

DISTRICT OF TUMBLER RIDGE

BYLAW NO. 522, 2007

*A Bylaw to regulate the construction, alteration,
Repair demolition or moving of buildings and pools and the
Installation, alteration or repair of plumbing in
The District of Tumbler Ridge.*

The District of Tumbler Ridge in open meeting assembled enacts as follows:

SECTION 1 – GENERAL

This bylaw may be cited for all purposes as **Tumbler Ridge Building/Plumbing Bylaw No. 522, 2007.**

1.1 DEFINITIONS

For the purpose of this Bylaw:

- agent** means a person authorized in the manner prescribed in Schedule "D" by an **owner** to represent the **owner** for the purposes of this Bylaw.
- building** means any **structure** used or intended for supporting or sheltering any use or **occupancy**, as well as any:
a). foundations and supporting structures for;
 (i) manufactured homes
 (ii) equipment or machinery or both, and
b) mechanical devices, plumbing fixtures, septic tanks and sewer connections and equipment, gas or oil piping and fittings, heating equipment and air conditioning equipment.
- Building Code** means the British Columbia Building Code - 2006 .
- Building Official** includes a person or persons designated by The District as a Building Inspector, Plumbing Inspector, or Plan Checker, and includes the supervisors for these positions.
- Complex building** means
a) all buildings used for major occupancies classified as assembly occupancies, care or detention occupancies, high hazard industrial occupancies; and
all buildings exceeding 400 square metres in building area or exceeding three storey's in building height used for major occupancies classified as residential occupancies, business and personal service occupancies, mercantile occupancies, medium and low hazard industrial occupancies, and farm buildings.
- construction** means to put together, build, frame, erect or form, by joining parts or to remove or demolish, including without limitation, any **building, structure**, improvement or thing and including, without limitation, plumbing systems.
- dwelling unit** means one or more habitable rooms containing only one facility for cooking and eating, as well as facilities for living and sleeping, a bathroom or bathrooms, and which is designed or intended to be occupied by one or more persons as a single unit.
- Council** means the Council of the District of Tumbler Ridge.

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| Damage | Includes the placement or deposit of any material, structure, object or substance upon District property. |
| District | means the District of Tumbler Ridge. |
| Estimated Construction Value | means the estimated market value of construction which is subject to a permit as established by the Building Inspector based upon available construction cost data for materials and labour as per the current edition of Marshal Valuation Service and Swift Residential Cost Handbook. |
| Duplex | means two dwelling units separated by a common wall. |
| Farm Buildings | 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 farming equipment, livestock or the production, storage or processing of agricultural and horticultural produce and feeds. |
| Health and safety aspect of the work | means design and construction regulated by Part 3, Part 4, 5, 6, Part 7 and Sections 9.4, 9.8, 9.7, 9.9, 9.10, 9.12, 9.13, 9.14, 9.15, 9.17, 9.18, 9.20, 9.21, 9.22, 9.23, 9.24, 9.25, 9.31, 9.32, 9.33, 9.34, and 9.35 of Part 9 of the Building Code . |
| Manufactured Home | means any structure containing one single-family dwelling whether ordinarily equipped with wheels or not that is designed, constructed, or manufactured to be moved from one place to another by being towed or carried but does not include travel trailers, campers, or other vehicles which are exempt from the provisions of the Manufactured Home Act CSA – A277, Z240 and BC Registration No. 1. |
| Modular Home | means any structure containing one single-family dwelling that is a factory built home built in compliance with local building codes. The homes are typically shipped to the site in two or more sections. The homes do not have an integrated steel frame. |
| Multi-family residential structure | means a single building containing three or more separate dwelling units . |
| Municipality | means the area within the District's boundaries |
| Municipality Property | includes all road allowances, land easements, with all works and appurtenances therein and thereon. |
| Non complex building | means buildings of three storeys or less in building height , having a building area not exceeding 400 square metres and used for major occupancies classified as residential occupancies, business and personal services occupancies, mercantile occupancies or medium and low hazard industrial occupancies and farm buildings . |
| Operations Manager | includes any person appointed by the Operations Manager to act on his/her behalf. |
| Owner | includes the owner's agent or representative |
| Permit | means a permit issued pursuant to the provisions of this Bylaw. |
| 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, and retaining structures less than 1.2 metres in height. |

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| Person | includes a natural person, his heirs, executors, administrators or assigns, a firm, corporation, municipal or quasi-municipal corporation, school board, hospital board or other government or government agency. |
| Professional Design | means the plans and supporting documents bearing the seal and/or stamp of the professional designer. |
| Professional Designer | means a person who is registered in the Province of British Columbia as a member in good standing of the Architectural Institute of B.C. or the Association of Professional Engineers and Geoscientists of B.C. |
| Professional Field Review | means the inspection of work at a construction site by or under the supervision of a professional designer in order to ascertain that the works conform to the accepted plans returned with the approved building permit for the building and includes certification of conformance to all BC Building/Plumbing Codes by the professional designer. |
| Professional Plan Certification | means certification by a professional designer that the plans submitted with an application for a building permit comply with the Building Code and other applicable enactments respecting safety. |
| Real Property | means land together with all improvements which have been affixed to the land so as to make them part of the land. |
| Sewer Use Contract | means a contract issued pursuant to Section 10 of the "Sewer Regulation and Special Rate Bylaw 22, 1982". |
| Stop Work Notice | means a notice in writing to cease all activity related to construction on Real Property. |
| Treasurer | means the person duly appointed as such by the Council and includes any person appointed or designated by the Treasurer to act on his/her behalf. |
| Work related to Construction | includes, without limitation, excavation, soil removal, land clearing, debris removal and municipal property clean-up. |

Any bolded words or phrases not defined in Sub-section 1.1 of this Bylaw shall have the meaning given to them in the **Building Code**.

1.2 PURPOSE OF BYLAW

- 1.2.1 This Bylaw shall, notwithstanding any other provision herein, be interpreted in accordance with this Section.
- 1.2.2 This Bylaw is enacted for the purpose of regulating construction within the Municipality in the general public interest. The activities undertaken by or on behalf of The District pursuant to this Bylaw are for the sole purpose of providing a limited review for health, safety and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of this Bylaw extend to:
 - 1.2.2.1 the protection of the **owners**, owner/builders or **constructors** from economic loss;
 - 1.2.2.2 the assumption by The District of responsibility for ensuring the compliance by any **owners** or any employees, **constructors** or **designers** retained by him or her, with the **Building Code**, the requirements of this Bylaw or any other applicable code or standard;
 - 1.2.2.3 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;

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- 1.2.2.4 providing a warranty or assurance that **construction** undertaken pursuant to a **building permit** issued by The District is free from latent or any defects or complies with this Bylaw.

1.3 PERMIT CONDITIONS

- 1.3.1 A **permit** is required whenever matters regulated under this Bylaw are to be undertaken.
- 1.3.2 Neither the issuance of a **permit** under this Bylaw nor the acceptance or review of plans, drawings, or specification or supporting documents, nor any inspections made by or on behalf of The District shall in any way relieve the **owner** from full and sole responsibility to perform the work in strict accordance with the **Building Code**, this Bylaw and all other codes, standards and applicable enactments.
- 1.3.3 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**, this Bylaw and all other applicable codes, standards and enactments.
- 1.3.4 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 District constitute in any way a representation, warranty, assurance or statement that the **Building Code**, this Bylaw or any other applicable codes, standards or enactments have been complied with.

SECTION 2 – SCOPE AND EXEMPTIONS

- 2.1 This Bylaw applies to the Municipality as described in the Letters Patent, as amended from time to time, for the design, **construction** and **occupancy** of new **buildings** and **structures**, and the alteration, reconstruction, demolition, removal, relocation and **occupancy** of existing **buildings** and **structures**.
- 2.2 The provisions of this Bylaw do not apply to the matters exempted by Part 1 of the **Building Code** except as provided herein.
- 2.3 The provisions of this Bylaw do not apply to retaining walls except those referenced in Section 20 – Retaining Structures.
- 2.4 The provisions of this Bylaw apply to all fences and Section 19 – Swimming Pools.
- 2.5 The provisions of this Bylaw do not apply to the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, or the replacement of fixtures when such repairs do not exceed \$1,000 in value and do not involve or require the rearrangement of valves and pipes.
- 2.6 No person shall commence or continue the construction of any building or structure, nor place any manufactured home or modular home upon any foundation, except in accordance with a valid permit.
- 2.7 (a) No occupancy permit shall be issued for any building or part thereof that has been constructed, wrecked, altered or moved until the building or part thereof complies with the health, safety and zoning requirements of the bylaws of the District or of any Enactment.
- (b) No permit shall be issued for an alteration, addition, or repair to a building which is deficient in means of egress, provisions of air, light and/or ventilation or which is structurally defective, unless such deficiency is corrected at the time of such alterations, addition or repair.
- (c) No permit is required for the following:
- (i) a temporary on-site construction trailer for a project being constructed under valid permits;
 - (ii) farm buildings constructed in accordance with the National Farm Building Code of Canada, 1995;

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SECTION 3 – PROHIBITIONS

3.1 Unless otherwise permitted elsewhere in this Bylaw:

- 3.1.1 No person shall commence or continue any **construction**, alteration, extension, structural repair, health or safety repair, placement of any **building** or **structure** or other work related to **construction**, including work described in Section 1.1.2 of the **Building Code**, unless a valid and subsisting **permit** has been issued for the work by a **Building Official**.
- 3.1.2 No person shall, unless exempt by section 2 of this Bylaw, commence or continue **construction**, the connection, installation, alteration or repair of plumbing, sewers, drains, tanks, pumps, heating and air conditioning equipment and similar works unless a valid and subsisting **permit** has been issued for the work by a **Building Official**.
- 3.1.3 No person shall demolish or remove a **building** or **structure** or any portion thereof, unless a valid and subsisting permit has been issued for the demolition by a **Building Official** and all taxes have been paid up to date.
- 3.1.4 No person shall occupy or use any **building** or **structure** unless a valid and subsisting **occupancy permit** has been issued by a **Building Official** for the **building** or **structure**, or occupy or use any building or structure contrary to the terms of any **occupancy permit** issued or any notice given by a **Building Official**.
- 3.1.5 No person shall, unless authorized by a **Building Official**, reverse, alter, deface, cover, remove or in any way tamper with any notice, **permit** or certificate posted by a **Building Official**, or required to be posted by a **Building Official** upon or affixed to any **building** or property pursuant to this Bylaw.
- 3.1.6 No person shall commence or continue any work that is at variance or contrary to the authorized descriptions, plans and specifications of a **building**, work or thing for which a **permit** has been issued, unless that variance has been authorized in writing by a **Building Official**.
- 3.1.7 No person shall obstruct the entry of a **Building Official** on any land, **building** or premises.
- 3.1.8 No person shall move or cause any **Manufactured Home** to be moved into the **Municipality** except a Manufactured Home built to Canadian Standards Association standards A277, Z240 unless a valid and subsisting **Building Permit** authorizes the move and the Manufactured Home has a BC Registration number and is less than ten years old from the date of manufacture.
- 3.1.9 No person shall move or cause any **building** to be moved in the **Municipality** without first obtaining a **permit** for the work on the site to which the **building** is to be moved.
- 3.1.10 No person shall occupy a **building** or portion of a **building** after a change in class of **occupancy** of the **building** or part of it unless the requirements of Section 16 – Occupancy Permits have been complied with and the **building** complies with the health and safety requirements of the **Building Code**, the Bylaws of the **District** or any statute for the new **occupancy**.
- 3.1.11 (a) No person shall install, permit or maintain an outdoor wood burning or coal burning furnace or boiler on any property within the Municipality. This includes municipal sub divisions and commercial and industrial parks.
(b) No person shall install or maintain a wood burning or coal burning furnace or boiler in any accessory building on any property within the Municipality . This includes municipal sub divisions and commercial and industrial parks.
(c) The Building Official may assess and approve the use of wood burning furnaces or boilers on an individual basis for properties of two hectares or more in size in rural areas

SECTION 4 – BUILDING OFFICIALS

4.1 A **Building Official** may:

- 4.1.1 administer this Bylaw;
- 4.1.2 keep records of applications received for **permits** issued, inspections and tests made, and shall retain copies of papers and documents connected with the administration of this Bylaw as required by The District's retention policy;

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- 4.1.3 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** conform to the requirements of the **Building Code** and this Bylaw .
- 4.2 All applications, **permits**, plans, records or documents submitted to or kept by the **Building Official** are the property of The District and shall not be available for public viewing, except to the extent permitted under the Freedom of Information and Protection of Privacy Act.
- 4.3 Section 4.1 creates no obligations other than to the **District**.
- 4.4 **A Building Official:**
 - 4.4.1 may enter any land, **building** or **structure** at any reasonable time for the purpose of ascertaining that the regulations of this Bylaw are being observed, provided that reasonable steps are taken to notify the owner of the property first;
 - 4.4.2 where any residence is occupied, shall, except in emergency situations, obtain the consent of the occupant or provide written notice 24 hours in advance of entry; and
 - 4.4.3 shall carry proper credentials confirming that person's status as a **Building Official**.
- 4.5 **A Building Official** may order the correction of any work which is being done or has been done in contravention of District Bylaws, or the Building Code.
- 4.6 **A Building Official** may order all work stopped that is in contravention of this Bylaw.

SECTION 5 - APPLICATIONS

Every person shall apply for and obtain:

- 5.1.1 a **building permit** before **constructing**, repairing or altering a **building** or **structure**;
- 5.1.2 a moving **permit** before moving a **building** or **structure**;
- 5.1.3 a demolition **permit** before demolishing a **building** or **structure**;
- 5.1.4 a plumbing **permit** before **constructing**, repairing or altering a plumbing system;
- 5.1.5 a fireplace and chimney **permit** prior to **construction** of a masonry fireplace or the installation of a wood burning appliance or chimney unless the works are encompassed by a valid **building permit**.
- 5.2 All plans submitted with **permit** applications shall bear the name and address of the **designer** of the **building**, **structure** or **plumbing**.
- 5.3 Each **building** or **structure** to be **constructed** placed, altered, extended or repaired on a site requires a separate **building permit** 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" to this Bylaw, except in the case of **buildings** in a phased condominium or similar project involving multiple **buildings** on a single site, where a single permit may be issued for more than one **building** or **structure**.
- 5.4 Each application shall state the estimated market value of the proposed **construction**. In calculating the market value of the proposed work, the market value of that portion of the proposed work which is cladding repair or replacement necessitated by water penetration of an existing multi-family residential structure shall not be taken into account. The applicant must establish, by way of an opinion certified by a **Registered Professional**, that the cladding repair or replacement is necessitated by water penetration into an existing multi-family residential **structure**.
- 5.5 Where the source of water supply is from other than a community water system (e.g., a spring, lake, river, creek, or well) The applicant must provide proof of a minimum of 4500 liters per day of potable water supply.

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SECTION 6 – APPLICATIONS FOR COMPLEX BUILDINGS

- 6.1 An application for a **building permit** with respect to a **complex building** shall:
- 6.1.1 be made in the form established and provided by the **Building Official**.
 - 6.1.2 be accompanied by the **owner's** acknowledgment of responsibility and undertaking made in the form attached as Schedule "C" to this Bylaw, signed by the **owner**, or a signing officer if the owner is a **corporation**.
 - 6.1.3 include a copy of a title search made within 30 days of the date of the application;
 - 6.1.4 include a site plan prepared by a British Columbia Land Surveyor or Professional Engineer showing:
 - 6.1.4.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - 6.1.4.2 the legal description and civic address of the parcel;
 - 6.1.4.3 the location and dimensions of all statutory rights of way, easements and setback requirements;
 - 6.1.4.4 the location and dimensions of all existing and proposed **building** and **structures** on the parcel;
 - 6.1.4.5 setbacks to the natural boundary of any river, lake, swamp, pond or watercourse where there are applicable siting requirements related to flooding;
 - 6.1.4.6 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 there are applicable site requirements related to minimum floor elevation;
 - 6.1.4.7 the location, dimension and gradient of parking and driveway access, boulevard, trees, overhead wire, street lights, pole, power boxes, and fire hydrant locations;
 - 6.1.5 floor plans, dimensions and uses of all areas; dimensions and height of crawl and roof spaces; location, size and swing of doors; location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; fire exits; and stair dimensions;
 - 6.1.6 a cross section through the **building** or **structure** illustrating foundations, drainage, ceiling heights and **construction** systems;
 - 6.1.7 elevations of all sides of the **building** or **structure** showing finish details, roof slopes, windows, doors, and finished grade;
 - 6.1.8 cross sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the **building** or **structure** conforms to the **Building Code**;
 - 6.1.9 copies of approvals required under any enactment relating to health or safety, including, without limitations, sewage disposal **permits**, highway access **permits** and Ministry of Health approval;
 - 6.1.10 a Letter of Assurance in the form (Schedule A refers to fees) 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**;
 - 6.1.11 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**;
 - 6.1.12 three sets of drawings and specifications, if necessary, at an appropriate scale of the design prepared by each **Registered Professional** and including the information set out in Sections 6.1.5, 6.1.6, 6.1.7 and 6.1.8 of this Bylaw;
 - 6.1.13 completed, signed and sealed **Building Code** analysis in a form provided by a **Building Official**.
- 6.2 In addition, 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.
- 6.2.1 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 Tumbler Ridge Land Use Bylaw 12 and Development Procedures Bylaw**;

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- 6.2.2 a section through the site showing **grades, buildings, structures, parking areas and driveways;**
- 6.2.3 any other information required by the **Building Official** or the **Building Code** to establish compliance with this **Bylaw**, the **Building Code** and other **bylaws and enactments** relating to the **building or structure.**

- 6.3 A **Building Official** may accept plans with less detail for an application to undertake minor repairs or alterations to **complex buildings.**

SECTION 7 – APPLICATIONS – NON COMPLEX BUILDINGS

- 7.1 An application for a **building permit** with respect to a **non complex building** shall:
 - 7.1.1 be made in the form established and provided by a **Building Official;**
 - 7.1.2 be accompanied by the **owner's** acknowledgment of responsibility and undertakings made in the form attached as Schedule "C" to this Bylaw, signed by the **owner**, or a signing officer if the **owner** is a corporation;
 - 7.1.3 include a copy of a title search made within 30 days of the date of the application;
 - 7.1.4 include two site plans prepared by a British Columbia Land Surveyor or Professional Engineer showing:
 - 7.1.4.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - 7.1.4.2 the legal description and civic address of the parcel;
 - 7.1.4.3 the location and dimensions of all statutory rights of way, easements, covenant requirements, setback requirements on the land on which the building is to be situated.
 - 7.1.4.4 the location and dimensions of all existing and proposed **buildings or structures** on the parcel of land or adjacent to the lot.
 - 7.1.4.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where there are applicable siting requirements related to flooding;
 - 7.1.4.6 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 there are applicable siting requirements related to minimum floor elevation;
 - 7.1.4.7 the location, dimension and gradient of parking and driveway access;
 - 7.1.4.8 the location of water service, sewer service, storm water service and site collection system, vehicle access to a roadway, firefighting access, parking, landscaping and screening requirements as required by **The District of Tumbler Ridge Zoning Bylaw** or **The District of Tumbler Ridge Land Use Bylaw 12, Development Procedures Bylaw** or the **Building Code;**
 - 7.1.4.9 the grades and elevations of the streets and sewers abutting the land boulevard, trees, overhead wires, street lights, pole locations, fire hydrants, hydro distribution boxes and parking area drainage showing all sumps, catch basins, and all elevations relative to out flow.
 - 7.1.5 include floor plans to scale of ¼" – 1'0" or 1:50 showing the minimum 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 window; floor, wall, and ceiling finishes; plumbing fixtures; location of electrical outlets, structural elements and stair dimensions;
 - 7.1.6 include a cross section through the **building or structure** illustrating foundations, drainage, ceiling heights and **construction** systems showing that the lot will conform to the Vertical Building Envelope;
 - 7.1.7 include elevations of all sides of the **building or structure** showing finish details, roof slopes, windows, doors, spatial calculations and finished grade;
 - 7.1.8 include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the **building or structure** conforms to the **Building Code** and complies with District of Tumbler Ridge bylaws, covenants and contracts;

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- 7.1.9 include copies of approvals required under an enactment relating to health or safety, including, without limitation:
- 7.1.9.1 an approved connection to The District's sewer system or a Province of British Columbia sewage disposal **permit**;
 - 7.1.9.2 proof of potable water through an approved application for water from The District a Province of British Columbia water license; or a well log;
 - 7.1.9.3 an approved catch basin system and lawn drain system or acceptable site drawings as determined by the; Operations Manager.
 - 7.1.9.4 highway access acceptable to The District and Province of British Columbia highway access **permit** where required by Provincial Legislation; Province of British Columbia Health Regulations regarding Food Premises Regulations, Frozen Food Locker Plant Regulation, Slaughter House Regulations, Personal Services Establishment Guidelines, public pools and spas;
 - 7.1.10 Include a foundation design that complies with Section 9.4.4 of Part 9 of the **Building Code** and the foundation excavation complies with Section 9.12 of Part 9 of the **Building Code**.
 - 7.1.11 include two copies of sets of drawings at a scale of 1/4" – 1'0" or 1:50 of the design including the information set out in Sections 7.1.4, 7.1.5, 7.1.6, 7.1.7, 7.1.8 and 7.1.10 of this Bylaw.
- 7.2 In addition to the requirements of Section 7.1, the following may be required by a **Building Official** to be submitted with a **building permit** application for the **construction of non-complex buildings** where the project involves two or more **buildings**, which in the aggregate total more than 800 square metres, or two or more **buildings** that will contain three or more **dwelling units**, or otherwise where the complexity of the proposed **building or structure** or siting circumstances warrant:
- 7.2.1 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 Tumbler Ridge Land Use Bylaw 12 and Development Procedures Bylaw**;
 - 7.2.2 a section through the site showing grades, **buildings, structures**, parking areas and driveways;
 - 7.2.3 a roof plan and roof height calculations;
 - 7.2.4 structural, electrical, mechanical or fire suppression drawings prepared and sealed by a **Registered Professional**;
 - 7.2.5 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**;
 - 7.2.6 any other information required by the **Building Official** or the **Building Code** to establish compliance with this Bylaw, the **Building Code** and other bylaws and enactments relating to the **building or structure**.
- 7.3 A **Building Official** may accept plans with less detail for an application to undertake minor repairs or alterations to **non complex buildings**.

SECTION 8 – APPLICATIONS GENERAL

- 8.1 An application for a plumbing **permit** shall:
- 8.1.1 be in the form established and provided by the **Building Official**. Requirements for issuance shall require a valid BC Tradesman's Qualification Certificate;
 - 8.1.2 in the case of commercial, industrial, institutional **buildings** or residential **buildings** containing three or more **dwelling units**, be accompanied by a plan drawn to a scale that shows to the satisfaction of a **Building Official**, the proposed works and the location and size of every **building** drain and of every trap or inspection piece on a **building** drain, a sectional drawing showing the size and location of every soil or waste pipe, trap and vent pipe, and a schematic drawing showing water distribution system layout and sizing;

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8.1.3 in the case of plumbing being installed in a **complex building**, Schedule B-1 and B-2 are required to be submitted by a **Registered Professional**.

- 8.2 An application for a demolition **permit** shall be made in the form established and provided by the **Building Official** and includes the fees established in Schedule "A". An application for a demolition permit shall include confirmation that no vermin are present in the building.
- 8.3 An application for a **Permit** to move a **building** shall be made in the form established and provided by the **Building Official** and shall contain sufficient information to satisfy the **Building Official** that the proposed work will comply with the requirements of Section 17 of this Bylaw. A **permit(s)** authorizing **construction** required to bring the **building** into a healthy, safe and bylaw compliant state must be attached to the application. The application must include the application fee set out in Schedule "A".

SECTION 9 – PROFESSIONAL PLAN CERTIFICATION

- 9.1 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 providing pursuant to Sections 6.1.11, 7.2.5, 13.1, and 13.3 of this Bylaw are relied upon by The District and its **Building Officials** as certification that the design and plans to which the Letters of Assurance relate comply with the **Building Code** and other applicable enactments relating to safety.
- 9.2 A **building permit** issued for the **construction** of a **complex building**, or for a **non complex building** for which a **Building Official** required professional design pursuant to Section 7.2.4 and Letters of Assurance pursuant to Section 7.2.5, or Section 13.1 and 13.3 of this Bylaw, shall be in the form provided by the **Building Official**.
- 9.3 A **building permit** issued pursuant to Section 9.2 of this Bylaw shall include a notice to the **owner** that the **building permit** is issued in reliance upon the certification of **egistered 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.
- 9.4 When a **building permit** is issued in accordance with Section 9.2 of this Bylaw the permit fee shall be reduced by 2.5% of the fees payable pursuant to Schedule "A" to this Bylaw, up to a maximum reduction of \$500.00 but not less than the minimum Permit cost.

SECTION 10 – PERMITS

- 10.1 A **Building Official** shall issue the **permit** for which the application is made when:
- 10.1.1 a completed application, including all required supporting documentation has been submitted;
 - 10.1.2 a review of the proposed work set out in the application has been undertaken in relation to the **Building Code**, this bylaw and all other applicable bylaws and statutes and, in the case of **non complex buildings**, the **Building Code**;
 - 10.1.3 the applicant has paid the fees prescribed in Schedule "A" to this Bylaw;
 - 10.1.4 **the owner**, or signing officer if the **owner** is a corporation, and the coordinating **Registered Professional**, if applicable, has signed the permit;
 - 10.1.5 the applicant indicates that all charges have been paid and all requirements have been met that are imposed by any other statute or bylaw;
 - 10.1.6 no covenant or agreement in favor of **the District** authorizes a **permit** to be withheld;
 - 10.1.7 there is assurance given that the portion of the **construction** involving a plumbing system shall be installed by plumber holding valid BC Tradesman's Qualification Certification, or an **owner** and resident of a **dwelling unit**, will install, alter or repair plumbing in his **dwelling unit** or related accessory **building**; and
- 10.2 A **Building Official** shall not issue the **permit** unless:

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- 10.2.1 when the application is in respect of a **building** that includes, or will include, a **residential occupancy**, the **owner** provides evidence pursuant to Section 30(1) of the **Homeowner Protection Act**, SBC 1998 Chapter 31, and amendments thereto, that the proposed **building**:
- 10.2.1.1 is covered by home warranty insurance, and
 - 10.2.1.2 the **constructor** is a licensed residential builder.
 - 10.2.1.3 Section 10.2.1 of this Bylaw does not apply if the **owner** is not required to be licensed or to obtain home warranty insurance in accordance with Section 20(1) or 30(1) of the **Homeowner Protection Act**, SBC 1998 Chapter 31, and amendments thereto.
- 10.3 A **permit** shall expire and the rights of the **owner** under the **permit** shall terminate when:
- 10.3.1 the work authorized by the **permit** is not commenced within six months from the date of issuance of the **permit**;
 - 10.3.2 work is discontinued for a period of six months;
 - 10.3.3 the authorized work is not completed within two years from the date of issuance of the **permit**;
 - 10.3.4 the Sewage Disposal **permit** that is required under Section 7.1.9.1 of this Bylaw or Section 9.31, 5.2(2) of the British Columbia Building Code is revoked;
 - 10.3.5 the title of the property on which the **permit** authorizes work to be done is transferred to a different **owner**. A **building permit** that is valid at the time of transfer may be transferred to the new land **owner** when the **permit** holder requests such a transfer in writing to The District of Tumbler Ridge. A transfer fee as set out in Schedule "A" shall be paid; or
 - 10.3.6 the **Building Official** determines that an applicant has provided false or misleading information on the application or otherwise obtained the **permit** fraudulently.
- 10.4 When a **permit** has expired, no **construction** or other work may continue or commence until a new **permit** is issued.
- 10.5 A **Building Official** may issue a **permit** for the **construction** of a portion of a **building** before the plans and specifications for the entire **building** have been accepted, provided adequate information has been filed to enable the **Building Official** to ensure the portion to be **constructed** complies with this Bylaw, the **Building Code**, and other bylaws and regulations of the **Municipality** and other authorities having jurisdiction, and the **permit** fee applicable to the **building** has been paid. The issuance of the **permit** notwithstanding, the requirements of this Bylaw apply to the remainder of the **building** as if the **permit** had not been issued.
- 10.6 A **Building Official** may extend the period of time set out under Section 10.3 where **construction** has not commenced or has been discontinued due to adverse weather, strikes, material or labour shortages, or similar hardship beyond the **owner's** control.

SECTION 11 – FEES

- 11.1 Every **permit** application shall include a non-refundable plan-processing fee in accordance with Schedule "A". This plan-processing fee will be credited to the **permit** fee calculated in accordance with the Schedules to the Bylaw. The plan-processing fee is non-refundable.
- 11.2 A **permit** fee calculated in accordance with the Schedules to this Bylaw shall be paid in full prior to issuance of the relevant **permit** under this Bylaw.
- 11.3 An application for a **permit** shall be cancelled if the prescribed **permit** fee is not paid within 60 days from the date of notification to the applicant that the **permit** is ready for issuance.
- 11.4 An application for a **permit** shall be cancelled if the application is incomplete and inactive for six months or longer.
- 11.5 Submissions in support of an application that is cancelled may be destroyed.
- 11.6 A reapplication for a **permit** shall be processed as a new application and subject to payment of the plan-processing fee under Section 11.1.
- 11.7 The person to whom a **permit** has been issued, may obtain a refund in the amount of 50% of the balance of the **building permit** fee, less the application fee, when a **permit**

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is surrendered and cancelled within one year of issuance, provided that **construction** has not begun or an inspection made.

- 11.8 Where applicable, inspection charges and Security/Damage deposit shall be paid in accordance with Schedule "A" to this Bylaw, in advance of inspection.
- 11.9 The fee for a **permit** to complete work previously authorized by **permit** which is no longer valid shall be based on the cost of work remaining to be completed.
- 11.10 A fee as set out in Schedule "A" is required when revised drawings are submitted after the **building permit** has been prepared for issuance.
- 11.11 Where, due to non-compliance with this Bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in Schedule "A" to this Bylaw shall be paid prior to additional inspections being performed.
- 11.12 When a required **permit** inspection is requested to be done after the hours during which the offices of The District are normally open, an inspection charge shall be payable based on the time actually spent in making such inspection, including travel time, as set out in Schedule "A" to this Bylaw.
- 11.13 An inspection charge, as set out in Schedule "A" to this Bylaw, shall be payable in advance for a voluntary inspection to establish compliance of or to obtain a report on the status of an existing building or structure.

SECTION 12 – DISCLAIMER OF WARRANTY OR REPRESENTATION

- 12.1 Neither the issuance of a **permit** under this Bylaw, the review and acceptance of the drawings, plans and specification, nor inspections made by a **Building Official**, shall constitute a representation or warranty that the **Building Code** or this Bylaw has been complied with or that the **building** or **structure** meets any standard of materials and workmanship. No person shall rely on any action, acceptance or inspection carried out by a **Building Official** as assurance in establishing compliance with the **Building Code**, this Bylaw or any standard.

SECTION 13 – PROFESSIONAL DESIGN AND FIELD REVIEW

- 13.1 When a **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** to provide design and plan certification and **field review** supported by Letter of Assurance in the form of Schedules A, B-1, B-2, C-A and C-B referred to in Section 2.6 of Part 2 of the **Building Code**.
Prior to issuance of an **occupancy permit** for a **complex building**, or **non complex building** in circumstances where Letter of Assurance have been required in accordance with Sections 7.2.4, 7.2.5 or 13.1, and 13.3 of this Bylaw, or where Letters of Assurance referred to in Section 2.6 of Part 2 of the **Building Code** have been provided in support of an **building permit** the **owner** shall provide The District 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**.
- 13.2 When a **Building Official** considers that **construction** would be on land that is subject to hazardous conditions, a **Building Official** may require the owner of the land to provide a geotechnical investigation, certified by a Professional Engineer.
- 13.3 When a **Building Official** considers that the design of a component or combination of components of a project is beyond the scope of Part 9 of the **Building Code** the **Building Official** may require a **Registered Professional** to review the design of the component(s). The **Building Official** may require the submission of schedules B-1, B-2 and C forming part of the **Building Code** for the component(s).
- 13.4 When a **Registered Professional** provides Letters of Assurance in accordance with Sections 6.1.11, 7.2.5, 13.1, and 13.3 of this Bylaw, he or she shall provide proof of professional liability insurance to the satisfaction of the **Building Official**.
- 13.5 Copies of field reviews shall be submitted to the Building Official within 21 days.
- 13.6 All reviews shall be performed by a registered Professional Engineer or Engineering Tech under the guidance of a Professional Engineer.

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SECTION 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 and health.
- 14.2 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 work authorized by the **permit**. (See Schedule "A", 3(k) security/damage deposit and Section 11 Fees, 15.5.1 Inspections.)
- 14.3 Every **owner** to whom a **permit** is issued shall, during **construction**:
- 14.3.1 post and maintain the **permit** in a conspicuous place on the property in respect of which the **permit** was issued;
 - 14.3.2 keep a copy of the accepted designs, plans and specifications on the property; and
 - 14.3.3 post the civic address on the property in a location visible from any adjoining streets.
 - 14.3.4 maintain throughout the course of construction, liability insurance and workers compensation insurance.
 - 14.3.5 provide sanitary toilet facilities on site during the course of construction.

SECTION 15 – INSPECTIONS

- 15.1 When a **Registered Professional** provides Letters of Assurance in accordance with Sections 6.1.11, 7.2.5, 13.1, and 13.3 of this Bylaw, The District will rely solely on **field reviews** undertaken by the **Registered Professional** and the Letters of Assurance, submitted pursuant to Sections 13.1 and 13.3 of this Bylaw, as assurance that the construction conforms to the design, plans and specifications and that the construction complies with the **Building Code**, this Bylaw and other applicable enactments respecting safety and health.
- 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.
- 15.3 A **Building Official** may attend periodically at the site of the **construction** of **non complex buildings** or **structures** where a **Registered Professional** has provided assurances in accordance with Sections 6.1.11, 7.2.5, 13.1, and 13.3 to ascertain whether the **health and safety aspects of the work** are being carried out in conformance with those portions of the **Building Code**, this Bylaw and any other applicable enactment concerning health or safety.
- 15.4 The **owner** shall give at least 24 hours notice to The District when requesting an inspection and shall obtain an inspection and receive a **Building Official's** acceptance of the following aspects of the work prior to concealing them:
- 15.4.1 the foundation, walls, footing forms and reinforcing steel, concrete pilings or steel screw pilings are placed after a British Columbia Land Surveyor certificate has been received and before concrete is poured.
 - 15.4.2 installation of perimeter drain tiles and damp-proofing, sanitary sewer, storm sewer and water services are placed and frost boxed prior to backfilling.
 - 15.4.3 plumbing under-slab rough-in during a required test phase prior to cover;
 - 15.4.4 the preparation of ground, including ground cover, insulation and hydronic heating system when installed, prior to the placing of a concrete slab;
 - 15.4.5 rough-in of factory built chimneys and fireplaces and solid fuel burning appliances;
 - 15.4.6 plumbing above slab rough-in during a required test prior to cover;
 - 15.4.7 the framing and sheathing and exterior windows, door installation and roofing;
 - 15.4.8 insulation and vapor barrier or vapor barrier paint;
 - 15.4.9 fire guard dry wall in attached garages.
 - 15.4.10 sundeck cover over living areas or garages that performs as a roof
 - 15.4.11 municipal curbs, sidewalks, final grade etc. on or about the property envelope, to release of security/damage deposit upon occupancy, less \$50.00 for processing. (See Schedule "A" 3, (k))

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15.4.12 the **health and safety aspects of the work** when the **building** or **structure** is complete and ready for occupancy.

15.5 No aspect of the work referred in Section 15.4 of this Bylaw shall be concealed until a **Building Official** has accepted it in writing or a registered professional has submitted a copy of his review to the Building Official.

15.6 The requirements of Section 15.4 and 15.5 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 Sections 6.1.11, 7.2.5, 13.1, and 13.3 of this Bylaw.

SECTION 16 – OCCUPANCY PERMITS

16.1 No person shall occupy a **building** or **structure** or part of a **building** or **structure** until an **occupancy permit** has been issued.

16.2 An **occupancy permit** shall not be issued unless:

16.2.1 all Letters of Assurance have been submitted when required in accordance with Sections 6.1.11, 7.2.5, 13.1, and 13.3 of this Bylaw; or

16.2.2 all aspects of the work requiring inspection and an acceptance pursuant to Section 15.4 of this Bylaw have been inspected and accepted;

16.2.3 the property is in compliance with all applicable enactments, regulations and Bylaws, including zoning.

16.3 A **Building Official** may issue an **occupancy permit** for part of a **building** or **structure** when that part of the **building** or **structure** is self contained, provided with essential services, and meets requirements set out in Section 16.2 of this Bylaw.

SECTION 17 – MOVING OF ALL BUILDINGS

17.1 No person shall move any **building** from one parcel of land to another parcel of land without first obtaining a **building permit**.

17.2 Every application for a permit to move a **building** shall designate the existing site of the **building** and the proposed site to which it is to be moved.

17.3 No permit to move a **building** shall be issued until the time and route of the moving have been approved by the Chief Constable and the Operations Manager.

17.4 No **building** shall be moved into the **Municipality** or to another parcel of land within the **Municipality** for use as a dwelling, unless:

17.4.1 such **building** has an assessed value of at least \$75,000 as shown on the last assessment roll upon which such **building** was assessed or has recently been appraised (using the cost approach to value method) at a value of at least \$75,000 by an accredited Appraiser of the Canadian Institute;

17.4.2 such **building** has an assessed value of at least 90% of the average assessed value of all **buildings** within 125 meters of the site or parcel to which it is to be moved, as shown on the last assessment rolls upon which such **buildings** were assessed;

17.4.3 such **building** complies with the **Building Code** and all of the bylaws of The District or the **owner** thereof has entered into an agreement with The District for the completion of the **building** in accordance with the **Building Code** and all bylaws of The District, within one year from the date on which the **building** moving permit was granted, and has deposited with The District, in the form of cash or an irrevocable Letter of Credit, in a form satisfactory to The District, a sum equal to the estimated cost or \$10,000.00, which ever is greater involved in completing such **building** upon its new site, in compliance with all the bylaws of The District and the **Building Code**, as determined by the **Building Official**; and

17.4.4 such **building** conforms to or is altered to conform to the established architectural standards of the **buildings** situated in the vicinity of the site or parcel to which it is to be moved. Estimated cost to completion or minimum of

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\$10,000.00 which ever is greater in the form of an irrevocable Letter of Credit or cash.

SECTION 18 – TEMPORARY BUILDINGS

- 18.1 Subject to compliance with other applicable bylaws and the **Building Code**, a **Building Official** may issue a **permit** for the erection or placement of a temporary **building** unless a **Building Official** is of the opinion that the building would not be safe for the use intended.
- 18.2 The word “temporary”, as used in this Section, shall mean the period designated on the **permit**, but not exceeding 12 months.
- 18.3 Applications for a **permit to construct** a temporary **building** shall be accompanied by:
- 18.3.1 plans of sufficient detail to show complete compliance with District bylaws, the **Building Code** and other applicable regulations and shall include the location of the **building** on the site and **construction** details of the **building**;
 - 18.3.2 a statement of the intended use and duration of the use;
 - 18.3.3 the **permit fee** noted on Schedule “A” to this Bylaw, which will be none refundable; and
 - 18.3.4 a removal security in the amount equal to the estimated cost of removal in the form of cash, certified cheque, bond guarantee by a licensed bonding company or a Irrevocable Letter of Credit from a bank, which removal security is refundable within 30 days of the temporary **building** being removed and the site left in a safe and sanitary condition as determined by the Building Official.
 - 18.3.5 in the event of default by the **owner** to remove the temporary **building** within 30 days after the expiration of the period provided for in the **building permit** the removal security shall be forfeited to The District , and The District , its employees and **agents**, may enter and effect the removal of the temporary **building**, provided The District gives the **owner** 30 days notice of its intention to effect such removal;
 - 18.3.6 an agreement with The District, in the form of a restrictive covenant register able against the title of the land on which the temporary **building** is to be located, agreeing to remove the temporary **building** from the land within one year from the date of issue of the **building permit** therefore and providing that if the **owner** fails to do so, The District may do so at the **owner’s** expense.

SECTION 19 – SWIMMING POOLS

- 19.1 A **building permit** is required for a swimming pool, hot tub, spa, fish pond, wading or lap pool, prior to its installation or **construction**, where any part of the pool depth exceeds 450mm. Every application for a **building permit** for a pool shall be accompanied with a plan showing the location, depth and dimensions of the proposed pool and all water supply piping, waste piping and appurtenances, **structural** detail and the location of all **buildings** on the site.
- 19.2 Every swimming pool, hot tub, spa, fish pond, wading or lap pool, having a pool depth of greater than 450mm at any point, shall be surrounded by a fence, **building** or other **structure**, no less than 1.2 meters (4 feet) in height above grade. The fence shall be **constructed** either on the property line or surrounding the pool, spa or pond in such a manner as to render the pool, spa or pond secure from unauthorized entry. The fence shall have no openings greater than 100 mm between grade and the top of the fence and shall be built so that no attachment between 100 mm and 900 mm will facilitate climbing. All access to a pool, spa or pond, shall be operated by a self-closing mechanism and latch mounted on the pool site of each access through the fence, **building** or other **structure**, a minimum of 1 metre above grade.
- 19.3 A spa or hot tub may be covered with a locking cover, which would prevent unauthorized access to the water, in-lieu of a fence.
- 19.4 It is the responsibility of each **owner** or occupier of property on or in which a pool

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is located, to maintain every fence required under Section 19.2 in good order. All sagging gates, loose parts, torn mesh, missing materials, worn latches, locks or broken or binding members shall be promptly replaced or repaired.

SECTION 20 – RETAINING STRUCTURES

20.1 The design and **construction** of a retaining **structure** greater than 1.2 meters in height, or a retaining structure used to support or protect a **building** or **structure**, shall have field reviews conducted by a **Registered Professional**. Sealed copies of the design plan and accompanying Letters of Assurance as referred to in Section 2.6 of the BC **Building Code** shall be prepared by the **Registered Professional** and delivered to a **Building Official** by the **owner**. All site reports and final completion records (Schedule C-B forming part of the **Building Code**) shall be submitted by the **Registered Professional** not later than 21 days after completion of the wall.

SECTION 21 – CLIMATIC DATA

21.1 When climatic data is required for the design of **buildings**, it shall be the data provided by the table shown on Schedule "B".

SECTION 22 - PENALTIES AND ENFORCEMENT

22.1 Every person who violates any provision of this Bylaw commits an offence punishable on summary conviction and shall be liable to a fine of not less than \$1,000 and not more than \$10,000, . Each day's continuation of any offence constitutes a separate and distinct violation of this Bylaw.

22.2 A **Building Official** may order the cessation of any work that is proceeding in contravention of the **Building Code** or this Bylaw by posting a "Stop Work Order" on the property or **building** wherein such work is being undertaken.

22.3 Every **owner** of real property on which a "Stop Work Order" has been posted, and every other person, shall cease all **construction** work immediately and shall not do any work until all provisions of the **Building Code** and this Bylaw have been fully complied with and the "Stop Work Order" has been rescinded in writing by a **Building Official**.

22.4 It shall be a violation of this Bylaw for any person other than a **Building Official** to remove or cover a posted "Stop Work Order" or any other notice.

22.5 The **owner** of property on which a "Do Not Occupy" notice has been posted, and every other person, shall cease **occupancy** of the **building** or **structure** immediately and shall refrain from further **occupancy** until all applicable provisions of the **Building Code** and this bylaw have been complied with and the "Do Not Occupy" notice has been rescinded in writing by a **Building Official**.

22.6 Every person who commences work requiring a **permit** without first obtaining such a **permit** shall, if a "Stop Work Order" is issued, pay an additional charge equal to 100% of the **permit** fee prior to obtaining the required **permit**.

SECTION 23 - SEVERABILITY

23.1 If any Section or lesser portion of this Bylaw is held invalid by a court, the invalid portion shall be severed from this Bylaw and the remainder of the Bylaw shall remain in full force and effect.

SECTION 24 – SCHEDULES

24.1 Schedules "A" through "D" attached to this Bylaw form a part of this Bylaw.

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SECTION 25 – TRANSITIONAL

- 25.1 Subject to Sub-section 25.2 *Tumbler Ridge Building/Plumbing Bylaw No. 416 and Amendment No. 424, 470, 477 and 503* is hereby repealed and replaced by this Bylaw 522, 2007
- 25.2 All *construction* authorized by *building permits* issued under **The District of Tumbler Bylaw No. 416 – amendments 424, 470, 477 and 503** shall continue to be regulated pursuant to the provisions of that Bylaw until the earlier of:
- 25.2.1 a final inspection of the work authorized by the *permit* indicates the work is complete and ready for an occupancy inspection.
- 25.2.2 following expiration of the *building permit*, further construction shall be regulated by this Bylaw.

SECTION 26 – MUNICIPAL SECURITY AND PROPERTY DAMAGE DEPOSIT.

- 26.1.1 Any owner of property or his agent for which a permit is issued shall be responsible for the cost of repair of any and all damage to municipal works or property that occurs as a result of the work covered by the permit and shall at the time of the application for a permit post a damage deposit by way of a certified cheque or an irrevocable letter of credit.
- 26.1.2 Return of the damage deposit referred to in 10.1.3 (shall occur upon written application by the owner when all repairs to damaged municipal property have been completed to the satisfaction of the Building Official.
- 26.1.3 The District shall undertake repairs, not completed by the owner within thirty (30) days of receiving written notification from the building inspection department, the cost of which shall be deducted from the damage deposit. In the case of security provided by a single permit applicant in respect of adjoining lots, any portion of the total deposit shall be used for repairs in respect of any lot.

SECTION 27 – EQUIVALENTS

- 27.1 The provisions of this bylaw are not intended to limit the appropriate use of materials, equipment or methods of construction not specifically authorized herein. An owner desirous of providing an equivalent material, equipment, or method of construction not specifically authorized by this bylaw shall submit to the Building Inspector sufficient evidence to satisfy the Building Inspector that the proposed equivalent will provide the level of performance required by law.

SECTION 28 – MUNICIPAL PROPERTY

- 28.1 No person shall occupy any street or portion thereof in connection with the construction, alteration, repair, maintenance or demolition of any building without first obtaining permission in writing for that purpose from the Operations Manager.
- 28.2 The applicant for a permit pursuant to Section 28.1 shall, in writing, agree to indemnify and save harmless the District from and against all claims, liability, costs and expenses arising out of the granting of such occupancy. The applicant must file with the District a public liability insurance policy to insure such undertakings, drawn on a company authorized to issue such policies in the Province of British Columbia, in an amount of not less than \$2,000,000.00 and upon which a premium has been paid for a period in excess of the period of the permit.
- 28.3 Where a permit is issued pursuant to Section 28.1 of this bylaw, no person shall occupy or encumber any portion of the street beyond one-half of the width of the abutting sidewalk and in the event that no sidewalk exists, such encroachment will be permitted if a protecting structure is built according to plans approved by the Building Inspector to protect any person using the street.

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- 28.4** During the construction, alteration, repair, maintenance or demolition of any building or structure, a fence or covered walkway shall be erected in accordance with the following provisions if in the opinion of the Building Official such fence or covered walkway is necessary for the protection and safety of the public. Such fence or covered walkway shall comply with the following:
- 28.5** Subject to Section 28.1 in any commercial zone, there shall be erected a closed board fence not less than six (6) feet six (6) inches in height and at such distance beyond the street line as is directed by the Building Inspector;
- 28.6.1** A covered walkway shall be a minimum of four (4) feet in width and shall be equipped with amber warning lights to warn of its existence to approaching pedestrians or traffic;
- 28.7** No fence or covered walkway shall be erected in such a way as to obstruct direct access to any fire hydrants, catch basins, fire alarm boxes, letter boxes, or so as to obstruct light from street lamps.

SECTION 29 – AWNINGS

- 29.1** Any awning projecting over public property shall:
- 29.1.1** not have any supports extending to the street;
 - 29.1.2** be supported on iron or steel framework secured to the building;
 - 29.1.3** be at least 8'0" clear of the finished grade and at least 2'0" clear of the curb line;
 - 29.1.4** not be permitted over a lane;
 - 29.1.5** not interfere with fire escapes, traffic, utilities, or municipal works.

SECTION 30 – CANOPIES AND MARQUEES

- 30.1** Any canopy and marquee projecting over public property shall:
- 30.1.1** not have any supports extending to the street;
 - 30.1.2** be of such construction so as to support the load requirements of Part 4 of the Building code and meet the construction requirements of Part 3 of the Building Code;
 - 30.1.3** be adequately drained;
 - 30.1.4** be at least 9'0" clear of the finished grade and at least 2'0" clear of the curb line;
 - 30.1.6** not be permitted over a lane;
 - 30.1.7** not interfere with fire escapes, traffic, utilities or Municipal works.

SECTION 31 – OTHER REGULATIONS

- 31.1** Removal of Snow, Ice or Rubbish - Owners and occupiers of real property shall remove snow, ice or rubbish from the roof or other part of any structure adjacent to or abutting on any portion of any roadway.
- 31.2** Platforms and Scaffolding - No person shall erect or suspend any platform or scaffolding over any street without first obtaining permission in writing from the Operations Manager and filing with him a public liability insurance policy for a company authorized to issue such policies in the Province of British Columbia in an amount of not less than \$2,000,000.00 and upon which a premium has been paid for a period in excess of the period which the platform or scaffolding will be over the street. In addition, the applicant shall, in writing, agree to indemnify and save harmless the District from any liability arising out of such encroachment over the municipal property.

SECTION 32 – NATIONAL BUILDING CODE SEISMIC DATA

- 32.1** Tumbler Ridge Seismic Zone 1
Peak Horizontal Ground Acceleration (PGA), g, for 10% probability of exceeding in 50 years. 0.04 = $PGA < 0.08$

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SECTION 33 – TESTS

- 33.1 The Building Official may direct that tests of materials, devices, construction methods, structural assemblies or foundation conditions be made, or sufficient evidence or proof be provided, necessary to determine whether the material, device, construction, or foundation conditions meets the requirements of this bylaw. All tests required by the Building Official shall be carried out in accordance with standard test methods of recognized national testing authorities. The Building Inspector shall retain copies of the results of all such tests after construction is complete and shall form part of the public records.
- 33.2 The Building Official may revoke or refuse to issue a permit where, in his opinion, the results of tests are not satisfactory.

SECTION 34 – NUMBERING OF BUILDINGS AND BUILDING PLACEMENT:

- 34.1 The Building Inspector is hereby authorized to number, re-number or alter the numbering of all buildings of any kind, including those already numbered, in conformity with the grid numbering system adopted by the Council. All owners of such buildings numbered or renumbered shall post the number in a conspicuous place on their building.
- 34.2 Upon the issuance of a building permit, the Building Official shall designate the house number or series of numbers requisite for the building authorized by the permit. It shall be the duty of the owner or builder to post the designated number or numbers on the site immediately after applying for a permit and keep such numbers posted in a conspicuous position at all times during the course of construction. Upon completion of the building, the numbers must be permanently affixed to the building.
- 34.3 Residential building's must be constructed so the front door on the front of the building faces the addressed road.

SECTION 35 – SERVICES

- 35.1 Water and Sewer
- 35.1.1 No building permit shall be issued for a building in which plumbing fixtures are installed, or to be installed, unless the said building can be connected to the sanitary sewer, except where the proposed building is to be erected on an area not served by the sanitary sewer of the District; then approval in writing from the Ministry of Health or the local Public Health representative for the installation of an alternative sewage disposal system is required.
- 35.1.2 The owner of premises served by a septic tank shall maintain the same in good repair.
- 35.1.3 No person shall disturb the surface of or excavate any street for the maintenance, repair or alteration of any building sanitary sewer or building storm water drain or for any other purpose, except by the permission in writing of the Operations Manager.
- 35.1.4 Every water service pipe should be protected with pressure reducing valves installed in accordance with good engineering practices and in a manner and form acceptable to the Building Official.

SECTION - 36 – BONDS AND IRREVOCABLE LETTERS OF CREDIT SHALL BE REQUIRED

- 36.1 For parking areas, landscaping or seasonal outside work as per schedule 'A'

SECTION 37 – STEEL SCREW PILINGS

- 37.1 Shall be designed by a **Structural Engineer** and include the Length/Diameter of Shaft the diameter of Helix and ASTM No's on steel.

BYLAW NO. 522, 2007

- 37.2 Engineered Drawing of piling placement to conform to all structural load points, and shall include method of anchorage for stability, (taking into consideration wind resistance and height from existing grade).
- 37.3 All depth's and torque readings shall be recorded for each piling unit placed.
- 37.4 All pilings shall be drilled to a minimum depth of 2m or 6.5ft. from existing grade to the helix (for frost protection) in addition to the requirements of the **Structural Engineer**.
- 37.5 The manufacturing and or any modification of the Steel Piling, (shaft, helix, mounting plate, or anchoring to the structure), shall be by a **C.W.B. Welder** under the supervision of the **Structural Engineer**.
- 37.6 The Steel Screw Pilings shall be cross braced or anchor braced and interconnected to each other as required by the B.C. Building Code and the requirements of the **Structural Engineer**.
- 37.7 Steel Screw Pilings used as a building foundation in any zone shall require a minimum 600mm reinforced concrete or steel grade beam attached to form or be a part of the perimeter wall of the crawl space or building.

SECTION 38 – CONSTRUCTION RELATED WORK NOT COVERED UNDER A PERMIT

- 38.1 Includes without limitations:
 - 38.1.1 excavation
 - 38.1.2 soil removal
 - 38.1.3 land clearing and debris removed
 - 38.1.4 municipal property use, clean up and damage repair
 - 38.1.5 run off water control
- 38.2 Security Damage Deposit of \$2000.00 as per Schedule "A", 3-(m)
- 38.3 Approval required by Operations Manager

SECTION 39 – RETAINING WALLS AND PROPERTY WATER CONTROL

- 39.1 The owner shall retain any bank more than 5 degrees or 1.2 meters difference in elevation. The owner on the highest elevation is responsible for retaining his or her property.
- 39.2 The owner shall be responsible for water control and drainage on his property.

SECTION 40 – BUILDING OFFICIAL

- 40.1 A Building Official may accept permit requirements with less detail on residential properties greater than two hectares.

READ A FIRST time the 19th day of June 2007

READ A SECOND time the 19th day of June 2007

READ A THIRD time the 8th day of August, 2007

RECONSIDERED AND FINALLY ADOPTED the 21st day of August 2007

I hereby certify that this is a true and correct copy of District of Tumbler Ridge *Building* Bylaw No. *522* as adopted by District of Tumbler Ridge Council on this *21st* day of *aug.* 2007 Signed this *9th* day of *April* 2007

Kim Isaak
Corporate Officer

Mike Caisley
Mayor – Mike Caisley

Kim Isaak
Corporate Officer – Kim Isaak

BYLAW NO. 522, 2007

SCHEDULE "A"

Tumbler Ridge Building/Plumbing Bylaw No. 522, 2007

BUILDING PERMIT FEES

1. The following Non Refundable Plan-Processing Fee shall be paid by the applicant for a building Permit: (will be applied to the Building Permit fee at issuance).
 - (a) For all single and two-family dwelling unit construction and related accessory structures \$ 150.00
 - (b) For all construction having a market value of \$10,000 or less \$ 50.00
 - (c) For all construction having a market value of more the \$10,000.00 but less than \$150,000.00 \$ 100.00
 - (d) For all construction other than single or two-family dwelling units having a market value of \$150,000.00 or more \$ 1,000.00

2. The following fees shall be paid by the applicant for a permit upon issuance of the permit:

| <u>Market Value Of Work Applied for</u> (see note below) | <u>Building Permit Fee Payable Plus Security see 3-(k)</u> |
|---|---|
| \$0 - \$1,000 | \$75.00 |
| \$1,001 - \$200,000 | \$75.00 plus \$6.00 for each additional \$1,000.00 or part thereof over \$1,000.00 |
| \$200,001 - \$300,000 | \$1,269 plus \$4.50 for each additional \$1,000.00 or part thereof over \$200,000.00 |
| Over \$300,001 | \$1,719.00 plus \$4.00 for each additional \$1,000.00 or part thereof over \$300,000.00 |

NOTE: The current edition of the Marshal Valuation Service of the Marshal and Swift Residential Cost Handbook may be used by the Building Official to determine the market value for the purpose of assessing permit fees.

3. The following fees shall be paid pursuant to this Bylaw:
 - (a) Re-inspection fee \$ 50.00
 - (b) Building demolition permit plus Security Damage Deposit of \$10,000.00 \$ 75.00
 - (c) Building permit assignment or transfer fee or 10% of the permit fee which is greater \$ 75.00
 - (d) Building mover application permits (non-refundable for all buildings under Section 17 of this Bylaw) plus Moving Building Security Damage Deposit \$ 75.00
\$10,000.00
 - (e) For inspections not specifically described herein, a fee, per inspection, of \$ 50.00
 - (f) For each submission of revisions for single, detached dwelling unit(s) and structure(s) accessory to single detached dwelling unit(s) \$ 50.00
 - (g) For all other types of inspections or investigations \$ 50.00
base plus
\$ 50.00/hr

BYLAW NO. 522, 2007

SCHEDULE "A" (CONTINUED)

| | | |
|-----|---|---------------------|
| (h) | For occupancy permit where no Building Permit is required | \$ 100.00 |
| (i) | Permit for wood burning stove or fireplace | \$ 50.00 |
| (j) | Permit for gas fireplace | \$ 50.00 |
| (k) | Municipal security/damage deposit shall be an additional requirement on all building permits. | Minimum \$ 100.00 |
| | Or ¼ of 1% of Building Cost to a Maximum of | \$35,000.00 |
| | as per Section 11, Section 14.2 and Section 15.1. | |
| | The security/damage deposit will be returned after Inspection for occupancy and all permit/municipal requirements have been completed, less a \$50.00 administration fee. | |
| (l) | Street occupancy permits fees (occupancy of a street or the air space above a street) \$10.00/day or \$.05/sq.m.per day which ever is greater | |
| (m) | Land clearing, soil removal, municipal property clean-up without building permit to be approved by Operations Manager. | |
| | cash or bank draft, returnable upon inspection. | Deposit \$ 2,000.00 |
| (n) | For moving manufactured or modular homes in and out of Tumbler Ridge | \$ 100.00 |
| | Plus \$2,000,000. Liability Insurance provided by the mover. | |
| | Plus Municipal Security Damage Deposit | \$ 1,000.00 |
| | Plus proof that all taxes have been paid to the date of permit. | |

The following fees shall be paid by the applicant for a permit to install, alter or repair plumbing:

| | | | |
|----|-----|---|-----------------------|
| 1. | (a) | minimum fee for any plumbing permits | \$ 50.00 |
| | (b) | Add to minimum fee in 1(a) for plumbing work which involves the installation of fixtures: | \$ 17.00 per fixture |
| | (c) | for the purpose of this section, "fixture" shall also include, but is not limited to a pool, interceptor, hot water storage tank, automatic washer, floor drain, built-in dishwasher, garburator, vacuum, breaker, back-flow prevention device, hydraulic equipment and any similar device. | |
| 2. | | A permit fee for finished plumbing only (installation of fixtures only where rough-in plumbing exists) | 50% of the above fees |
| 3. | | For plumbing work which involves the installation of fire suppression sprinkler system: | |
| | (a) | for up to 6 sprinkler heads | \$ 50.00 |
| | (b) | for each additional sprinkler head | \$ 1.00 |
| 4. | | For plumbing work which involves the installation of a standpipe, fire hose connection or a fire hydrant | \$ 20.00/ea |
| 5. | | For plumbing work which involves the installation of a storm sewer, sanitary sewer or water service line: | |
| | (a) | for single or two-family dwelling units | \$ 50.00 |
| | (b) | for other than single or two family dwelling units | |
| | | (i) first 30 metres or part thereof | \$ 50.00 |
| | | (ii) Each additional 30 metres or part thereof | \$ 20.00 |
| | | (iii) Each sump, catch basin or manhole | \$ 20.00 |
| 6. | | Re-inspection fee | \$ 50.00 |
| 7. | | Plumbing permit assignment or transfer fee | \$ 50.00 |
| 8. | | For inspections not specifically described herein, a fee, per Inspection | \$ 50.00 |
| 9. | | For inspection hot water heating systems | \$ 50.00 |

BYLAW NO. 522, 2007

SCHEDULE "A" (CONTINUED)

| | | | |
|-----|--|--------|----------|
| 10. | For plumbing work which involves installation of oil interceptor and floor drain system. | \$ | 100.00 |
| 11. | Lawn sprinkler systems | \$ | 75.00 |
| 12. | For water wells placed in the Municipal aquifers | \$ | 100.00 |
| 13. | For water and sewer connections by Tumbler Ridge Operations Manager. | Quoted | |
| 14. | For installation of roof top heating units, and all air conditioning units. | \$ | 50.00 ea |

One additional inspection for each required inspection will be allowed at no additional cost, after which a re-inspection fee will be charged for each additional inspection.

Re-inspection fees are required to be paid prior to any further inspections.

Bonds or irrevocable letter of credit for parking areas and landscaping, etc.

E.g. parking requirement: No. of stalls x 35 sq/m x paving cost at \$65.00/sq m x 110% = Total

E.g. Landscaping and concrete sidewalks @\$50.00/sq m x 110% = Total

Statutory Declarations for Security and Damage Deposits.

Shall be required to release all Bonds, Cash Deposits, and Irrevocable Letters of credit.

BYLAW NO. 522, 2007

**THE DISTRICT OF TUMBLER
TUMBLER RIDGE BUILDING/PLUMBING BYLAW NO.2007**

Consolidation of Bylaw No. 522, 2007
Incorporating amendments pursuant to
Bylaw No.416
And
Amendments 424,470,477 & 503

BYLAW NO. 522, 2007

SCHEDULE "B"

Tumbler Ridge Building/Plumbing Bylaw No. 522, 2007

Climatic Data

The following climatic values shall be utilized for the design of buildings in this Municipality:

- | | | |
|-----|--|---|
| (a) | January 2 ½ percent Design Temperature | -36 C |
| (b) | January 1 percent Design Temperature | -39 C |
| (c) | July 2-1/2 percent Design Dry bulb Temperature | 28 C |
| (d) | July 2-1/2 percent Design Wet bulb Temperature | 17 C |
| (e) | Annual Total Degree-days below 18 C | 6275 |
| (f) | Maximum Fifteen-minute rainfall | 16mm |
| (g) | Maximum One-day rainfall | 79mm |
| (h) | Annual Total Precipitation | 532mm |
| (i) | Maximum Snow Load on the Ground | Ss=4.5 kpa |
| (j) | Wind Effects: | Probability 1/10 0.32 kpa Probability 1/30 0.037 kpa Probability 1/100 0.44 kpa |
| (k) | Depth of Frost Penetration | 2,000 mm |
| (l) | Design Roof Snow Load | .8(Ss) + Sr = 3.75kpa or = 78.5psf .6 (Ss) + Sr = 2.86kpa or = 60psf |
| (m) | Elevation 1,067 meters | |

BYLAW NO. 522, 2007

SCHEDULE "C"

Tumbler Ridge Building/Plumbing Bylaw No. 522, 2007

Owner's Undertaking

Re: Property Address _____

Legal Description: _____

Building Permit # _____

This undertaking is given by the undersigned, as the owner of the property described above, with the intention that it be binding on the owner and that Tumbler Ridge will rely on same.

I confirm that I have applied for a building permit pursuant to "Tumbler Ridge Building/Plumbing Bylaw No. 522, 2007" and that I have carefully reviewed and fully understand all of the provisions of the Bylaw and in particular, understand, acknowledge and accept the provisions describing the purpose of the Bylaw, the conditions under which permits are issued, the disclaimer of warranty or representation and the limited extent of the scope of the Bylaw and inspections there under.

Without in any way limiting the foregoing, I acknowledge fully that it is my responsibility, whether or not any work to be performed pursuant to the permit applied for is done by me, a contractor or a registered professional, to ensure compliance with the Building Code and the Bylaw.

I am not in any way relying on Tumbler Ridge or the Building Officials of Tumbler Ridge, as defined under the bylaw, to protect the owner or any other persons as set out in Section 1.2 of the Bylaw and I will not make any claim alleging any such responsibility or liability on the part of Tumbler Ridge or its Building Officials.

I will supply the District of Tumbler Ridge a list of all contractors and sub-contractors working on my project. (See attached form "C-1")

Owner's Information:

Name: _____

Address: _____

Telephone: _____ Contact Person: _____

Date: _____ Signature: _____

BYLAW NO. 522, 2007

SCHEDULE "D"

Tumbler Ridge Building/Plumbing Bylaw No. 522, 2007

The District of Tumbler Ridge
305 Founder Street
P.O. Box 100
Tumbler Ridge, BC V0C 2W0

Attention: _____

Fax: 250-242-3993

Re: Property Address: _____

Legal Description: _____

I am the owner of the above referenced property and hereby authorize:

Representative: _____ Print name

To represent me in an application for (please check / where applicable):

- Building Permit (Application #) _____
- Demolition Permit (Application #) _____

- Land Use Application (Application #) _____
- Substrate Permit _____

To View or receive copies of:

- Correspondence and/or Permits
- Permit Plans

To receive a building permit:

- As the owner of the subject property prior to transfer of title

Owner's Information:

Name: _____
Print Name

Address: _____

Telephone: _____

Contact Person: _____
Print Name

Date: _____

Signature: _____