance with the *National Farm BC Building Code*.
- 11.2. Every owner shall ensure that all construction complies with the *National Farm BC Building Code*, this Bylaw and other applicable enactments.
- 11.3. An application for a *farm building* permit shall:
 - a) be signed by the *owner*, or a signing officer if the *owner* is a corporation;
 - b) be accompanied by the *owner's* acknowledgment of responsibility and undertakings made in the form prescribed by the *Chief Building Official*, signed by the *owner*, or a signing officer if the *owner* is a corporation;
 - c) include a copy of all title searches made no less than thirty (30) days of the date of the application;
 - d) include a copy of all covenants, statutory rights-of-way and easements registered against the property;
 - e) unless the requirement is waived by the *Chief Building Official* as being unnecessary to the application, in whole or in part, when the permit is sought for repair or alteration of an

existing *building* or *structure*, include a site plan prepared by a British Columbia Land Surveyor or a certified member of the Applied Science Technologists and Technicians of British Columbia who is registered in site improvement surveys (R.S.I.S.) showing:

- i. the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - ii. the legal description and civic address of the parcel;
 - iii. the location and dimensions of all statutory rights of way, easements and setback requirements;
 - iv. the location and dimensions of all existing and proposed *buildings* or *structures* on the parcel;
 - v. setbacks to the natural boundary of any lake, swamp, pond or watercourse where the Village's land use regulations establish siting requirements related to flooding;
 - vi. the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a *building* or *structure* where the Village's land use regulations establish siting requirements related to minimum flood construction levels; and
 - vii. the location, dimension and gradient of parking and driveway access;
- f) include scaled construction drawings showing floor plans of the proposed building with the proposed uses of all areas, a cross-section of building showing proposed heights and confirmation that the building meets all the required design loads as per the *National Farm BC Building Code*;
- g) include any other information required by the *Chief Building Official* or the *National Farm BC Building Code* to establish substantial compliance with this Bylaw, the *National Farm BC Building Code* and other Bylaws and enactments relating to the *building* or *structure*.

PART 12: TEMPORARY BUILDINGS

12.1. An application for a *temporary building* permit shall:

- a) be signed by the *owner*, or a signing officer if the *owner* is a corporation;
- b) be accompanied by the *owner's* acknowledgment of responsibility and undertakings made in the form prescribed by the *Chief Building Official*, signed by the *owner*, or a signing officer if the *owner* is a corporation;
- c) include a copy of all title searches made within thirty (30) days of the date of the application;
- d) include a copy of all covenants, statutory rights-of-way and easements registered against the property;

- e) unless the requirement is waived by the *Chief Building Official* as being unnecessary to the application, in whole or in part, include a site plan prepared by a British Columbia Land Surveyor (B.C.L.S.) or a certified member of the Applied Science Technologists and Technicians of British Columbia who is registered in site improvement surveys (R.S.I.S.) showing:
- i. the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - ii. the legal description and civic address of the parcel;
 - iii. the location and dimensions of all statutory rights of way, easements and setback requirements;
 - iv. the location and dimensions of all existing and proposed *buildings* or *structures* on the parcel;
 - v. setbacks to the natural boundary of any lake, swamp, pond or watercourse where the Village's land use regulations establish siting requirements related to flooding;
 - vi. the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a building or *structure* where the Village's land use regulations establish siting requirements related to minimum floor elevation; and
 - vii. the location, dimension and gradient of parking and driveway access;

12.2. Notwithstanding anything contained elsewhere in this bylaw, a permit for a *temporary building* may be issued by the *Chief Building Official*, authorizing for a limited time only the erection and existence of a building or *structure* or part thereof, for an occupancy which will exist for a short time under circumstances that warrant only selective compliance with this Bylaw or the *BC Building Code*.

12.3. A permit for a *temporary building* shall state the date after which and the conditions under which the permit is no longer valid.

12.4. A permit for a *temporary building* may be extended provided permission in writing is granted by the *Chief Building Official*.

12.5. A permit for a *temporary building* must be posted on the building.

PART 13: FEES AND CHARGES

13.1. In addition to applicable fees and charges required under other Bylaws, the applicant for a permit under this Bylaw must pay in full a permit fee, calculated in accordance with **Schedule A** of this Bylaw, prior to its issuance.

13.2. The applicant for a building permit must pay the applicable plan processing fee as set out in **Schedule A**, to which the following conditions apply:

- a) the plan processing fee is non-refundable and shall be credited against the building permit fee when the permit is issued.
 - b) an application shall be cancelled, and the plan-processing fee forfeited, if the building permit has not been issued and the permit fee paid within 180 days of the date of the written notification to the *owner* that the permit is ready to be issued.
 - c) when an application is cancelled the plans and related documents submitted with the application may be destroyed.
 - d) plan processing fees do not apply to permits other than building permits.
- 13.3. Every applicant for a building permit shall deposit with the Village a security in the form of cash, in accordance with the charges set out in **Schedule A** of this bylaw.
- a) the security shall be returned within 30 days upon confirmation that site services as-built drawings showing locations of sewer and water connections are submitted to and accepted by the *Chief Building Official* or by the person designated by the Manager of Operations.
- 13.4. The *owner* may obtain a refund of the permit fees set out in **Schedule A** when a permit is surrendered and cancelled before any construction begins, as determined by the *Chief Building Official*, provided that:
- a) the refund shall not include the plan processing fee paid pursuant to section 11.2 of this Bylaw; and
 - b) no refund shall be made where construction has begun, or an inspection had been made.
- 13.5. Where, due to non-compliance with this Bylaw, more than two (2) inspections are necessary when one (1) inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in **Schedule A** shall be paid by the applicant prior to any additional inspections being performed.
- 13.6. Fees for miscellaneous services related to the administration of this Bylaw and related enactments shall be charged at an hourly rate in accordance with charges as set out in **Schedule A** to this bylaw.
- 13.7. A fee, as set out in Schedule A, shall be payable in advance to reactivate a building permit that has expired.
- 13.8. A fee, as set out in Schedule A, shall be payable in advance to extend a building permit as permitted under section 14.4.
- 13.9. A fee, as set out in Schedule A, shall be payable in advance for revision of plans after submission of the building permit application.
- 13.10. Every applicant for a *temporary building* permit shall deposit with the *Village* a security, in the form of cash or an irrevocable letter of credit, against the cost of removal of the *temporary building* in accordance with the charges set out in **Schedule A** of this bylaw.

- a) the security shall be returned within 30 days, less any repair or removal costs incurred, upon termination of the temporary building permit and upon confirmation that the *temporary building* has been removed from the lot.
- 13.11. Every applicant for a *foundation* permit shall deposit with the Village a, security in the form of cash or an irrevocable letter of credit, against the cost of site restoration in accordance with the charges set out in **Schedule A** of this bylaw.
- a) the security shall be returned within 30 days upon issuance of the building permit.
- 13.12. Where the proposed work includes excavation or construction on lands within 10 metres of a *Village* roadway, sewer, drain or water main or other *Village* work, the applicant shall deposit with the *Village* a security, in the form of cash or an irrevocable letter of credit, against the cost of repairs to such works in accordance with the charges set out in **Schedule A** of this Bylaw.
- a) the security shall be returned within 30 days, less any repair costs incurred, upon granting of final inspection of the related building permit or where the building permit has been cancelled and upon confirmation that the *Village* works have not been damaged or, if damage has occurred, that it has been fully repaired.
- 13.13. Every *owner* to whom a permit is issued is responsible for the cost to repair any damage to *Village* works or land that occurs during the work authorized by the permit.
- 13.14. *Village* Council may, by resolution, reduce, waive or refund any non-legislated building permit fees or security deposits when the applicant seeks approval for:
- a) *non-profit or affordable housing*, including *supportive living housing*;
 - b) *for-profit affordable rental housing*.

PART 14: BUILDING PERMITS

- 14.1. The *Chief Building Official* may issue the permit for which an application is made when the following conditions have been met:
- a) a completed application including all required supporting documentation has been submitted;
 - b) the proposed work set out in the application conforms with the *BC Building Code*, this Bylaw and all other applicable Bylaws and enactments;
 - c) the *owner* or their representative has paid all the charges and met all requirements imposed by this and any other enactment or Bylaw;
 - d) no enactment, covenant, agreement, or regulation of the *Village* authorizes the permit to be withheld;
 - e) the *owner* has retained a professional engineer or geoscientist if required by the provisions of the *Engineers and Geoscientists Act*; and
 - f) the *owner* has retained an architect if required by the provision of the *Architects Act*.

- 14.2. When the application is in respect of a *building* that includes, or will include, a *residential occupancy*, the building permit must not be issued unless the *owner* provides evidence pursuant to section 30 (1) of the *Homeowner Protection Act* that the proposed building:
- a) is covered by home warranty insurance, and
 - b) the *constructor* is a licensed residential builder
- unless the *owner* is not required to be licensed and to obtain home warranty insurance in accordance with sections 20 (3) or 30 (1) of the *Homeowner Protection Act*.
- 14.3. Every permit is issued upon the condition that the permit shall expire and the rights of the *owner* under the permit shall terminate if:
- a) the work authorized by the permit is not commenced within twelve (12) months from the date of issuance of the permit;
 - b) work is discontinued for a period of twelve (12) months; or
 - c) the work is not completed within two (2) years of the date of issuance of the permit,
- unless the *owner* has been granted an extension by the *Chief Building Official* and has paid the permit extension fee as set out in **Schedule A** of this Bylaw.
- 14.4. The *Chief Building Official* may extend the period of time set out under section 14.3. (a), (b) or (c) where construction has not been commenced or where construction had been discontinued due to adverse weather, strike, material or labour shortages, or to a similar hardship that the *Chief Building Official* considers to be beyond the *owner's* control.
- 14.5. When a site has been excavated under a foundation permit and a building permit is not subsequently issued or a subsisting building permit has expired in accordance with the requirements of subsection 14.3, but without the construction of the *building* or *structure* for which the building permit was issued having commenced, 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 *Chief Building Official* to do so.
- 14.6. Prior to issuance of a building or demolition permit for a complex building, a fire safety plan as per Division B, Section 5.6.1.2(1) of the *BC Fire Code* shall be prepared for the site and submitted to the *Chief Building Official*.

PART 15: PLUMBING PERMITS

- 15.1. Except as provided in subsection 15.4, a plumbing system shall not be constructed, extended, altered, renewed or repaired unless a plumbing permit to do so has been obtained.
- 15.2. Plumbing permits shall be issued only to:
- a) a licensed plumbing contractor; or
 - b) a person to do work in a building, owned by them only as their domestic domicile, provided they have satisfied the authority having jurisdiction that they are competent to perform such work.

- 15.3. A plumbing permit shall not be transferable.
- 15.4. A plumbing permit is not required when:
- a) a stoppage in a drainage system is cleared;
 - b) a leak is repaired in a water distribution system;
 - c) a fixture is replaced without any change to the drainage system; or
 - d) a replacement is made to existing faucets, service water heater, valves, pipes or fittings in a water distribution system.
- 15.5. When a permit is required the work shall not be covered until the system has been tested and inspected. If any part of the system is not approved after it has been inspected or tested, the *owner* shall make any alteration or replacement that is necessary, and the work may be subjected to further inspection or testing.
- 15.6. Prior to calling for a plumbing inspection, all drains and vents shall be completed, and the system filled with water or pressurized air up to the roof or to the highest point of connection to an existing vent. The *Plumbing Inspector* may then certify, if applicable, that the system does not leak and that it is constructed in accordance with the applicable requirements.
- 15.7. Prior to the final inspection, all fixtures and equipment shall be installed and ready for use.
- 15.8. If a fixture has been roughed-in for future use, the outlet shall be sealed with an approved plug or cap.
- 15.9. Connections to potable water systems shall be designed so that non-potable water, foreign matter, foreign chemicals or substances that may render the water non-potable cannot enter the system.
- 15.10. The *Chief Building Official* may issue a plumbing 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 had been provided to the *Village* to demonstrate to the *Chief 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.
- a) 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.
- 15.11. Fixtures discharging sewage that includes fats, oils, grease or grit located in public kitchens, restaurants or any other applicable *occupancy* must be equipped with the appropriate trap or interceptor, complying with Part 7 of the *BC Building Code*.

PART 16: RISK OF FLOOD AND OTHER HAZARDS

- 16.1. If the *Chief Building Official* considers that construction would be on land that is or is likely to be subject to flooding, mud flows, debris flows or torrents, erosion, land slip, rockfalls,

subsidence or avalanche, the *Chief Building Official* may require the owner to provide a report prepared by a professional engineer or geoscientist with experience in geotechnical study and geo-hazard assessments certifying that the land may be used safely for its intended use.

- 16.2. If a report required under subsection 16.1 is not provided, or the engineer or geoscientist determines that the land cannot be used safely for the use intended, a *building permit* may not be issued.
- 16.3. If the engineer or geoscientist certifies that the land may be used safely for the use intended if used in accordance with the conditions specified in the report provided to the *Chief Building Official*, a permit may be issued on the following conditions:
 - a) the owner covenants with the *Village* to use the land only in the manner certified by the engineer or geoscientist as enabling the safe use of the land for the use intended;
 - b) the covenant contains conditions for reimbursing the *Village* for any expenses that may be incurred by it as a result of a breach of the covenant; and
 - c) the covenant is registered under section 219 of the *Land Title Act* (British Columbia).

PART 17: PROFESSIONAL DESIGN AND FIELD REVIEW

- 17.1. When the *Chief Building Official* considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a *registered professional* provide design and plan certification and *field review* by means of letters of assurance in the form of Schedules B and C-B referred to in the *BC Building Code*.
- 17.2. Prior to the issuance of a final *inspection services* report for a *complex building*, or *standard building* in circumstances where letters of assurance have been required in accordance with sections 10.1.(j), 10.2.(e) or 17.1 of this Bylaw, the *owner* shall provide the *Chief Building Official* with letters of assurance in the form of Schedules C-A or C-B as is appropriate, referred to in the *BC Building Code*.
- 17.3. When a *registered professional* provides letter of assurance in accordance with sections 9.1.(l), 10.1.(j), 10.2.(e), 17.1 or 17.2 of this Bylaw, he or she shall also provide proof of professional liability insurance to the *Chief Building Official* in the form as prescribed by the *Chief Building Official*.

PART 18: RESPONSIBILITY OF THE OWNER

- 18.1. Every *owner* shall ensure that all construction complies with the *BC Building Code*, this Bylaw and other applicable enactments respecting safety.
- 18.2. Every *owner* to whom a permit is issued shall be responsible for the cost of repair of any damage to municipal works that occurs in the course of the work authorized on the permit.
- 18.3. If an owner of real property or other responsible person defaults in paying the cost referred to in Section 18.2 to the *Village* within thirty (30) days after receipt of a demand for payment from the *Village*, the *Village* may either recover from the owner or other responsible person, in any court of competent jurisdiction, the costs as a debt to the *Village*, or direct that the amount of the cost be added to the real property tax roll as a charge imposed in respect of work or

service provided to the real property of the owner, and be collected in the same manner as property taxes.

- 18.4. Every *owner* to whom a permit is issued shall, during construction:
- a) Post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;
 - b) Keep a copy of the accepted designs, plans and specifications on the property; and
 - c) Post the civic address on the property in a location visible from any adjoining streets.
 - d) Ensure that the construction site is kept tidy with all construction materials, waste, debris, soil and water from demolition, excavation or construction activity contained within the property boundaries.

PART 19: INSPECTIONS

- 19.1. When a *registered professional* provides letters of assurance in accordance with paragraphs 9.1.(l), 10.1.(k), 10.2.(e) or subsections 17.1 or 17.2 of this Bylaw, the *Village* will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to subsection 17.2 of this Bylaw as assurance that the construction substantially conforms to the design and that the construction substantially complies with the *BC Building Code*, this Bylaw and other applicable enactments respecting safety.
- 19.2. *Registered professional* field review reports must be submitted to the *Chief Building Official* within seven (7) days of the occurrence.
- 19.3. Despite subsection 19.1 of this Bylaw, the *Chief Building Official* may attend the site from time to time during construction to ascertain that the field reviews are taking place and to monitor the field reviews undertaken by the *registered professionals*.
- 19.4. The *Chief Building Official* may periodically attend 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 a substantial conformance with those portions of the *BC Building Code*, this Bylaw and any other applicable enactments concerning safety.
- 19.5. Subject to subsection 19.7, the *owner* or his representative shall obtain an inspection and receive the *Chief Building Official's* acceptance in writing of the following aspects of the work prior to concealing each, as applicable:
- a) footing and foundation, as shown by a survey, prior to and after the placement of formwork;
 - b) perimeter drains and damp proofing;
 - c) plumbing rough-in, below ground;
 - d) plumbing rough-in, above ground;
 - e) hydronic heating system;

- f) under slab insulation;
- g) fire sprinklers
- h) fireplace and chimney;
- i) mechanical ventilation;
- j) framing after all services installed;
- k) rain screen;
- l) paper & wire prior to first coat stucco;
- m) first coat of stucco;
- n) second coat of stucco;
- o) insulation and vapour barrier;
- p) drywall for fire separation in buildings containing secondary suites, multiple residential and multiple commercial occupancies, before tape or filler is applied;
- q) other inspections as required by the *Chief Building Official*.

19.6. The *owner* or his representative shall obtain an inspection and receive acceptance in writing from the *Chief Building Official* or from the person designated by the Manager of Operations of the following aspects of the work prior to concealing each, as applicable:

- a) sanitary and storm sewer; and
- b) water service.

19.7. The requirements of subsection 19.5 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 paragraphs 9.1.(l), 10.1.(k), 10.2.(e), or subsections 17.1 or 17.2 of this Bylaw.

19.8. If any aspect of the work referred to in section 19.5 of this bylaw is concealed prior to the *Chief Building Official* accepting it in writing, the *Chief Building Official* may order that it be uncovered at the *owner's* expense to permit an inspection.

19.9. The following documents, where applicable, must be received and reviewed by the *Chief Building Official* prior to scheduling an inspection:

- a) Forms/Foundation Inspection:
 - i. Building Location Certificate provided by a British Columbia Land Surveyor with elevation for top of concrete for Flood Construction Level (FCL) calculation;
 - ii. Geotechnical Engineer field review for soil bearing;
 - iii. Structural Engineer field review for footings;
 - iv. Structural Engineer field review for foundation walls.
- b) Prior to backfilling:

- i. Geotechnical Engineer field review for rock pit;
 - ii. Geotechnical Engineer field review for site drainage.
- c) Framing/Sheathing Inspection:
- i. Structural Engineer field review;
 - ii. Sealed joist and beam layout;
 - iii. Sealed roof truss layout and sealed truss specifications;
 - iv. Fire Suppression Engineer field review;
 - v. Repair details and sign off by engineer for i-joist and roof truss where required.
- d) Final Inspection:
- i. Structural Engineer Schedule C-B;
 - ii. Geotechnical Engineer Schedule C-B;
 - iii. Fire Suppression Engineer Schedule C-B;
 - iv. 3rd party field report with Schedule B and Schedule C-B for unvented roof spaces;
 - v. Spray foam certification;
 - vi. Septic Engineer Schedule C-B;
 - vii. Sealed drawings with Schedule B and Schedule C-B (Architectural 1.5 & 1.6) for glass guards;
 - viii. Part 5 certification for non-compliant windows, doors and skylights;
 - ix. 3rd party report for energy modelling;
 - x. Mechanical Ventilation Checklist for all dwellings;
 - xi. Decking membrane certification;
 - xii. Copy of electrical and gas permits and notice of completion from Technical safety BC;
 - xiii. Engineering for *retaining walls* with field review, Schedule B, and Schedule C-B;
 - xiv. a sewer/water drawing showing the location of services from the Village connection to the point of entry at the house, triangulated against landmarks or permanent structures;
- e) Any other documents required by the *Chief Building Official*.

PART 20: OCCUPANCY REQUIREMENTS

- 20.1. No person shall occupy a *building* or *structure* or part of a *building* or *structure* unless all life safety systems are complete and a final inspection has been issued in the form of an inspection services report granting interim occupancy.
- 20.2. A final inspection shall not be issued unless:
- a) all letters of assurance have been submitted when required in accordance with sections 9.1.(l), 10.1.(j), 10.2.(e) or subsections 17.1 or 17.2 of this Bylaw; and
 - b) all aspects of the work requiring inspection and acceptance pursuant to subsection 19.5 of this Bylaw have been inspected and accepted or the inspections and acceptance are not required in accordance with subsection 19.6 of this Bylaw.
- 20.3. The *Chief Building Official* may issue a final inspection 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 subsection 20.2 of this Bylaw have been met with respect to it.

PART 21: SITE GRADING AND DRAINAGE

- 21.1. The *owner* of land on which a *building* or *structure* is being constructed must control the site drainage such that other sites are not impacted and in particular:
- a) Each lot must be graded to drain into a municipal drainage system or a natural watercourse without draining onto adjacent lots;
 - b) Areas adjacent to *buildings* shall be graded away from the foundations to prevent flooding;
 - c) Lots lower than adjacent roadways must be provided with storm water management facilities to direct storm runoff to a drainage system approved by the *Chief Building Official* or by the person designated by the Manager of Operations;
 - d) In the case of storm runoff not directed to a municipal drainage system, storm runoff may occur to a natural watercourse by means of sheet flow only, and not by means of swales or pipes or other artificial means.

PART 22: RETAINING STRUCTURES

- 22.1. A *registered professional* shall undertake the design and conduct *field reviews* of the construction of a *retaining wall* greater than 1.2 meters in height.
- 22.2. Sealed copies of the design plan and *field review* reports prepared by the *registered professional* for all *retaining walls* greater than 1.2 meters in height shall be submitted to the *Chief Building Official* prior to acceptance of the works.

PART 23: SWIMMING POOLS

- 23.1. A person must not construct or structurally repair a swimming *pool* without a valid building permit.
- 23.2. A swimming *pool*, including a spa or hot tub must be enclosed within a fence constructed without footholds or grips that children may use to climb into the enclosed area, having a minimum height of 1.5 metres and no openings greater than 100 mm at their least dimension.
- 23.3. *Pool* plumbing shall be arranged so that *pool* water cannot enter any water supply line and once having been drained from the *pool* cannot be returned to the *pool* without filtering, and so that sewage from any sanitary sewer or sewage disposal system cannot enter the *pool* or the *pool* filtering system.
- 23.4. In addition to information otherwise required by this Bylaw, an applicant for a permit to construct a *pool* shall provide a scaled plan showing the location, enclosure details, depth and dimensions of the *pool* and its structural details, and all water supply piping and appurtenances.
- 23.5. Access through a fence enclosing a swimming *pool*, spa or hot tub must be only through a self-closing and self-latching gate designed and constructed or installed so as to cause the gate to return to a closed position when not in use and secured by a latch located on the swimming *pool*, spa or hot tub side of the gate.

- 23.6. In lieu of a fence, a spa or hot tub may be covered with a locking cover which would prevent unauthorized access to the water.
- 23.7. A person must not use or occupy a swimming *pool*, including a spa or hot tub, unless the owner or occupier of property on or in which a pool, spa or hot tub is located maintains every fence or cover required under sections 21.2 to 21.6 of this Pat 21 in good order.

PART 24: BC ENERGY STEP CODE REQUIREMENTS

24.1. Effective January 1, 2020:

- a) Any residential *building* regulated by Part 9 of the *BC Building Code*, excluding manufactured homes, must be designed and constructed to meet the minimum performance requirements of Step 3 of the *Energy Step Code*.
- b) Any commercial *building* regulated by Part 9 of the *BC Building Code* must be designed and constructed to meet the minimum performance requirements specified in Step 2 of the *Energy Step Code*.

24.2. Effective January 1, 2021:

- a) Any residential *building* regulated by Part 9 of the *BC Building Code*, excluding manufactured homes, must be designed and constructed to meet the minimum performance requirements specified in Step 4 of the *Energy Step Code*.
- b) Any commercial *building* regulated by Part 9 of the *BC Building Code* must be designed and constructed to meet the minimum performance requirements specified in Step 3 of the *Energy Step Code*.

PART 24: SITE SERVICES

- 24.1. The minimum depth of bury for water services shall be 1.8 meters (6 feet) unless the *owner* provides the *Chief Building Official* with evidence that a lesser depth will not increase the risk of freezing.
- 24.2. The minimum depth of bury for sanitary sewer and storm drain services shall be 1.2 meters (4 feet) unless the *owner* provides the *Chief Building Official* with evidence that a lesser depth will not increase the risk of freezing.
- 24.3. When required by a *Chief Building Official* or by the person designated by the Manager of Operations, the *owner* or the *owner's* agent shall submit to the *Chief Building Official* a record drawing showing the installation of potable water service, sanitary sewer service and storm drain service installations and indicating sizes and types of material and all fittings and references for cleanouts triangulated to substantially permanent landmarks such as building foundations, hydro kiosks and the like.

PART 25: SURVEYOR'S OR SITE IMPROVEMENT CERTIFICATES

- 25.1. Prior to the placing of concrete in forms for the foundations for a *building* or *structure*, the owner must ensure that the location of the forms in relation to Land Title Office plans and B.C.L.S. monuments property lines, easements, or rights-of-way have been established by a B.C.L.S or a certified member of R.S.I.S.

- 25.2. Prior to the occupancy of a *building* or *structure*, the owner must ensure that the location of the foundations in relation to Land Title Office plans and B.C.L.S. monuments property lines, easements, or rights-of-way have been established by a B.C.L.S. or a certified member of the R.S.I.S.
- 25.3. The site improvement surveys required in subsections 25.1 and 25.2 of this Bylaw must show:
- a) the shortest distances from the outer surfaces of the foundations of the *building* or *structure* on the property to the adjacent property lines, easements, or rights-of-way; and
 - b) the elevation of the applicable aspect of the floor system in relation to a flood reference, where the *Village's* land use regulations establish siting requirements related to flooding.

PART 26: STOP WORK ORDER

- 26.1. The *Chief Building Official* may order the cessation of any work that is proceeding in contravention of the *BC Building Code* or this Bylaw by posting a Stop Work notice in the form prescribed by the *Village*.
- 26.2. The *owner* of property on which a Stop Work notice has been posted, and every other person, shall cease all construction work immediately and shall not do any work until all applicable provisions of this Bylaw and any other applicable bylaw have been substantially complied with and the Stop Work notice has been rescinded in writing by a *Chief Building Official*.
- 26.3. Where a person occupies a *building, structure, temporary building* or *farm building* or part of a *building* or *structure* in contravention of this Bylaw a *Chief Building Official* may post a Do Not Occupy notice in the form prescribed by the *Chief Building Official* or *Corporate Officer* on the affected part of the *building* or *structure*.
- 26.4. The *owner* of property on which a Do Not Occupy notice has been posted, and every person, shall cease *occupancy* of the *building* or *structure* immediately and shall refrain from further occupancy until all applicable provisions of the *BC Building Code* and this Bylaw and any other applicable bylaw have been substantially complied with and the Do Not Occupy notice has been rescinded in writing by a *Chief Building Official*.
- 26.5. Every person who commences work requiring a building permit without first obtaining such a permit shall, if a Stop Work notice is issued and remains outstanding for thirty (30) days, pay a fee of \$1,000 in addition to the building permit fee as set out in **Schedule A** of this Bylaw prior to obtaining the required building permit.

PART 27: PENALTIES AND ENFORCEMENT

- 27.1. Any person who:
- a) contravenes any provision of this bylaw;
 - b) fails to comply with any order or notice issued by the *Chief Building Official*;
 - c) causes or allows any act or thing to be done in contravention of any provision of this bylaw;
- or

d) fails or neglects to do anything required to be done by any provision of this bylaw
commits an offence, and each day that the offence continues constitutes a separate offence.

27.2. A person found guilty of an offence under this bylaw is liable if:

- a) proceedings are brought under the *Offence Act (B.C.)*, to pay a fine to maximum of \$10,000 and such other amounts as the court may impose in relation to the offence;
- b) a ticket is issued under the Village of Pemberton Municipal Ticket Information Utilization Bylaw No. 845, 2018, as amended or replaced from time to time, to pay a fine to a maximum of \$1,000;
- c) a bylaw notice is issued under a bylaw made under the *Local Government Bylaw Notice Enforcement Act*, to pay a penalty to a maximum authorized under that *Act*.

27.3. The *Chief Building Official* may enforce the provisions of this Bylaw.

PART 28: REPEAL AND SCHEDULES

28.1. The following bylaw and its amendments are hereby repealed:

- a) Village of Pemberton Building Bylaw No. 694, 2012
- b) Building Bylaw Amendment (Farm Building Exemption) Bylaw No. 754, 2014

28.2. **Schedule A** is attached and forms part of this Bylaw.

READ A FIRST TIME this 9th day of July, 2019.

READ A SECOND TIME this 9th day of July, 2019.

READ A THIRD TIME this 9th day of July, 2019.

ADOPTED this 30th day of July, 2019.

Mike Richman
Mayor

Sheena Fraser
Corporate Officer

Schedule A
Permit and Inspection Fees & Deposits

Bylaw Section	Fee Type	Fee	Unit
13.1	Building Permit Fees		
	Building permit*	\$10.00	/ \$1,000 of value of construction or fraction thereof up to \$100,000
		\$7.00	/ \$1,000 of construction valuation or fraction thereof in excess of \$100,000
		\$75	Minimum fee per permit
26.5	Additional fee if Stop Work Notice issued prior to issuance of building permit and remains outstanding for 30 days or more	\$1,000	permit
13.1	Other Permit Fees		
	Temporary building permit	\$300	building or structure
	Excavation permit	\$250	building or structure
	Foundation Permit	\$250	Building or structure
	Demolition permit	\$160	building or structure
	Relocation permit (plus cost of capping off Village services)	\$160	building or structure
	Solid fuel burning device permit	\$75	Per device
	Fire suppression system permit	\$3	sprinkler head
		\$75	minimum fee per system
	Fire detection and alarm system permit	\$75	system
	Plumbing permit	\$15.00	fixture
		\$90	minimum fee per permit
	Masonry permit	\$75	flue
	Retaining wall permit	\$75	retaining wall
	Swimming pool permit	\$250	swimming pool
13.2	Plan Processing Fee**		
	Standard building	\$300	building or structure
	Complex building	25% of permit fee	building or structure

Bylaw Section	Fee Type	Fee	Unit
	Farm building	\$150	Building or structure
	Temporary building	\$150	Building or structure
13	Inspection Fees		
13.4	Re-inspection	\$100	inspection
13	Administrative and Miscellaneous Fees & Security		
	Large format copy or scan (maps & plans)	Costs + 10% + applicable taxes	
	Professional design fee reduction if all aspects of the building or structure are certified in compliance with the BC Building Code and final Schedule C's for all disciplines are submitted prior to occupancy	-5% of permit fee	
	Covenant Preparation	\$100 + costs + 10% + applicable taxes	
	Building Regulation Notice Against Title (Land Title and Survey Authority) Notice application/removal and administrative and registration Fees	\$500	notice
13.3	Security deposit for site services as-built drawings	\$1,000	building permit
13.5	Miscellaneous services not otherwise listed	\$100 + applicable taxes	hour
13.6	Reactivate an expired permit	\$150	permit
13.7	Building permit extension	\$100	permit
13.8	Plan revision after submission of building permit application	\$100 + applicable taxes	hour
		\$25 minimum fee	
13.9	Security deposit for temporary building permit	\$5,000 deposit	permit
13.10	Security deposit for foundation permit	\$1,000 deposit	permit
13.11	Security deposit for work proposed on lands within 10 metres of Village works, single-family or duplex	\$2,500 deposit	lot
	Security deposit for work proposed on lands within 10 metres of Village works, multi-family residential	\$1,000 deposit	unit
	Security deposit for work proposed on lands within 10 metres of Village works, other than residential	\$5,000 deposit	permit
18.2	Repair to damaged Village works	Costs + 10% + applicable taxes	

*Valuation of Construction for a building or structure is the value of construction declared by the applicant on the building permit application, or if the *Chief Building Official* is of the view that the construction value declared is not accurate, the value based on the current edition of *Marshall and Swift Residential Cost Handbook*, Marshall Valuation Services, or other current valuations reasonably appropriate to the type of construction as determined by the *Chief Building Official*.

** Non-refundable fee due at time of application.