



City of Richmond

Report to Committee

To: Planning Committee
From: A.L. (Rick) Bortolussi
Manager, Building Approvals Department
Re: **BUILDING REGULATION BYLAW NO. 7230**

Date: February 8, 2002
File: 8060-02-01

Staff Recommendation

That Bylaw Regulation No. 7230, which consolidates and modernizes the existing Building Bylaw (adopted in 1998); the existing Gas Fitting Bylaw (adopted in 1966); and the existing Plumbing Bylaw (adopted in 1974), into a single comprehensive piece of legislation be introduced and given, first second and third readings.

A.L. (Rick) Bortolussi
Manager, Building Approvals Department

Att. 1

FOR ORIGINATING DIVISION USE ONLY		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Budgets	Y ☐ N ☐	
Law	Y ☐ N ☐	
City Clerk	Y ☐ N ☐	

Staff Report

Origin

The Building Approvals Department reviews all department fees on an annual basis and recommends to Council, when deemed appropriate, adjustments to the fee structure. Building permit fees were last adjusted in April of 2001 while gas and plumbing permit fees were last adjusted in June of 1998.

Analysis

Bylaw Format

The bylaw appearance and structure are somewhat different. This new Building Regulation Bylaw has been prepared in the new municipal code format, and largely because of commonality and duplication of bylaw language, combines the previous three bylaws for building, gas and plumbing requirements into a single document. The new bylaw uses simpler language, is consistent with other city legislation and is considerably shorter than the three bylaws which it replaces, some of which are 30 to 40 years old. Other than as explained below, the intent of the city's existing regulations regarding building construction, gas work and plumbing have not been changed.

Bylaw Revisions

The bylaw was drafted with changes primarily to the format of the document and its fee structure schedules. Policy Revisions in the bylaw are limited to only three areas. The first change impacts large complex buildings and is referenced in subsection 5.13.6. Where an owner has retained the services of a co-ordinating registered professional and registered professionals for the architectural, structural, mechanical, plumbing, fire suppression systems, electrical and geotechnical disciplines for design and field reviews, and the City has relied on their certification, the building permit fee is reduced. This is a further measure addressing risk management as mentioned in Delta "leaky condo" case.

The second change pertains to the potable water cross connection control program and requires that annual test reports for backflow prevention devices be submitted on a City form and must bear a City decal. Reference is made to section 12.5. This measure will assist in having the program funded through revenues generated in the sales of the City decals. There are approximately 2500 backflow devices requiring annual testing.

The third change introduces a 90-day limit for provisional occupancy notices. This new requirement will address outstanding provisional occupancy notices and encourage owners to fully complete the construction of their building within a reasonable time frame. See subsection 12.7.5.

Permit Fees

Permit fees are based on the concept of fee for service. The Building Approvals Department permit revenues finance permit-related functions, but do not finance non-permit related functions such as zoning administration, inspection services for the business licensing program, bylaw enforcement and non-related complaint inspections.

The following increases have been incorporated into the bylaw to address economic impacts from 1998 to date:

- Minimum permit fee from \$60.00 to \$62.50;

- The "Construction Value" calculation increased by \$1.00 /square foot for one and two family dwellings;
- Building permit fee increased by \$0.25 per \$1000.00 of construction value;
- Re-inspection fee from \$60.00 to \$75.00;
- Special inspection fees increased by 10%;
- Building move inspection fee from \$100.00 to \$110.00;
- Demolition inspection fees from \$100.00 to \$110.00
- Provisional occupancy inspection visit from \$200.00 to \$250.00;
- Use of Equivalent fee from \$500.00 to \$550.00;
- Gas appliance and plumbing fixture fees from \$22.00 to \$23.00 with a minimum fee from \$60.00 to \$62.50; and
- Potable water backflow device test report decals at \$20.00 each.

There is no construction value increase calculated in the building permit fee for those building permits issued which are based on the reliance of certification by the registered professionals. Only the minimum permit fee increase of \$2.50 per permit will apply for these types of permit applications.

Financial Impact

The above increases will generate a revenue increase of approximately \$93,000, comprising the following:

• Building	\$30,000
• Cross connection control program	\$50,000
• Gas	\$ 4,000
• Plumbing	\$ 9,000

This projection is based on the 2001-construction permit activity. It also has not been incorporated into the 2002-budget, nor does it take into account the projected date of implementation for the new fees.

Conclusion

The Building Regulation Bylaw No. 7230 combines the previous Building, Gas and Plumbing Bylaws and has been prepared in the modern, user friendly municipal code format requested by the City Clerk. Bylaw 7230 has been drafted to incorporate risk management and legal concerns resulting from recent court cases to further clarify the role of the City and the registered professionals. It also addresses the Local Government Act requirements when reliance on registered professionals' design and field reviews is a condition of permit issuance.

A.L. (Rick) Bortolussi
Manager, Building Approvals Department

ALB:alb



CITY OF RICHMOND

BUILDING REGULATION BYLAW

BYLAW NO. 7230

EFFECTIVE DATE -

CITY OF RICHMOND
BUILDING REGULATION
BYLAW NO. 7230

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CITY OF RICHMOND

BUILDING REGULATION BYLAW NO. 7230

The Council of the City of Richmond enacts as follows:

PART ONE: GENERAL PROVISIONS

1.1 Application

- 1.1.1 This bylaw applies to the geographical area of the **City**, and to land, the surface of water, air space, **buildings** and **structures** in the **City**.
- 1.1.2 The requirements of the **building code** and of this bylaw apply to **construction, use** and **occupancy** or a change in **use, occupancy** or both of a **building** or **structure**.

PART TWO: PROHIBITIONS

2.1 Conformity with Provincial Codes, Statutes and Bylaws

- 2.1.1 A person must not:
 - (a) **construct a building or structure** except in compliance with the requirements of the **building code**;
 - (b) undertake **gas work** except in compliance with the requirements of the **gas code**; or
 - (c) undertake **plumbing** except in compliance with the requirements of the **plumbing code**.
- 2.1.2 In addition to the requirements of subsection 2.1.1, a person undertaking **construction, gas work or plumbing** must comply with this and any other applicable bylaws of the **City**, and any applicable Provincial statutes.

2.2 General Prohibitions

- 2.2.1 A person must not:
 - (a) commence or continue:
 - (i) any **construction** unless the person has a **building permit**;
 - (ii) any **gas work** unless the person has a **gas permit**; or
 - (iii) any **plumbing** unless the person has a **plumbing permit**.
 - (b) change the **use, occupancy** or both of a **building** or **structure** without obtaining a **building permit**;

- (c) commence **construction** unless the civic address is conspicuously posted on the front of the premises, or on a signpost so it may be easily read from the **highway** from which it takes its address;
- (d) occupy or permit **occupancy** of a **building** or **structure** until the **building inspector** has issued a final inspection notice for it, except as permitted under section 12.7;
- (e) occupy or use any **building** or **structure** contrary to:
 - (i) the terms of a **gas permit** or a **plumbing permit**; or
 - (ii) a notice or certificate given by either the **gas inspector** or the **plumbing inspector**;
- (f) reverse, alter, deface, cover, remove or in any way tamper with a **construction** site identification card, stop work order, certificate, card or notice posted on, or affixed to, a **building** or **structure**, **gas work** or **plumbing**, pursuant to this bylaw, unless authorized by the **building inspector**, the **gas inspector**, or the **plumbing inspector**, whichever is applicable;
- (g) undertake any work which is not in accordance with the description, plans and supporting documents for a **building permit**, **gas permit** or, **plumbing permit** unless the **building inspector**, the **gas inspector**, or the **plumbing inspector**, respectively, has reviewed and authorized the work;
- (h) erase, alter or modify plans or supporting documents, after such plans or supporting documents have been:
 - (i) reviewed by the **building inspector**, the **gas inspector**, or the **plumbing inspector**, whichever is applicable, or
 - (ii) filed for reference with any such inspectors, after the **building permit**, **gas permit**, or **plumbing permit**, whichever is applicable, has been issued;
- (i) repair a **building** or **structure** damaged by fire, decay, storm or otherwise to an extent greater than 75% of its assessed value as of the date of damage above its foundations, unless the entire **building** or **structure** is brought into compliance with the **building code**, subject to the provisions of this bylaw; or
- (j) interfere with, or obstruct the entry of, the **building inspector**, the **gas inspector**, or the **plumbing inspector** in administering this bylaw.

PART THREE: THE INSPECTOR

3.1 Refusal to Issue Permits

3.1.1 The **building inspector**, the **gas inspector**, and the **plumbing inspector** may refuse to issue a **building permit**, **gas permit**, or **plumbing permit** respectively:

- (a) where in such inspector's opinion, the proposed work will contravene the requirements of the **building code**, the **gas code**, or the **plumbing code** respectively, or the provisions of this or any other applicable bylaws of the **City**, or any applicable Provincial statutes; and
- (b) where the **owner** is in violation of this or any other applicable bylaws of the **City**, or any applicable Provincial statutes, with regard to the **construction** of another **building** or **structure**, **gas work** or **plumbing**.

3.2 Conformity to Codes

3.2.1 The **building inspector**, the **gas inspector**, and the **plumbing inspector** may establish, or require the **owner** to establish, whether a type of material or method used in:

- (a) the **construction** of a **building** or **structure** complies with the requirements of the **building code**;
- (b) **gas work** complies with the requirements of the **gas code**; or
- (c) **plumbing work** complies with the requirements of the **plumbing code**,

and with the provisions of this or any other applicable bylaws of the **City**, or any applicable Provincial statutes.

3.3 Right of Entry

3.3.1 The **building inspector**, the **gas inspector**, and the **plumbing inspector** are authorized to enter on property at any time to determine whether the requirements of this or other applicable bylaws of the **City**, or any applicable Provincial statutes are being met.

3.4 Credentials

3.4.1 The **building inspector**, the **gas inspector**, and the **plumbing inspector** must ensure that persons entering on property in accordance with section 3.3 carry identification to identify them as the authorized inspector.

3.5 Correction Orders and Cessation of Work

- 3.5.1 The **building inspector**, the **gas inspector**, and the **plumbing inspector** may order in writing, the cessation and correction of any work which contravenes the **building code**, the **gas code**, or the **plumbing code**, respectively, or this or any other applicable bylaws of the **City**, or any applicable Provincial statutes; and may, when corrections ordered have been completed, authorize continuation of any work which was ceased or ordered corrected.
- 3.5.2 Where the appropriate inspector has directed an **owner** to undertake work to remedy an unsafe condition or to otherwise comply with this bylaw, such work may be undertaken without the necessity of full compliance with the provisions of this bylaw at the time it is undertaken, provided such work is later inspected for compliance with this and any other applicable bylaws of the **City**, and any applicable Provincial statutes.

3.6 Potable Water Cross Connection

- 3.6.1 The **plumbing inspector** may disconnect the water service to a **parcel** which has a **cross connection** to **potable water** until the **plumbing inspector** confirms that the **cross connection** has been removed.

PART FOUR: CITY AND UTILITY SERVICES

4.1 Emergency Vehicle Access, Sewer Systems and Potable Water

- 4.1.1 The **building inspector**, and the **plumbing inspector**, must refuse to issue a **building permit** and a **plumbing permit** respectively, with respect to a **parcel** which does not have:
- (a)
 - (i) service to the **parcel** line by a **City sanitary sewer** and **City storm sewer** system; or
 - (ii) approval for the installation of an alternative **sewage disposal system** or **storm water** disposal system; and
 - (b) service to the **parcel** line from a **City** water distribution system of sufficient size and capacity to supply the water required under Provincial statutes for **potable water** and fire protection services.
- 4.1.2 The **building inspector** must refuse to issue a **building permit** with respect to a **parcel** which does not have **emergency vehicle access**.

4.2 Electricity and Telecommunication

- 4.2.1 Every **building**, **structure** or **occupancy** using, or designed to use, electric power or telecommunication services must have:
- (a) the electric power and telecommunication service lines placed and maintained in underground conduits beneath:
 - (i) the **parcels** it serves; and

- (ii) a **highway**; and
- (b) transformers and appurtenances placed and maintained in ground kiosks or transformer vaults within the **building, structure** or **occupancy** served,

unless the **City** approves overhead power and telecommunication service lines, transformers and appurtenances.

4.2.2 The provisions of subsection 4.2.1 do not apply to overhead electric power and telecommunication service lines or overhead electrical transformers:

- (a) situated on a **highway**, and forming part of the distribution system of the area served by the utility;
- (b) which, in the opinion of the **building inspector**, are required to be placed or maintained over water outside the dyke system; or
- (c) placed or maintained to service:
 - (i) a **parcel** used in conformity with the **Zoning and Development Bylaw** and on which is located:
 - a **one-family dwelling**;
 - a **two-family dwelling**;
 - a residential accessory **building** or **structure**; or
 - a **building** or **structure** used or occupied mainly for agricultural purposes or an occupancy mainly agricultural in nature;
 - (ii) temporary outdoor lighting on a **parcel** zoned and used for residential or agricultural purposes in conformity with the **Zoning and Development Bylaw**;
 - (iii) a temporary classroom designed as part of a public school established under the *School Act*;
 - (iv) a **parcel** not served by an underground distribution system which is located in an Industrial District (I1) Zone and used in conformity with the **Zoning and Development Bylaw**;
 - (v) an active **construction** site which is temporary in nature;
 - (vi) properties on Moncton Street between No. One Road and Third Avenue; or
 - (vii) a **parcel** located and used in conformity with Part Seven.

4.2.3 Notwithstanding the requirements of this bylaw, the **building inspector** may grant permission for the temporary use of overhead electric power and telecommunication service lines and overhead electrical transformers to a **parcel** for a period up to 12 months.

PART FIVE: PERMITS

5.1 Requirements and Exemptions

5.1.1 Every **owner** must obtain:

- (a) a **building permit** prior to commencement of **construction**, or prior to a change in the **use, occupancy** or both, of a **building or structure**;
- (b) a **gas permit** prior to undertaking any **gas work**; and
- (c) a **plumbing permit** prior to undertaking any **plumbing**.

5.1.2 The provisions of clause (a) of subsection 5.1.1 do not apply to **construction** on a **parcel**, of a single storage **building or structure** less than 10 square metres in area, in which there are no mechanical services.

5.1.3 A **plumbing permit** is not required for the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, when such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures or hot water tanks.

5.2 Separate Application for Each Building or Structure

5.2.1 Subject to the provisions of section 5.3:

- (a) each **building or structure** to be **constructed** on a **parcel**;
- (b) all **gas work**; and
- (c) all **plumbing**,

must be the subject of a separate **building permit, gas permit and plumbing permit** application and separate permit respectively, and must be assessed separate permit fees specified in Schedule B.

5.2.2 The provisions of clause (a) of subsection 5.2.1 do not apply to **construction** of the foundation for a cellular telecommunications tower and its accessory **building or structure**, for which one combined **building permit** can be issued.

5.3 Form of Application

5.3.1 An application for a plan review for a **building permit, gas permit, or plumbing permit**, must:

- (a) be made to the **building inspector, the gas inspector or the plumbing inspector** respectively;
- (b) be in the form prescribed by the appropriate inspector;
- (c) be signed by the **owner**;

- (d) state the intended **use** or **uses** of the **building** or **structure**, or part of the **building** or **structure** in which the **construction** is to be undertaken, or in which the **gas work** or **plumbing** is to be located;
- (e) when required by the **building inspector**, include a minimum of two complete sets of plans, drawn to scale, and supporting documents for the **building**, **structure** or part of such **building** or **structure** to be **constructed**, and must indicate the nature and extent of the work or proposed **construction**;
- (f) when required by the **plumbing inspector**, include a minimum of three complete sets of plans showing the location and size of every **building drain** and every trap, sump, and **plumbing** fixture that is on a **building drain**, and a sectional drawing showing the size and location of every soil or waste pipe, trap and plumbing vent pipe; and
- (g) contain any other information necessary to satisfy the **building inspector**, the **gas inspector**, and the **plumbing inspector** that when completed, the proposed **construction**, **gas work**, or **plumbing**, respectively, will comply with the requirements of this, or other applicable bylaws of the **City**, and any applicable Provincial statutes.

5.4 Plan Processing Fee for a Building Permit Application

5.4.1 A **building permit** application for a plan review:

- (a) must be accompanied by the plan processing fee specified in Schedule A for a **building permit** application; and
- (b) is cancelled and of no force and effect if a **building permit** has not been secured and paid for by the **owner** within 60 days of notification that such **building permit** is ready to be issued.

5.4.2 The plan processing fee specified in clause (a) of subsection 5.4.1 for a **building permit** application:

- (a) is non-refundable, and is a credit toward the **building permit** fee levied at the time such **building permit** is issued; and
- (b) is forfeited to the **City** if the **building permit** has not been secured and paid for within 30 days of notification that the **building permit** is ready to be issued.

5.5 Permit Fee Requirements

5.5.1 Before a **building permit**, a **gas permit**, or a **plumbing permit** will be issued, the **owner** must pay:

- (a) the applicable permit fee specified in Schedule B; and
- (b) in the case of a **building permit**, any fees, charges, levies or taxes imposed by the **City** or payable under a Provincial statute.

- 5.5.2 Where a permit application is received prior to the date of adoption of this bylaw, the **owner** must pay the applicable permit fees which applied at the time the permit application was made, provided such payment is made within 30 days of the **owner** being notified by the applicable inspector that such permit is ready to be issued.
- 5.5.3 Where an **owner** proposes to modify a **building** or **structure** design or **plumbing** design which is the subject of an existing permit and the value of **construction** is not increased by such modification, the **owner** must submit the proposed modifications for plan review and pay a **building permit** fee or a **plumbing permit** fee respectively, based on the plan review hourly rate specified in Schedule B.
- 5.5.4 Where **construction** commenced before the **building inspector** issued the **building permit**, the **building permit** fee specified in Schedule B is doubled.

5.6 Permit Fee and Inspection Fee Refunds

- 5.6.1 Except as specified in subsections 5.6.2 and 5.6.3, all fees specified in Schedule B are non-refundable.
- 5.6.2 A **building permit** fee, a **gas permit** fee, or a **plumbing permit** fee may be partially refunded only when:
- (a) the **owner** has submitted a written request for such refund;
 - (b)
 - (i) the **building inspector** has certified that the **construction** has not been started on the **building** or **structure**;
 - (ii) the **gas inspector** has certified that the **gas work** has not been started; or
 - (iii) the **plumbing inspector** has certified that the **plumbing** has not been started, and
 - (c) the applicable permit has not expired.
- 5.6.3 Where a refund of a **building permit** fee, a **gas permit** fee, or a **plumbing permit** fee is approved in accordance with subsection 5.6.2, such refund is to be calculated at 70% to the nearest dollar, of:
- (a) in the case of **construction**, the amount of the **building permit** fee less the non-refundable plan processing fee;
 - (b) in the case of **gas work**, the amount of the **gas permit** fee less the minimum **gas permit** fee specified in Schedule B; or
 - (c) in the case of **plumbing**, the amount of the **plumbing permit** fee less the minimum **plumbing permit** fee specified in Schedule B.
- 5.6.4 A **building permit** fee, **gas permit** fee, or **plumbing permit** fee will not be partially refunded:

- (a) if a start has been made on the **construction** of a **building** or **structure**; on **gas work**; or on **plumbing**; or
- (b) where the applicable permit has been extended under section 5.11.

5.7 Issuance of Permits

- 5.7.1 If the **building inspector**, **gas inspector**, or **plumbing inspector** is satisfied that the **construction**, **gas work**, or **plumbing** respectively, will comply with the **building code**, the **gas code**, and the **plumbing code** respectively, and with the provisions of this and any other applicable bylaws of the **City**, and applicable Provincial statutes, the inspector must issue a **building permit**, a **gas permit**, or a **plumbing permit** respectively, to the **owner**.
- 5.7.2 The **building inspector** may issue a **building permit** for the **construction** of a part of a **building** or **structure** before the plans and supporting documents for the whole **building** or **structure** have been submitted or reviewed, provided the necessary information and detailed statements for the **building** or **structure** have been filed in accordance with the requirements of this bylaw.
- 5.7.3 Notwithstanding the issuance of a **building permit** in accordance with subsection 5.7.2, the requirements of this bylaw apply to the remainder of the **building** or **structure** as if the **building permit** had not been issued.
- 5.7.4 A **gas permit** or **plumbing permit** must only be issued to:
 - (a) an **owner**, in the case of a **one-family dwelling**; or
 - (b) an **agent** who is a **gas fitter**, in the case of **gas work**, or a certified plumber in the case of **plumbing**.

5.8 Conditions of Permits

- 5.8.1 The **owner** must keep a copy of the plans and drawings submitted to the **City** in accordance with subsection 5.3.1 with the **building permit**, the **gas permit**, and the **plumbing permit**, on the **parcel** for which the permit has been issued.
- 5.8.2 The review of plans and supporting documents and issuance of a **building permit** or a **plumbing permit** does not prevent the appropriate inspector from:
 - (a) subsequently requiring the correction of errors in the plans and supporting documents required under subsection 5.3.1; or
 - (b) prohibiting **building construction** or **occupancy** or **plumbing** being carried on when in violation of this or any other applicable bylaws of the **City**, or applicable Provincial statutes.

5.9 Transfer or Assignment of Permits

- 5.9.1 A **building permit**, **gas permit**, or **plumbing permit**, or an application for such a permit, which is in process, may not be transferred or assigned unless:

- (a) the **owner** has notified the appropriate inspector in writing;
- (b) the appropriate inspector has authorized the transfer or assignment in writing; and
- (c) the **owner** has paid the fee specified in Schedule B.

5.9.2 The transfer or assignment of a **building permit, gas permit, or plumbing permit** in accordance with subsection 5.9.1 is not an extension of such permit.

5.10 Expiration of Permits

5.10.1 Subject to the provisions of section 5.11, a **building permit, gas permit, or plumbing permit** expires and is invalid and of no force or effect when:

- (a) to the knowledge of the appropriate inspector, **construction, gas work, or plumbing** pursuant to the applicable permit has not commenced within 180 days of the date the permit was issued; or
- (b) **construction, gas work, or plumbing** pursuant to the applicable permit is discontinued or suspended for a period of more than 180 days from the date of the last mandatory inspection by the appropriate inspector.

5.10.2 Where a permit has expired under the provisions of clause (b) of subsection 5.10.1, any inspections completed prior to the expiration of such permit remain valid and in effect.

5.11 Extension of Permits

5.11.1 The **building inspector, the gas inspector, and the plumbing inspector** may extend a **building permit, a gas permit or a plumbing permit** respectively, for a period of not greater than 180 days from the expiration date of the original permit, provided:

- (a) **construction, gas work, or plumbing** respectively, has not commenced;
- (b) an application to extend the permit is made within 30 days of the permit expiration date; and
- (c) the permit extension fees specified in Schedule B have been paid.

5.12 Revocation of Permits

5.12.1 The **building inspector, the gas inspector, and the plumbing inspector** may revoke a **building permit, gas permit, or plumbing permit**, respectively, where in the inspector's opinion:

- (a) tests reveal that materials, devices, methods, structural assemblies or foundation conditions contravene:

- (i) the **building code**, the **gas code**, or the **plumbing code**, whichever is applicable; or
 - (ii) the provisions of this bylaw;
- (b) all **building permits**, **gas permits**, or **plumbing permits**, whichever are applicable, required under this bylaw have not been obtained; or
- (c) there is a violation of:
 - (i) a condition under which the permit was issued, or
 - (ii) a requirement of the **building code**, the **gas code**, or the **plumbing code**, whichever is applicable, or this or any other applicable bylaws of the **City**, or applicable Provincial statutes.

5.12.2 The revocation of a permit in accordance with subsection 5.12.1 must be in writing and be sent to the holder of the permit by registered mail or by personal service.

5.13 Requirement for Registered Professional

5.13.1 The **owner** must provide **professional design** and **field review** with respect to a **permit** for:

- (a) a **building** or **structure**:
 - (i) that falls within the scope of Part 3 of the **building code**;
 - (ii) that is designed with common egress systems for the occupants and requires the use of firewalls according to the **building code**; and
 - (iii) in respect of which the **building inspector** determines that site conditions, size or complexity so warrant;
- (b) structural components of **buildings** or **structures** that fall within the scope of Part 4 of the **building code**; or
- (c) the **building** envelope for all **buildings** or **structures** under Part 3 of the **building code**, complex **buildings** or **structures** under Part 9 of the **building code**, and all residential **buildings** or **structures** under Part 9 of the **building code** that contain more than two dwelling units.

5.13.2 The **registered professional** carrying out the **professional design** and **field review** of the building envelope must provide evidence to the **building inspector** that he or she has experience and expertise in respect of the **design** and **field review** of building envelopes.

5.13.3 Prior to:

- (a) the issuance of a **building permit**; or
- (b) the **occupancy** of a **building** or **structure**,

in respect of which a **building inspector** has required **professional design** and **field review**, the **owner** must submit letters of assurance in the form set out in the **building code**.

5.13.4 If the **building inspector** determines that the site conditions so warrant, the **building inspector** may require the **owner** to submit a letter of assurance of subsurface investigation in the form specified by the **City**, incorporating the assurance of a **registered professional** in the applicable discipline that he has carried out a subsurface investigation of the site in accordance with the **building code**.

5.13.5 Where an **owner** is required to submit letters of assurance pursuant to subsections 5.13.3 or 5.13.4, such **owner** must also submit written confirmation of insurance coverage of the **registered professional** in the form specified by the **City**.

5.13.6 Where the **owner** has retained:

(a) the services of **registered professionals** to carry out the **professional design** and **field reviews** for architectural, structural, mechanical, **plumbing**, fire suppression systems, electrical and geotechnical disciplines as referenced in Schedule B-1 of the **building code**; and

(b) a co-ordinating **registered professional**;

and the **City** has relied on the certification by the **registered professionals** and the co-ordinating **registered professional** that the plans comply with the **building code** or applicable statutes, the **building permit** fee will be reduced as specified in Schedule B.

5.14 Use of Equivalents

5.14.1 An **owner** may provide an **equivalent** to satisfy one or more of the requirements of the **building code** or this bylaw by:

(a) submitting evidence satisfactory to the appropriate inspector to demonstrate that the proposed **equivalent** will provide the level of performance required by the **building code** or this bylaw; and

(b) paying the fee specified in Schedule B.

5.14.2 Where an **equivalent** referred to in subsection 5.14.1 is approved by the appropriate inspector, it must be registered as a covenant in favour of the **City** against the title to the **parcel** under the *Land Title Act*.

5.15 Undertakings of the Owner

5.15.1 Notwithstanding the other provisions of this bylaw, the **building inspector** may require the **owner** to execute and submit to the **City**, the owner's undertaking form provided by the **City** as a condition of the issuance of a **building permit**.

PART SIX: FOUNDATIONS

6.1 Crawl Space Floors

- 6.1.1 In addition to the requirements of the **building code**, a crawl space floor must be finished with a continuous membrane of an approved moisture-resistant material beneath a continuous layer of concrete having a thickness of at least 50 millimetres.

6.2 Finished Concrete Floor Elevations

- 6.2.1 Except as provided in subsections 6.2.2 or 6.2.3, the minimum elevation of a finished concrete floor, including a crawl space floor, must be decimal nine zero (0.90) metres geodetic datum.
- 6.2.2 Except as provided in subsection 6.2.3, the minimum elevation of a finished concrete floor of a storage garage, used only for storing or parking **vehicles** and located in a **basement**, must be decimal seven five (0.75) metres geodetic datum.
- 6.2.3 The minimum elevation of a finished concrete floor of a storage garage used only for storing or parking **vehicles** and located in a **basement**, other than for a **one-family dwelling** or a **two-family dwelling**, may be lower than specified in subsection 6.2.1 or 6.2.2 provided:
- (a) a **registered professional** ensures that:
 - (i) where the proposed **construction** results in a temporary or permanent change in the ground water level, the design minimizes the effects of this change on adjacent **parcels**; and
 - (ii) the floor area **drainage system** is designed to maintain the floor area relatively water free for an adequate period of time, as determined by the **registered professional**, to ensure safe evacuation of all personnel; and
 - (b) a restrictive covenant is registered in favour of the **City**, under the *Land Title Act*, against the title to the **parcel** which contains an agreement by the **owner**:
 - (i) to indemnify and save the **City** harmless against any claims resulting from floodwater damage; and
 - (ii) to use the floor area only for parking or storing **vehicles** or equipment not damageable by water.

6.3 Survey Certificate

- 6.3.1 The **owner**, after the foundation of the **building** or **structure** has been placed, but prior to **constructing** any portion of the **building** or **structure** on the foundation, must submit to the **building inspector** for review, a plan of non-encroachment prepared by a British Columbia Land Surveyor, showing:

- (a)
 - (i) the **parcel** line dimensions;
 - (ii) the foundation dimensions; and
 - (iii) the shortest distances from the outer surfaces of the foundation to the **parcel** lines; and
- (b) the elevation of the top of the finished concrete wall or, in the case of a **building or structure constructed** on a concrete slab, the elevation at the top of the concrete slab.

6.3.2 The **owner** must deliver to the **building inspector**, prior to final inspection, a plan of non-encroachment prepared by a British Columbia Land Surveyor, showing the elevation of the top of a finished **building or structure** exceeding 45 metres in height.

6.4 Elevations

6.4.1 All elevations referred to in section 6.3 must be measured from geodetic datum.

PART SEVEN: TEMPORARY BUILDINGS FOR OCCUPANCY

7.1 Building Permit Application

7.1.1 The application for a **building permit** to erect or place a temporary **building or structure** for **occupancy** must be:

- (a) made in the form prescribed by the **building inspector**; and
- (b) signed by the **owner** and accompanied by:
 - (i) plans and supporting documents showing the location of the **building or structure** on the site; and **construction** details of the **building or structure**, and
 - (ii) a written statement by the **owner** indicating the intended **use** and duration of the **use**.

7.2 Issuance of Building Permit

7.2.1 The **building inspector** may issue a **building permit** for a period of up to one year to erect or place a temporary **building or structure** for **occupancy** if :

- (a) the **building or structure** is:
 - (i) located in compliance with the **Zoning and Development Bylaw**;
 - (ii) **constructed**, where applicable, in compliance with the **building code**, this and any other applicable bylaws of the **City**; and
 - (iii) connected to **City** utility services as required by any applicable Provincial statutes; and
- (b) the **owner** pays the applicable **building permit** fee specified in Schedule B.

PART EIGHT: SEWAGE HOLDING TANKS

8.1 Permits for Sewage Holding Tanks

- 8.1.1 The provisions of Part 5 apply, with the necessary modifications, to applications for a **permit to construct a sewage holding tank**.
- 8.1.2 The **plumbing inspector** may refuse to issue a **plumbing permit** for a **sewage holding tank** where:
- (a) a **City sanitary sewer** connection will not be available within three years of the date the **plumbing permit** for the **sewage holding tank** is issued; or
 - (b) space is available on the **parcel** for a **sewage disposal system** after the maximum **building** footprint and minimum geotechnical requirements for the **building** or **structure** have been established.

8.2 Requirement for Registered Professional

- 8.2.1 The **owner** must provide **professional design** and a **field review** for a **sewage holding tank**.
- 8.2.2 Prior to **occupancy** of a **building** or **structure** served by a **sewage holding tank**, the **registered professional** carrying out the **professional design** and **field review** in accordance with the provisions of subsection 8.2.1 must submit a letter to the **City** confirming that:
- (a) the **field review** has been conducted; and
 - (b) the **sewage holding tank** substantially complies with the applicable requirements of the **building code**, **Sewage Disposal Regulation**, other applicable statutes, and with the plans and supporting documents submitted in support of the application for the **plumbing permit** for the **sewage holding tank**.
- 8.2.3 The **owner** must submit written confirmation of insurance coverage by the **registered professional** in the form specified by the **City**.

8.3 Sewage Holding Tank Design

- 8.3.1 A **sewage holding tank system** must:
- (a) be used for storage only; and
 - (b) receive all the **sewage** generated from the **building** or **structure** to which it is connected.
- 8.3.2 The **sewage holding tank** design must:
- (a) conform to the **Sewage Disposal Regulation** and any other requirements of the **Medical Health Officer**; and

- (b) be submitted to the **plumbing inspector** for approval, with the **plumbing permit** application.

8.4 Sewage Holding Tank Capacities

8.4.1 Sewage flows for any **sewage holding tank** must:

- (a) conform to the **Sewage Disposal Regulation**; or
- (b) where the proposed **building** or **structure** is not referenced in the **Sewage Disposal Regulation**, the estimated daily **sewage** flow may be calculated using flows deemed appropriate by the **plumbing inspector**.

8.4.2 The volume of any **sewage holding tank** must be a minimum of seven times the litres per day indicated in the **Sewage Disposal Regulation**.

8.5 Technical Requirements

8.5.1 All **sewage holding tanks** must:

- (a) be **constructed** of reinforced fibreglass or concrete;
- (b) have a sloped or rounded bottom to allow for the complete removal of contents;
- (c) when installed partially or completely below grade, have a support slab underneath and non-corrosive hold down straps;
- (d) have a minimum 50 millimetre vent connected to the top portion of the tank and terminated in accordance with the **building code**;
- (e) maintain ready access to the pump-out opening in all weather conditions;
- (f) be located outside any **building** or **structure** and in an area accessible to pumping trucks;
- (g) be located so as to minimize the impact on adjacent **parcels** regarding noise and odours associated with pumping; and
- (h) have a method acceptable to the **plumbing inspector**, for determining the effluent level within the **sewage holding tank**.

8.6 Hauling Contract

8.6.1 Every **owner** of a **parcel** served by a **sewage holding tank** must:

- (a) maintain a **hauling contract** with a licenced **pumping contractor** which identifies the location for discharge of the contents of the **sewage holding tank**; and
- (b) deposit a copy of the current **hauling contract** with the **City**.

8.6.2 A **hauling contract** must not be modified or cancelled without the prior approval of the **plumbing inspector**.

8.6.3 The **owner** and **pumping contractor** must maintain a log of frequency and volume of pumping and hauling which must be made available to the **City** upon request.

8.7 **Unsanitary Conditions**

8.7.1 If the **City** is made aware that the **sewage holding tank system** is in an **unsanitary condition**, and the **pumping contractor**:

- (a) cannot or will not perform the corrective work; or
- (b) cannot be contacted,

then the **City** may arrange for pump-out and clean-up and the costs will be charged to the **owner**.

8.7.2 If the charges levied under subsection 8.7.1 remain unpaid on December 31 in any year, such charges are to be added to and form part of the taxes payable on the **parcel** as taxes in arrears.

8.8 **Indemnity and Insurance**

8.8.1 The **owner** of a **parcel** served by a **sewage holding tank** must:

- (a) indemnify the **City** from any loss or damage caused directly or indirectly by the installation, operation or maintenance of the **sewage holding tank**; and
- (b) maintain adequate insurance coverage for this indemnity.

8.8.2 The insurance required under subsection 8.8.1 must be endorsed to add the **City** as an additional named insured and contain a provision requiring that at least 30 days' notice be given to the **City** prior to cancellation or expiry.

8.9 **Covenant**

8.9.1 For every **sewage holding tank system** installation, a covenant must be registered against the title to the **parcel** in question in accordance with Section 219 of the *Land Title Act* stating that:

- (a) the **owner** will maintain a **hauling contract** with a licenced **pumping contractor** at all times and deposit a copy of the current contract with the **City**;
- (b) if the **City** is made aware that the **sewage holding tank system** is in an **unsanitary condition** and the **pumping contractor**:
 - (i) cannot or will not perform the corrective work; or
 - (ii) cannot be contacted,

the **City** may arrange for pump-out and clean-up and the costs will be charged to the **owner** and added to and form part of the taxes payable on the **parcel** as taxes in arrears, if such charges remain unpaid on December 31 in any year; and

- (c) the **owner** will indemnify the **City** from any loss or damage caused directly or indirectly by the installation, operation or maintenance of the **sewage holding tank** and maintain adequate insurance coverage for this indemnity, such insurance to be endorsed to add the **City** as an additional named insured and contain a provision requiring that at least 30 days' notice be given to the **City** prior to cancellation or expiry.

8.10 Prohibitions

8.10.1 An **owner** must not:

- (a) connect roof downspouts, exterior foundation drains, drains or other sources of surface run-off or groundwater to a **building sewer** or **building drain** which is connected, directly or indirectly, to a **sewage holding tank**;
- (b) modify, expand, or otherwise alter a **sewage holding tank system** without prior approval of the **plumbing inspector**;
- (c) install any form of bypass or overflow, either temporary or permanent, of a **sewage holding tank**; or
- (d) cause or permit an **unsanitary condition** to exist.

8.10.2 A **person** must not wilfully or negligently break, damage, destroy, uncover, deface, or tamper with any **structure**, appurtenance, or equipment which is part of any **sewage holding tank system**.

PART NINE: SWIMMING POOLS

9.1 Siting, Fencing and Access Requirements

9.1.1 A **swimming pool**, unless contained within a **building** or **structure**, must:

- (a) be located a minimum of 1.2 metres from the **parcel** line of such **building** or **structure**; and
- (b) be enclosed by a **fence** which:
 - (i) in the opinion of the **building inspector**, does not facilitate climbing;
 - (ii) has a minimum height of 1.2 metres;
 - (iii) has no openings greater than 100 millimetres at their least dimension; and

- (iv) can be accessed only through a self-closing 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** side.

9.2 Access to Other Types of Pools

- 9.2.1 Other types of pools, used or intended to be used for swimming, bathing, wading or diving which are exempt from the of definition **swimming pool**, must:
 - (a) be enclosed by a **fence** which complies with the requirements of clause (b) of subsection 9.1.1; or
 - (b) be otherwise secured to prevent access by unauthorized persons.
- 9.2.2 Any access through a **fence** referred to in subsection 9.2.1 must be through a self-closing gate which complies with the requirements of clause (b)(iv) of subsection 9.1.1.

PART TEN: DELAYED DEMOLITIONS

10.1 Demolition Agreement

- 10.1.1 Where an **owner** wishes to continue to use an existing dwelling as a residence while **constructing** another dwelling on the same **parcel**, the **owner** must, prior to issuance of the **building permit**, provide an undertaking to the **City** to do the following upon completion of the new dwelling:
 - (a) remove the existing dwelling; or
 - (b) convert the existing dwelling to a non-residential **use** to the satisfaction of the **building inspector**.
- 10.1.2 The undertaking referred to in subsection 10.1.1 must be registered in the form of a covenant in favour of the **City** against the title to the **parcel** under the *Land Title Act*.

PART ELEVEN: BUILDING MOVE

11.1 Building Permit Application and Fee

- 11.1.1 A **building** or **structure** must not be moved into or within the **City** without the **owner** obtaining a **building permit** and paying the applicable building move inspection fee specified in Schedule B.

PART TWELVE: INSPECTIONS

12.1 Inspection Schedule – Buildings and Structures

12.1.1 The **owner** must obtain an inspection of the **construction** after each of the following:

- (a) forms for the footings and foundations are complete, but prior to the placing of concrete;
- (b) forms for the floor slab, vapour barrier, perimeter insulation on inside of concrete foundation walls, reinforcing steel, heating ductwork or pipes for radiant heat are complete, but prior to the placing of concrete; **plumbing** located below the finished slab level must be inspected and approved prior to this inspection;
- (c) all exterior doors, windows and roof membrane are completed, including the installation of flashing, but prior to installation of sheathing paper or exterior finish which would conceal such work;
- (d) framing, fire stopping, bracing, chimney and duct-work, rough wiring, **gas venting**, and rough **plumbing**, but before the insulation, lath or other interior finish is applied which would conceal such work;
- (e) the insulation and the vapour barrier are in place, but prior to the concealing of such work; and
- (f) the **building** or **structure** has been completed and is ready for **occupancy**, but prior to **occupancy**.

12.1.2 The **building inspector** will only carry out inspections under subsection 12.1.1:

- (a) in the order specified in clauses (a) to (f) inclusive of subsection 12.1.1; and
- (b) where the **owner** has requested such inspections.

12.2 Inspection Schedule – Sewage Holding Tank

12.2.1 With respect to **construction** of a **sewage holding tank**, the **owner** must obtain an inspection after:

- (a) the concrete base and **sewage holding tank**, including hold down straps, are in place and the inlet pipes have been installed, but prior to backfill; and
- (b) backfill has been completed and the pump out access and level indicator have been installed.

12.3 Inspection Schedule – Gas Work

12.3.1 The **owner** must obtain an inspection of **gas work** after each of the following:

- (a) **gas vents** and all required fire stopping have been installed, but before the insulation, lath or interior finish is applied which would conceal such work;
- (b)
 - (i) **gas** piping for commercial or multiple unit residential buildings, including townhouse units, and underground piping are complete;
 - (ii) all required banding identification has been provided; and
 - (iii) a **visual air test** has been conducted,but prior to concealing such work;
- (c) **gas** piping for **one-family dwellings**, excluding underground piping, are complete and:
 - (i) a **visual air test** has been conducted; or
 - (ii) an Air Test Certificate, PG-19 current edition, has been submitted,but prior to **occupancy**;
- (d) all new and replacement **gas** appliances, such as hot water tanks, furnaces, boilers, ranges and fireplaces have been installed and are operating, but prior to **occupancy**; and
- (e) all **gas work**, other than that specified in clauses (c) and (d), has been completed, but prior to **occupancy**.

12.3.2 The **gas inspector** will only carry out inspections under subsection 12.3.1:

- (a) in the order specified in clauses (a) to (e) inclusive of subsection 12.3.1; and
- (b) where the **owner** has requested such inspections.

12.4 Inspection Schedule – Plumbing

12.4.1 The **owner** must obtain an inspection of the **plumbing** after each of the following:

- (a) water/firemain, **sanitary sewer** and **storm sewer** piping, where applicable, including all bedding material, are complete and the water test is ready, but prior to covering such work;
- (b) drainage, venting or water distribution system piping are complete and the water test is ready, but prior to concealing such work; and
- (c) all **plumbing** in the **building** or **structure** has been completed and the **building** or **structure** is ready for **occupancy**, but prior to **occupancy**.

12.4.2 The **plumbing inspector** will only carry inspections under subsection 12.4.1:

- (a) in the order specified in clauses (b) and (c) of subsection 12.4.1; and
- (b) where the **owner** has requested inspections as specified in subsection 12.4.1.

12.5 Inspection Schedule – Potable Water Backflow Preventer

12.5.1 The **owner** of a **parcel** having a **backflow preventer** is required to have the **backflow preventer** tested annually commencing on the date of the final inspection for the device, issued by the **plumbing inspector**.

12.5.2 The annual test required under the provisions of subsection 12.5.1 must be undertaken by a **certified tester** and the test results, bearing a **City** issued decal, must be submitted to the **plumbing inspector**.

12.5.3 The **certified tester** must pay the applicable fee specified in Schedule B and obtain the **City** issued decal.

12.6 Inspection Requests

12.6.1 The **owner** must give at least 24 hours' notice to the **building inspector**, **gas inspector**, or **plumbing inspector** in order to obtain a **building inspection**, **gas work inspection**, or **plumbing inspection**, respectively.

12.7 Provisional Occupancy and Provisional Plumbing Compliance

12.7.1 The **building inspector** may issue an inspection notice for provisional **occupancy** for part of a **building** or **structure**, other than a **building** or **structure** used or intended to be used as a **one-family dwelling** or **two-family dwelling**.

12.7.2 The **plumbing inspector** may issue an inspection notice for provisional **plumbing** compliance in support of a provisional **occupancy** for part of a **building** or **structure**.

12.7.3 Before receiving an inspection for:

- (a) a provisional **occupancy**; or
- (b) a provisional **plumbing** compliance,

the **owner** must pay the applicable site inspection fee specified in Schedule B.

12.7.4 Subject to the provisions of subsection 12.7.5 an inspection notice for provisional **occupancy** or provisional **plumbing** compliance expires and is invalid when the **construction** or **plumbing** pursuant to the notice has not been issued a final within 90 days of the date the notice was issued.

- 12.7.5 The **building inspector** or the **plumbing inspector** may extend an inspection notice for provisional **occupancy** or provisional **plumbing** compliance respectively, for a period of not greater than 90 days from the expiration date of the original notice, provided the notice extension fee specified in Schedule B has been paid.

12.8 Stop Work Order

- 12.8.1 The **building inspector**, the **gas inspector**, or the **plumbing inspector**, may direct the immediate suspension or correction of all or a portion of **construction**, **gas work**, or **plumbing** respectively, by posting a stop work order on the premises where the work in question is not being performed in accordance with the requirements of the **building code**, the **gas code**, the **plumbing code**, this or any other applicable bylaws of the **City**, or applicable Provincial statutes.

- 12.8.2 An **owner** must, within 48 hours of the posting of a stop work order under subsection 12.8.1, secure both:

- (a) the **building** or **structure** and the **parcel** surrounding such **building** or **structure**;
- (b) the **gas work** and the area surrounding the **gas work**; or
- (c) the **plumbing** and the area surrounding the **plumbing**,

whichever is applicable, in compliance with the safety requirements of every applicable statute, regulation or order of the Provincial Government, a Provincial Agency, or the **City**.

- 12.8.3 Subject to the provisions of subsection 12.8.2, no work other than required remedial measures may be carried out on a **parcel** affected by a stop work order referred to in subsection 12.8.1 until the stop work order has been removed by the appropriate inspector.

- 12.8.4 The stop work order referred to in subsection 12.8.1 must remain posted on the premises until full compliance with the required standards have been achieved.

12.9 Re-Inspections

- 12.9.1 In addition to the fees required under other provisions of this bylaw, the **owner** must pay the re-inspection fee specified in Schedule B where it has been determined by the appropriate inspector that due to non-compliance with the provisions of this bylaw or due to non-complying workmanship, more than two inspections are required for each stage specified for **construction** in subsection 12.1.1, for **gas work** in subsection 12.3.1, or for **plumbing** in subsection 12.4.1.

12.10 Special Inspections and Building Demolition Inspections

- 12.10.1 Where the **owner** has applied for:

- (a) a **special inspection**; or
- (b) a **building or structure** demolition inspection,

such **owner** must pay the **special inspection fee** or the building demolition inspection fee, whichever is applicable, specified in Schedule B.

PART THIRTEEN: MISCELLANEOUS PROVISIONS

13.1 Responsibility of the Owner - General

13.1.1 It is the responsibility of the **owner** to carry out or have carried out **construction, gas work, and plumbing** in substantial accordance with the requirements of the **building code**, the **gas code**, and the **plumbing code** respectively, as well as this and any other applicable bylaws of the **City**, and applicable Provincial statutes.

13.1.2 The issuance of a **building permit**, a **gas permit**, or a **plumbing permit**, the review of plans and supporting documents, or inspections made by a **building inspector**, a **gas inspector**, a **plumbing inspector**, or a **registered professional**, do not relieve the **owner**, or an **agent**, from the responsibility specified in subsection 13.1.1.

13.2 Responsibility of the Owner - Plumbing

13.2.1 Every **owner** must:

- (a) where it is proposed to conduct waste from **plumbing** fixtures, trade waste or surface or roof water to a **sanitary sewer** or **storm sewer**:
 - (i) ensure, by obtaining confirmation from the **plumbing inspector**, that the **sanitary sewer** and **storm sewer** are at a sufficient depth and of a sufficient capacity to receive the discharge; and
 - (ii) arrange the **plumbing** to suit the location of the **sanitary sewer** and **storm sewer** connections provided for the **parcel**;
- (b) where it is proposed to connect a **sanitary sewer** or **storm sewer** with a **sanitary sewer** or **storm sewer** extension, deliver to the **City**, all information required to show that the proposed sewers will be laid at such depth and in such a position as to connect the **parcel** with the **sanitary sewer** or **storm sewer** extension;
- (c) not install or use a domestic garburetor in connection with a sanitary waste disposal system other than:
 - (i) a public **sanitary sewer**; or
 - (ii) a private sanitary sewer system having treatment facilities and means of effluent disposal licenced by the Province of British Columbia; and

- (d) during **construction** of a **one-family dwelling** or a **two-family dwelling**, connect all rainwater conductors to a **City storm drainage system** if the system is contiguous to the **parcel** on which the **construction** is taking place, by means of a storm **drainage system** or other means permitted by this bylaw, and the **drainage system** must extend to the rear **parcel** line, or a maximum of 46 metres from the front **parcel** line.

13.3 Administrative Directions

- 13.3.1 Words defining the authority of the **building inspector**, **gas inspector**, or **plumbing inspector** are to be construed as internal administrative directions and not as creating a duty.

13.4 Approval

- 13.4.1 The word "Approved" on a **City** document related to a permit, a permit application, or a requirement under this bylaw:
 - (a) means only that the **City** has inspected or reviewed for compliance with this bylaw; and
 - (b) does not mean, signify or imply that the **City** has confirmed, sanctioned or approved the design or **construction**.

13.5 Schedules

- 13.5.1 Schedules A and B are attached and form part of this bylaw.

PART FOURTEEN: OFFENCES AND PENALTIES

14.1 Any person who:

- (a) violates or who causes or allows any of the provisions of this bylaw to be violated;
- (b) fails to comply with any of the provisions of this, or any other bylaw or applicable statute;
- (c) neglects or refrains from doing anything required under the provisions of this bylaw; or
- (d) makes any false or misleading statement in connection with this bylaw,

is deemed to have committed an infraction of, or an offence against, this bylaw, and is liable on summary conviction to a penalty of not more than \$10,000 in addition to the costs of the prosecution, and each day that such violation is caused or allowed to continue constitutes a separate offence.

- 14.2 For the purposes of subsection 5.1.1, the **owner** is deemed to have knowledge of and be liable under this bylaw for:

- (a) any **construction, gas work, or plumbing**; and
- (b) any change in the **use, occupancy** or both of a **building or structure** on the **parcel** the **owner** owns.

14.3 A person is not deemed liable under section 14.2 if such person establishes, on a balance of probabilities, that the **construction, gas work or plumbing**, or change of **use or occupancy**, occurred before such person became the **owner** of the **parcel**.

14.4 Nothing in section 14.3 affects:

- (a) the **City's** right to require, and the **owner's** obligation to obtain, a **building permit, a gas permit, or a plumbing permit**; and
- (b) the obligation of the **owner** to comply with this bylaw.

PART FIFTEEN: INTERPRETATION

15.1 In this bylaw:

AGENT	means a person representing the owner by written consent.
BACKFLOW PREVENTER	means a device or a method which prevents backflow in a water system and which prevents a potable water cross connection .
BASEMENT	means a storey located beneath the first full storey of a building or structure , such first full storey having a floor level of not more than 2 metres above grade.
BUILDING	means a structure or portion of a structure , including foundations and supporting structures for equipment or machinery or both, which is used or intended to be used for supporting or sheltering a use, occupancy , persons, animals, or property.
BUILDING CODE	means the current edition of the British Columbia Building Code established by regulation under the <i>Local Government Act</i> .
BUILDING DRAIN	means that part of the lowest horizontal piping that conducts sewage , clear water waste or storm water to a building sewer ;
BUILDING INSPECTOR	means the Manager, Building Approvals Department or those positions or persons designated by Council to act under this bylaw in the place of the manager.
BUILDING PERMIT	means permission or authorization in writing by the building inspector under this bylaw to perform construction regulated by this bylaw.

BUILDING SEWER	means a pipe that connects a building drain to a public sewer or private sewage disposal system or sewage holding tank .
CERTIFIED TESTER	means the holder of a Certificate of Competency as recognized by the American Water Works Association, BC Section, as a Certified Cross Connection Control Active Tester or Specialist.
CITY	means the City of Richmond and includes the land, air space and surface of water which comprise the City of Richmond.
CONSTRUCT/CONSTRUCTION	means to build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, excavate or shore.
COUNCIL	means the Council of the City .
CROSS CONNECTION	means any actual or potential physical connection between a potable water line and any pipe, vessel, or machine containing a non-potable fluid or has the possibility of containing a non-potable fluid, solid or gas, such that it is possible for the non-potable fluid, solid or gas to enter the water system by backflow.
DRAINAGE SYSTEM	means an assembly of pipes, fittings, fixtures, traps and appurtenances which is used to convey sewage , clear water waste or storm water to a public sewer or a private sewage disposal system .
EMERGENCY VEHICLE ACCESS	means a highway or private street approved under the <i>Condominium Act</i> having: (a) a maintained minimum width of 6 metres of sufficient strength to carry a fire truck of 9 tonnes single-axle loading, and (b) ditches or storm sewers for required drainage, and for which a crossing can be approved to serve the building or structure in question, and includes a secondary access such as a lane serving real property in respect of which access is not permitted from another highway.
EQUIVALENT	means a method, assembly or material that satisfies one or more of the requirements of the building code and is submitted to the building inspector under Section 2.5, Equivalents of the Building Code .
FENCE	means a structure bounding an area of land designed to limit access to or from the area or to screen the area from view.

FIELD REVIEW

means a review of the work:

- (a) at a project site of a development to which a **building permit** relates, and
- (b) where applicable, at fabrication locations where building components are fabricated for use at the project site,

by a **registered professional** to ascertain whether the work substantially complies in all material respects with the plans and supporting documents for which the **building permit** was issued, which were prepared by the **registered professional**.

GAS

means natural or manufactured or mixed gas, but does not include undiluted, liquefied petroleum gas.

GAS CODE

means the current edition of the Natural Gas and Propane Installation Code established by regulation under the *Gas Safety Act*.

GAS FITTER

means a person holding a gas fitter's licence under the *Gas Safety Act*.

GAS INSPECTOR

means the local inspector as defined in the *Gas Safety Act*.

GAS PERMIT

means permission or authorization in writing by the **gas inspector** under this bylaw to perform **gas work** regulated by this bylaw.

GAS VENT/GAS VENTING

means a conduit or passageway for conveying the products of combustion from a **gas** appliance to the outer air.

GAS WORK

means installing, altering or repairing appliances or other piping, fittings and accessories of any kind, including **gas vents** using **gas**.

HAULING CONTRACT

means a contract with a **pumping contractor** for removing contents from a **sewage holding tank** and transporting same to a **sewage** treatment facility.

HIGHWAY

includes a street, road, land, bridge, viaduct and any other way open to public use, but does not include a private right-of-way on private property.

MEDICAL HEALTH OFFICER

means the Medical Health Officer appointed under the *Health Act*, or his designate, to act within the limits of the jurisdiction of any local board, or within any health district.

OCCUPANCY

means the occupancy classification referenced in the **building code**.

ONE-FAMILY DWELLING

means a detached **building** or **structure** used exclusively for residential purposes, containing one dwelling unit only.

OWNER

means the registered **owner** of an estate in fee simple and includes:

- (a) the tenant for life under a registered life estate;
- (b) the registered holder of the last registered agreement for sale;
- (c) the holder or occupier of land held in the manner mentioned in Sections 356 and 357 of the *Local Government Act*;
- (d) an Indian who is an **owner** under the letters patent of a municipality, incorporated under Section 12 of the *Local Government Act*;
- (e) a lessee or licensee with authority to build on land;
- (f) an occupier, tenant or holder of an interest in respect of the surface of water;
- (g) the Province or Canada, or a crown corporation or agency of either of them, if the government, corporation or agency applies for a **building permit**, a **gas permit**, or a **plumbing permit** under this bylaw, in respect of **parcel** in which it holds an interest; and
- (h) an **agent**.

PARCEL

means a lot, block, or other area in which land is held, or into which land is legally subdivided.

PLUMBING

means installing, altering or repairing plumbing systems including septic tanks, sewer connections, sprinklers and fire lines.

PLUMBING CODE

means the current edition of Part 7 of the British Columbia Building Code established by regulation under the *Local Government Act*.

PLUMBING INSPECTOR

means **building inspector**.

PLUMBING PERMIT

means permission or authorization in writing by the **plumbing inspector** under this bylaw to perform **plumbing** regulated by this bylaw.

POTABLE WATER

means water which has been approved for drinking purposes by the **Medical Health Officer**.

PROFESSIONAL DESIGN

means the plans and supporting documents bearing the date, seal or stamp, and signature of a **registered professional**.

PUBLIC SEWER	means a sewer located within a highway or easement that is installed and maintained by the City , and includes storm sewer and sanitary sewer .
PUMPING CONTRACTOR	means a person or company hired to remove the contents of sewage holding tanks and transport such contents to a sewage treatment facility.
REGISTERED PROFESSIONAL	means a person who is registered or licenced to practise: (a) as an architect under the <i>Architects Act</i> , or (b) as a professional engineer under the <i>Engineers and Geoscientists Act</i> .
SANITARY SEWER	means a pipe or conduit for conveying sewage .
SEWAGE	means human excretion or the water-carried wastes from drinking, culinary purposes, ablutions, laundering, food processing or ice producing;
SEWAGE DISPOSAL REGULATION	means the Sewage Disposal Regulation passed pursuant to the <i>Health Act</i> ;
SEWAGE DISPOSAL SYSTEM	means a privately-owned plant for the treatment and disposal of sewage , including a septic tank with an absorption field;
SEWAGE HOLDING TANK	means a tank or series of tanks for storing sewage conveyed by a building sewer ;
SEWAGE HOLDING TANK SYSTEM	means the system for conveying sewage from a building to a sewage holding tank , including the building drain , building sewer , sewage holding tank , and all related components;
SPECIAL INSPECTION	means: (a) an inspection made during the City's normal business hours at the request of an owner : (i) to determine whether an unsafe condition exists; (ii) to be carried out outside the City's normal inspection hours; (iii) on a parcel other than on the parcel for which a permit was issued; or (iv) because of construction techniques not specifically described in the building code ; or (b) a required permit inspection carried out outside of the City's normal business hours.
STORM SEWER	means a sewer that conveys storm water .

STORM WATER	means water which is discharged from a surface as the result of rainfall or snowfall.
STRUCTURE	means all or part of a construction , whether fixed to, supported by, sunk into, or located in, land, water or airspace, and includes freestanding sign structures over 3.0 m in height and supporting structures for such signs, and includes a sewage holding tank , but excludes landscaping, paving, a fence , or a retaining wall under 1.0 m in height.
SWIMMING 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 surface area exceeding 15 m ² and a depth exceeding 1.0 m, but does not include a structure having its base at or less than 300 mm below grade.
TWO-FAMILY DWELLING	means a detached building or structure used exclusively for residential purposes containing two dwelling units only, which is not readily convertible into additional dwelling units and the plans for which have been filed with the building inspector showing all areas of the building or structure finished, and with the design of the building or structure conforming to one of the following classifications: (a) each dwelling unit consisting of one storey only, not set upon another storey or upon a basement; or (b) each dwelling unit consisting of two storeys only, the upper storey not containing a kitchen; not set upon another storey or upon a basement; or (c) each dwelling unit consisting of a split level arrangement of two storeys only, the upper storey not containing a kitchen; not set upon another storey or upon a basement.
UNSANITARY CONDITION	means seepage, leakage, overflow, or escape of sewage from a sewage holding tank .
USE	means the type of use referenced in the building code .
VEHICLE	means the interpretation given in the <i>Motor Vehicle Act</i> and includes motor vehicle and motorcycle, as defined in that Act.
VISUAL AIR TEST	means the test required by the C.S.A. Standard, CSA-49.100.
ZONING AND DEVELOPMENT BYLAW	means the current Zoning and Development Bylaw of the City.

PART SIXTEEN: PREVIOUS BYLAW REPEAL

- 16.1** Building Bylaw No. 6920 (adopted June 8th, 1998) and Amendment Bylaw No. 7214 (adopted April 9th, 2001) are repealed.
- 16.2** Gas Fitting Bylaw No. 2236 (adopted July 1st, 1966) and the following amendment bylaws are repealed:

<u>AMENDMENT BYLAW</u>	<u>EFFECTIVE DATE</u>
Bylaw 6395	June 13, 1995
Bylaw 6717	February 24, 1997
Bylaw 6919	June 8, 1998

- 16.3** Plumbing Bylaw No. 3078 (adopted December 9, 1974) and the following amendment bylaws are repealed.

<u>AMENDMENT BYLAW</u>	<u>EFFECTIVE DATE</u>
3798	November 27, 1979
3864	June 23, 1980
4037	January 11, 1982
4152	December 13, 1982
4256	November 28, 1983
4555	January 13, 1986
5884	April 13, 1992
6394	June 13, 1995
6718	February 24, 1997
6918	June 8, 1998

PART SEVENTEEN: SEVERABILITY & CITATION

- 17.1** If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.
- 17.2** This bylaw is cited as "**Building Regulation Bylaw No. 7230**".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

MAYOR

CITY CLERK

SCHEDULE A to BYLAW NO. 7230**PLAN PROCESSING FEES
(NON-REFUNDABLE)**

- A.1** For a new **one family dwelling**: **\$550**
- A.2** For other than a new **one-family dwelling**:
- (a) **\$62.50; or**
 - (b) **fifty percent (50%) to the nearest dollar of the estimated building permit fee specified in Schedule B, to a maximum of \$10,000,**
- whichever is the greater.**
- A.3** For a **sewage holding tank**: **\$125**

SCHEDULE B to BYLAW NO. 7230

PERMIT FEES
BUILDING PERMIT FEES

B.1 Building Permit Fee for those buildings referred to in subsection 5.14.6

CONSTRUCTION VALUE	FEE
Nil to \$1,000	\$62.50 (minimum fee)
Exceeding \$1,000 up to \$100,000	\$62.50 plus \$9.50 per \$1,000 of construction value or fraction of construction exceeding \$1,000
Exceeding \$100,000 to \$300,000	\$1,003 plus \$9 per \$1,000 of construction value or fraction of construction exceeding \$100,000
Exceeding \$300,000	\$2,803 plus \$7 per \$1,000 of construction value or fraction of construction exceeding \$300,000

The **building permit** fee is doubled where **construction** commenced before the **building inspector** issued a **building permit**.

B.2 Building Permit Fee for all Other Building Types

CONSTRUCTION VALUE	FEE
Nil to \$1,000	\$62.50 (minimum fee)
Exceeding \$1,000 up to \$100,000	\$62.50 plus \$9.75 per \$1,000 of construction value or fraction of construction exceeding \$1,000
Exceeding \$100,000 to \$300,000	\$1,027.75 plus \$9.25 per \$1,000 of construction value or fraction of construction exceeding \$100,000
Exceeding \$300,000	\$2,877.75 plus \$7.25 per \$1,000 of construction value or fraction of construction exceeding \$300,000

The **building permit** fee is doubled where **construction** commenced before the **building inspector** issued a **building permit**.

Despite any other provision of this bylaw, the "construction value" of a:

- (a) **one-family dwelling** or **two-family dwelling**, or
- (b) garage, deck, porch, interior finishing or addition to a **one family dwelling** or **two family dwelling**,

is deemed to be the following:

(i)	new construction of first storey	\$807.30/m ² (\$75/ft ²)
(ii)	new construction of second storey	\$721.20/m ² (\$67/ft ²)
(iii)	garage	\$279.90/m ² (\$26/ft ²)
(iv)	decks or porches	\$183.00/m ² (\$17/ft ²)
(v)	interior finishing on existing buildings	\$236.80/m ² (\$22/ft ²)
(vi)	additions	\$807.30/m ² (\$75/ft ²)

B.3 Building Design Modification Fee:

Plan review \$110 per hour or portion thereof

B.4 Building Permit Fee for Temporary Building for Occupancy: \$500

B.5 Re-inspection Fee:

(a)	for the third inspection	\$ 75
(b)	for the fourth inspection	\$100
(c)	for the fifth inspection	\$200
(d)	for each subsequent inspection, double the amount for each immediately previous inspection.	

B.6 Special Inspection Fees:

(a)	During the City's normal business hours	\$110
(b)	Outside the City's normal business hours	\$440 plus \$110 for each hour or part thereof after the first four hours

B.7 Building Permit Transfer or Assignment Fee:

A fee of ten per cent (10%) to the nearest dollar of the original **building permit** fee or \$62.50, whichever is greater.

B.8 Building Permit Extension Fee:

A fee of ten per cent (10%) to the nearest dollar of the original **building permit** fee or \$62.50, whichever is greater.

B.9 Building Move Inspection Fee:

- | | | |
|-----|--|---------------------------------|
| (a) | Within the City boundaries | \$110 |
| (b) | Outside the City boundaries when travel is by City vehicle | \$110 plus \$1 per km travelled |

Where the **building inspector** is required to use overnight accommodation, aircraft or ferry transportation in order to make a **building** move inspection, the actual costs of the accommodation, meals and transportation are payable in addition to other applicable fees including salary cost greater than 1 hour

Actual costs plus other applicable fees

B.10 Provisional Occupancy Inspection Fee:

Per building permit inspection visit	\$250
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B.11 Provisional Occupancy Notice Extension Fee	\$400
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B.12 Building Demolition Inspection Fee:

For each building over 50 m ² in floor area	\$110
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B.13 Use of Equivalents Fees:

- | | | |
|-----|---|-------|
| (a) | Each report containing a maximum of two separate equivalents . | \$550 |
| (b) | For each equivalent greater than two contained in the same report. | \$225 |
| (c) | For an amendment to an original report after acceptance or rejection of the report. | \$110 |

B.14 Sewage Holding Tank Permit Fee	\$250
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GAS PERMIT FEES

G.1 Domestic Installation – One Family Dwelling	\$62.50 or \$23 per appliance, whichever is greater
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G.2 Domestic/Commercial/Industrial Installations
(including **two family dwellings**, multiple unit residential **buildings**, including townhouse units)

Fee for each appliance based on kW input rating:

Up to 29 kW	\$62.50
Exceeding 29 kW	\$100

G.3 Special Inspection Fees

- (a) During the **City's** normal business hours \$ 110
- (b) Outside the **City's** normal business hours \$440 plus \$110
for each hour or part thereof
after the first four hours

G.4 Re-Inspection Fee

- (a) for the third inspection \$75
- (b) for the fourth inspection \$100
- (c) for the fifth inspection \$200
- (d) for each subsequent inspection, double the amount for each immediately previous inspection.

G.5 For a vent and/or gas valve or furnace plenum (no appliance) \$62.50**G.6 Piping Alteration - for existing appliances**

For the first 30 metres of piping \$62.50

For each additional 30 metres or part thereof \$23

G.7 Gas Permit Transfer or Assignment Fee

A fee of ten per cent (10%) to the nearest dollar of the original **building permit fee** or \$62.50, whichever is greater.

G.8 Gas Permit Extension Fee

A fee of ten per cent (10%) to the nearest dollar of the original **building permit fee** or \$62.50, whichever is greater.

PLUMBING PERMIT FEES**P.1 Plumbing**

- (a) Installation of each **plumbing** fixture \$23
- (b) Minimum **plumbing** fee \$62.50
- (c) Connection of **City** water supply to any hydraulic equipment \$62.50

P.2 Sprinkler & Standpipes

- (a) Installation of any sprinkler system \$62.50
plus \$ 1.60 per additional head

- (b) Installation of each hydrant, standpipe, hose station, hose valve, or hose cabinet used for fire fighting \$62.50 or \$23 per item, whichever is greater

P.3 Water Service

- (a) For the first 30 metres of water supply service pipe to a **building or structure** \$62.50
- (b) For each additional 30 metres of water supply service pipe to a **building or structure** \$23

P.4 Sanitary & Storm Sewers; Building Drains & Water Distribution

- (a) For the first 30 metres of a **sanitary sewer**, and/or **storm sewer**, and/or **building drain**, or part thereof \$62.50
- (b) For each additional 30 metres of a **sanitary sewer**, and/or **storm sewer**, and/or **building drain**, or part thereof \$23
- (c) For the first 30 metres of a rough-in installation for a water distribution system in a multiple unit non-residential **building** for future **occupancy**, or part thereof \$62.50
- (d) For each additional 30 metres of a rough-in installation for a water distribution system in a multiple unit non-residential **building** for future **occupancy**, or part thereof \$23
- (e) For the installation of any neutralizing tank, catch basin, sump, or manhole \$62.50 or \$23 per item, whichever is greater

P.5 Special Inspections

- (a) During the **City's** normal business hours \$110
- (b) Outside the **City's** normal business hours \$440 plus \$110 for each hour or part thereof exceeding the first four hours

P.6 Design Modification Fees (To Items P.1 through P.4 above)

Plan Review hourly rate \$110 per hour

P.7 Plumbing Re-Inspection Fee

- | | | |
|-----|---|-------|
| (a) | for the third inspection | \$ 75 |
| (b) | for the fourth inspection | \$100 |
| (c) | for the fifth inspection | \$200 |
| (d) | for each subsequent inspection, double the amount for each immediately previous inspection. | |

P.8 Plumbing Permit Transfer Or Assignment Fee

A fee of ten per cent (10%) to the nearest dollar of the original **building permit** fee or \$62.50, whichever is greater.

P.9 Plumbing Permit Extension Fee

A fee of ten per cent (10%) to the nearest dollar of the original **building permit** fee or \$62.50, whichever is greater.

P.10 Provisional Plumbing Compliance Inspection Fee

Per permit visit	\$125
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P.11 Provisional Plumbing Compliance Notice Extension Fee	\$200
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P.12 Potable Water Backflow Preventer Test Report Decal	\$20
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