



REGIONAL DISTRICT
OF BULKLEY & NECHAKO

Regional District of Bulkley-Nechako

BUILDING BYLAW NO. 1634, 2012

Consolidated for Convenience Purposes

*"A WORLD OF OPPORTUNITIES
WITHIN OUR REGION"*

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REGIONAL DISTRICT OF BULKLEY-NECHAKO BUILDING BYLAW NO. 1634, 2012

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

WHEREAS the *Local Government Act* authorizes the Regional District, for health, safety and protection of persons and property to regulate the construction, alteration, repair or demolition of buildings and structures by bylaw;

AND WHEREAS the Province of British Columbia has adopted a building code to govern standards in respect of the construction, alteration, repair and demolition of buildings in municipalities and regional districts of the Province;

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

NOW THEREFORE THE BOARD OF THE REGIONAL DISTRICT OF BULKLEY-NECHAKO, in open meeting assembled, enacts as follows:

1. Purpose of Bylaw

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

2. Building Permit Conditions

- 2.1. A **building permit** is required whenever **work** regulated by this bylaw is to be undertaken.
- 2.2. Neither the issuance of a **building permit** under this bylaw nor the acceptance and/or review of plans, drawings or specifications and/or supporting documents, nor any inspections made by or on behalf of the **Regional District** shall in any way relieve the **owner** from full and sole responsibility to perform the **work** in strict accordance with this bylaw, the **Building Code**, and all other applicable bylaws, codes, standards, and enactments.
- 2.3. It shall be the full and sole responsibility of the **owner** to carry out the **work** in respect of which the **building permit** was issued in compliance with the **Building Code** and this bylaw and all other applicable bylaws, codes, standards, and enactments.
- 2.4. Neither the issuance of a **building permit** under this bylaw nor the acceptance and/or review of plans, drawings or specifications and/or supporting documents, nor any inspections made by or on behalf of the **Regional District** constitute in any way a representation, warranty, assurance, or statement that the **Building Code**, this bylaw, or any other applicable bylaws, codes, standards, or enactments have been complied with.
- 2.5. No **person** shall rely upon any **building permit** as establishing compliance with the bylaw or assume or conclude that the bylaw has been administered or enforced according to its terms. The **person** to whom the **building permit** is issued and his or her **agents** are responsible for making such determinations.

3. Application

- 3.1. This bylaw applies and is enforceable within:
 - 3.1.1. the participating areas for the building inspection service as established by "Regional District of Bulkley-Nechako Extended Service Area Bylaw No. 606, 1989" as amended; and
 - 3.1.2. such other areas within the Regional District of Bulkley-Nechako for which the service of building inspection may be established by bylaw from time to time.

4. Definitions

- 4.1. In this bylaw:

The following words and terms have the meanings set out in Section 1.4.1.2 of the British Columbia Building Code 2006: *assembly occupancy, building, building area, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, field review, high hazard industrial occupancy, industrial occupancy, low hazard industrial*

occupancy owner, major occupancy, mercantile occupancy, medium hazard industrial occupancy, occupancy, registered professional, and residential occupancy.
Accepted means in the context of descriptions, plans or specifications, that the descriptions, plans or specifications have been accepted by the **building official** as a condition and part of the **building permit** with which compliance is required under this bylaw.

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

Authority Having Jurisdiction means the **Regional District**.

Board means the Board of the **Regional District**.

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

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

Building Permit means a permit issued by a **Building Official** under this bylaw authorizing **construction**.

Complex Building means:

- (a) all **buildings** used for major **occupancies** classified as:
 - (i) **assembly occupancies**,
 - (ii) **care or detention occupancies**,
 - (iii) **high hazard industrial occupancies**, and

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

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

Farm Building means a **building** or part thereof which does not contain a **residential occupancy** and which is associated with and located on land devoted to the practice of farming, and used essentially for the housing of equipment or livestock, or the production, storage, or processing of agricultural and horticultural produce or feed.

Health and safety aspects of the work means design and **construction** regulated by Part 1, Part 2, Part 3, Part 4, Part 6, Part 7 and sections 9.4, 9.7, 9.8, 9.9, 9.10, 9.13, 9.14, 9.15, 9.17, 9.18, 9.19, 9.20, 9.21, 9.22, 9.23, 9.24, 9.25, 9.31, 9.32, 9.33, 9.34, 9.35 and 9.36 of Part 9 and Part 10 of the **Building Code**.

Manufactured Home means a **building** manufactured as a dwelling unit, office or storage building and intended to be occupied in a place other than that of its manufacture. This includes factory built housing complying with Canadian Standards Association Standard A277-M1990, "Procedures for Certification of Factory Built Houses," and CAN/CSA-Z240 MH Series, "Mobile Homes".

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

Regional District means the Regional District of Bulkley-Nechako.

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

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

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

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

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

Work means the same as **construction**.

5. Scope and Exemptions

- 5.1. This bylaw applies to the design, **construction** and **occupancy** of new **buildings** and **structures**, and the alteration, reconstruction, demolition, removal, relocation and **occupancy** of existing **buildings** and **structures**.
- 5.2. This bylaw does not apply to **buildings** or **structures** exempted by Part 1 of the **Building Code** except as expressly provided herein, nor to retaining **structures** other than those which are directly connected to a **building** or other **structure**.
- 5.3. This bylaw does not apply to the maintenance or repair of a building that does not fall within the scope of section 1.1.1.1 of the **Building Code**.
- 5.4. This bylaw does not apply to a **farm building** located on property, which is classified as a farm by the B.C. Assessment Authority at the time of **construction**.
- 5.5. This bylaw does not apply to a building that is used only for storage which has a

- ground floor area that is 25 square meters (269 sq. ft.) or less, and is not connected or attached to a **building** or **structure** to which this bylaw applies.
- 5.6. This bylaw does not apply to the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures or hot water tanks.
- 5.7. This bylaw does not apply to a deck or patio provided no part of the surface of the deck or patio is no more than 600 millimetres (2 ft.) from finished grade, when measured vertically.
- 5.8. This bylaw does not apply to a reusable metal container that was designed for the commercial transportation of freight or other goods by being mounted on rail cars or a truck, where the container or containers:
- 5.8.1. are not stacked one on another;
 - 5.8.2. is not structurally modified;
 - 5.8.3. is not connected or attached to any **building** or **structure** to which this bylaw applies;
 - 5.8.4. does not exceed a floor area of 45 square meters (484 sq. ft.); and
 - 5.8.5. is not used for residential occupancy.

6. Prohibitions and Requirements

- 6.1. No **person** shall commence or continue any **work** related to the **construction**, erection, replacement, reconstruction, alteration, repair, moving or demolition, of a **building** or change the **occupancy** of any **building** or **structure** unless a valid and subsisting **building permit** has been issued by a **building official** for the work.
- 6.2. No **person** shall conceal any aspect of the work referred to in section 15.4.2, or any other work for which an inspection under this bylaw is required, until a building official has accepted that work.
- 6.3. No **person** shall do any **work** that is substantially at variance with the **accepted** description, plans and specifications for a **building** or **structure** for which a **building permit** has been issued, unless the variance has been **accepted** in writing by a **building official**.
- 6.4. No **person** shall occupy or use any **building, structure** or part thereof without an **occupancy permit** issued by a **building official**.
- 6.5. No **person** shall occupy or use a **building, structure** or part thereof contrary to the terms of any **building permit**, notice, order or certificate issued under this bylaw.
- 6.6. No **person** shall, unless authorized by a **building official**, reverse, alter, deface, cover, remove, or in any way tamper with any **building permit**, notice, order or certificate posted upon or affixed to any **building** or **structure** pursuant to this bylaw.

- 6.7. No **person** shall interfere with or obstruct the entry on property of a **building official** acting in the administration and enforcement of this bylaw.
- 6.8. No **person** shall build, install, place any **manufactured home** or any factory built modular **building** upon any land without holding a valid and subsisting **building permit** for the work.
- 6.9. No **person** shall install or alter a stove or heater that uses solid fuel, including pellet stoves, nor shall they install or alter a chimney, without a valid and subsisting **building permit** for the work.
- 6.10. No **person** shall knowingly submit any false or misleading information to a **building official** in relation to an application for a **building permit** or any other aspect of a regulated **construction** project.
- 6.11. No **person** shall change the class of **occupancy** of a **building** without obtaining a **building permit**.

7. Powers of a Building Official

7.1. A **Building Official**:

- 7.1.1. may administer this bylaw;
- 7.1.2. may establish whether any method of **construction** or type of **construction** material used in the **construction** of any **building** or **structure** substantially conforms with the requirements of the **Building Code** and may revoke or refuse to issue a **building permit** where he or she identifies non-compliance with such requirements of the **Building Code**;
- 7.1.3. may enter any land, building, or structure, or premises at any reasonable time to ascertain whether the terms of this bylaw are being observed and shall carry identification on entry;
- 7.1.4. shall, prior to entry into an occupied residence, give twenty-four (24) hours written notice of entry to the occupant in advance of entry, unless the occupant has waived the notice requirement.
- 7.1.5. may order the correction of any **work** which is being or has been done in contravention of this bylaw;
- 7.1.6. may order the immediate cessation of **work** that is proceeding in contravention of the Building Code or this bylaw by posting a Stop Work notice at the site of construction;
- 7.1.7. may post a Do Not Occupy notice on a **building** where a person occupies that **building** in contravention of section 6.3 of this bylaw; ;

- 7.1.8. may determine the estimated value of proposed work for the purpose of calculating **building permit** fees, based upon the **Regional District** of Bulkley-Nechako “Formula for Estimated Value of Construction Policy”, as amended from time to time;
 - 7.1.9. may allow a conditional **occupancy** of a **building, structure** or part thereof for the accepted use prior to completion of the **construction** where **work** under the **building permit** is substantially complete, provided that all **health and safety** requirements under the **Building Code** have been completed;
 - 7.1.10. may provide forms for applications, **building permits** and other written documents required under this bylaw;
 - 7.1.11. may keep records of **building permit** applications, **building permits**, notices and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of the bylaw or microfilm or electronic copies of such documents; and
 - 7.1.12. may require an **owner** to perform, at the **owner’s** expense, tests or inspections required to establish substantial compliance with this Bylaw and **Building Code**.
- 7.2. The Chief Administrative Officer and the Director of Planning of the **Regional District** may exercise the powers of entry and inspection under section 7.1.3.

8. **Building Permits**

- 8.1. A **Building Official** shall issue a **building permit** where:
 - 8.1.1. a completed and accurate application for a **building permit** has been submitted with all required supporting documentation;
 - 8.1.2. the proposed **work** set out in the application substantially conforms with the **Building Code**, this bylaw, the **Regional District** Zoning Bylaw, and all other applicable bylaws, codes, standards and enactments respecting health and safety;
 - 8.1.3. the applicant for a **building permit** has paid the **building permit** fee as prescribed in Schedule “A” to this bylaw;
 - 8.1.4. there is no provincial legislation, regulation of the **Regional District**, or enactment, covenant, or agreement in favour of the **Regional District**, which authorizes or requires the **building permit** to be withheld; and
 - 8.1.5. connection fees for off-site utilities to service the subject property, that are payable to the Regional District, have been paid.
- 8.2. A **building official** may issue a **building permit** for a portion of a **building** or

- structure** before the design, plans and specifications for the entire **building** or **structure** have been accepted, provided sufficient information has been provided to the **Regional District** to demonstrate to the **building official** that the portion authorized to be constructed substantially complies with this and other applicable bylaws and the **building permit** fee applicable to that portion of the **building** or **structure** has been paid. The issuance of the **building permit** notwithstanding, the requirements of this bylaw apply to the remainder of the **building** or **structure** as if the **building permit** for the portion of the **building** or **structure** had not been issued.
- 8.3. No **building permit** shall be issued for the **construction** of an accessory **building** or **structure** on any **site**, unless the principal **building** to which the accessory **building** or **structure** is accessory to, has been constructed, or will be constructed simultaneously with said accessory **building** or **structure**, unless permitted by the **Regional District's** Zoning Bylaw.
- 8.4. Every **building permit** is issued upon the condition that:
- 8.4.1. the **building permit** expires and the rights of the **owner** under the **building permit** terminate if:
- 8.4.1.1. the **work** authorized by the **building permit** is not commenced within 6 months from the date of issuance of the **building permit**,
or
- 8.4.1.2. **work** is discontinued for a period of 1 year; or
- 8.4.1.3. **work** is not completed within 2 years of **building permit** issuance.
- 8.5. A **building official** may extend the period of time set out under sections 8.4.1.1, 8.4.1.2 and 8.4.1.3, upon request from the property owner, where **construction** has not commenced, or has been discontinued, due to hardships beyond the **owner's** control. The period of time set out under sections 8.4.1.1 may not be extended beyond a period of 6 years from the date of issuance of the **building permit**.
- 8.6. The **building official** may, in writing delivered by registered mail or delivered in **person**, revoke a **building permit** where:
- 8.6.1. there is a violation of any condition under which the **building permit** was issued; or
- 8.6.2. there is a violation of any provision of the **Building Code**; or
- 8.6.3. the **building permit** was issued on the basis of incorrect information in the application.
- 8.7. Where a **building permit** expires, or is revoked by a **building official** the rights of the owner under the **building permit** terminate, and any fees paid shall be forfeited to the **Regional District** and an additional fee shall be required for the new **building permit**.
- 8.8. When a **building permit** expires or is revoked, no further **work** shall take place

without a new **building permit** being issued, the submission of the appropriate application, and the payment of the required application fees.

- 8.9. Where a **building permit** is obtained and an **owner** returns the **building permit** for cancellation within six months without having commenced **construction**, the **building official** shall refund 75% of the **building permit** fee.
- 8.10. The **building official** may issue a **building permit** for the erection or replacement of a **temporary building** or **structure** upon substantial compliance with all applicable **health and safety** requirements and the other bylaws of the **Regional District**.

9. Applications for all Buildings and Structures

- 9.1. Every person must apply for and obtain:
- 9.1.1. a **building permit** before constructing a **building** or **structure**, changing the class of **occupancy** of any **building** or **structure**, or **constructing**, locating, or placing any **manufactured home** or any factory built modular **building** upon any land;
 - 9.1.2. a fireplace or chimney **building permit** before installing or altering a stove or heater that uses solid fuel, including pellet stoves, or installing or altering a chimney, unless the works are covered by a valid **building permit**;
 - 9.1.3. a demolition **building permit** before demolishing a **building** or **structure**;
 - 9.1.4. a moving **building permit** before moving a **building** or **structure**, as well as a **building permit** for the placement of the **building** or **structure**;
- 9.2. Applications for all **building permits** must:
- 9.2.1. be made in the form provided by the **building official**;
 - 9.2.2. be signed by the **owner** or signing officer if the **owner** is a corporation;
 - 9.2.3. include the owner's signed agreement to the following:

In consideration of the granting of this **building permit**, I/we agree to release and indemnify the **Regional District** of Bulkley-Nechako, its **Board** members, employees and **agents** from and against all liability, demands, claims, causes or actions, suits, judgments, losses, damages, costs, and expenses of whatever kind which I/we or any other **person**, partnership, or corporation or our respective heirs, successors, administrators or assignees may have or incur in consequence of or incidental to the granting of this **building permit** or any representation, advice, inspection, failure to inspect, certification, approval, enforcement or failure to enforce the **Regional District** of Bulkley-Nechako Building Bylaw or the British Columbia **Building Code**, including negligence, on the part of the **Regional District** of Bulkley-Nechako, its **Board** members, employees and **agents** and I/we agree that

the **Regional District** of Bulkley-Nechako owes me/us no duty of care in respect to these matters.

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

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

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

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

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

- 9.2.4. state the intended use or uses of any proposed **building** or **structure**;
- 9.3. When required by the **building official**, be accompanied by:
 - 9.3.1. two copies of the specifications and scale drawings of any **building** or **structure** with respect to which the **work** is to be carried out, showing
 - 9.3.1.1. the dimensions of the **building** or **structure**;
 - 9.3.1.2. the proposed use of each room or floor area; and
 - 9.3.1.3. the dimensions of the land on which the **building** or **structure** is, or is to be situated, the zoning classification, and the legal description of the **building site**, in sufficient detail to show that the proposed **work** will substantially conform to the **Building Code**.
 - 9.3.2. any and all information considered necessary by the **building official** to establish substantial compliance with this bylaw;

- 9.3.3. a plan that shows the location and size of every **building** drain and every trap or inspection piece that is on a **building** drain;
 - 9.3.4. a sectional drawing which shows the size of every **building** drain and of every trap and vent pipe, in the form and quantities required by the **building official** with design and calculation criteria and bearing the name and address of the designer;
 - 9.3.5. the grades and elevations of the street and services abutting the land;
 - 9.3.6. the position, height, and horizontal dimensions of all **buildings** on the land;
 - 9.3.7. a current survey of the **building site** by a registered British Columbia Land Surveyor;
 - 9.3.8. a certificate of title for the property on which the **building** will be constructed;
 - 9.3.9. indicate the location of the well or other source of water supply on the **site** plan;
 - 9.3.10. evidence that the sanitary drainage system will be connected to a public sanitary sewer, a public combined sewer or a private sewage disposal system in accordance with the *BC Sewerage System Regulation* or *BC Waste Management Act*; and
 - 9.3.11. be accompanied by a **building permit** for road or highway access from the Ministry of Transportation and Infrastructure.
- 9.4. Notwithstanding any other provision of this bylaw, whenever in the opinion of the **building official** the proposed method of **construction** requires specialized technical knowledge or is not referenced in the **Building Code**, it may be required as a condition of the issuance of any **building permit** that all drawings, specifications and site plans or any part thereof be prepared, signed and sealed by, and **construction** carried out under the supervision of a **registered professional**.

10. Applications for Complex Buildings

- 10.1. An application for a building **building permit** with respect to a **complex building** shall:
 - 10.1.1. be signed by the **owner**, or a signing officer if the **owner** is a corporation, and the **coordinating registered professional**;
 - 10.1.2. be accompanied by the **owner's** acknowledgment of responsibility and undertaking of building foundation 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;
 - 10.1.3. include a copy of a title search made within 30 days of the date of the application;

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

- 10.1.7. include copies of approvals or filings required under any enactment relating to health or safety, including, without limitation, sewage disposal filings and highway access permits;
 - 10.1.8. include a letter of assurance in the form of Schedule “A” as referred to in Division C- 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**;
 - 10.1.9. include letters of assurance in the form of Schedule B as referred to in Division C- Part 2 of the **Building Code**, each signed by such **registered professionals** as the **building official** or **Building Code** may require to prepare the design for and conduct **field reviews** of the **construction** of the **building** or **structure**; and
 - 10.1.10. include two sets of drawings at a suitable scale of the design prepared by each **registered professional**.
- 10.2. In addition to the requirements of section 10.1, the following may be required by a **building official** to be submitted with a **building permit** application for the **construction** of a **complex building** where the complexity of the proposed **building** or **structure** or siting circumstances warrant:
- 10.2.1. **site** servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a **registered professional**, in accordance with the **Regional District’s** subdivision servicing bylaw;
 - 10.2.2. a section through the **site** showing grades, **buildings, structures**, parking areas and driveways; and
 - 10.2.3. any other information required by the **building official** or the **Building Code** to establish substantial compliance with this bylaw, the **Building Code** and other applicable codes, standards or enactments relating to the **building** or **structure**.

11. Applications for Standard Buildings

- 11.1 An application for a **building permit** with respect to a **standard building** shall:
- 11.1.1. be made in the form provided by the **building official**, signed by the **owner**, or a signing officer if the **owner** is a corporation;
 - 11.1.2. be accompanied by the **owner’s** acknowledgment of responsibility and undertaking of building foundation 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;
 - 11.1.3. include a copy of a title search made within 30 days of the date of application or a copy of the current tax assessment notice;
 - 11.1.4. include a **site** plan prepared by a British Columbia Land Surveyor showing:

- 11.1.4.1. the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - 11.1.4.2. the legal description and civic address of the parcel;
 - 11.1.4.3. the location and dimensions of all statutory right of ways, easements and setback requirements;
 - 11.1.4.4. the location and dimensions of all existing and proposed **buildings** or **structures** on the parcel;
 - 11.1.4.5. setbacks to the natural boundary of any lake, swamp, pond or watercourse where the **Regional District's** land use regulations establish siting requirements related to flooding;
 - 11.1.4.6. the existing and finished ground levels to an established datum at or adjacent to the **site** and the geodetic elevation of the underside of the floor system of a **building** or **structure** where the **Regional District's** land use regulations establish siting requirements related to minimum floor elevation; and
 - 11.1.4.7. the location, dimension and gradient of parking and driveway access.
- 11.1.5. The **building official** may waive the requirements of section 11.1.4, in whole or in part, where the **building permit** is sought for the repair or alteration of an existing **building** or **structure** where that alteration does not involve altering the footprint of the building;
- 11.1.6. The **building official** may waive the requirements of section 11.1.4, in whole or in part, where the **owner** signs Schedule "D" of this bylaw acknowledging responsibility for siting the **building** on the property;
- 11.1.7. include floor plans showing the dimensions and uses of all areas; the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
- 11.1.8. include a cross section through the **building** or **structure** illustrating foundations, drainage, ceiling heights and **construction** systems;
- 11.1.9. include elevations of all sides of the **building** or **structure** showing finish details, roof slopes, windows, doors, and finished grade;
- 11.1.10. include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the **building** or **structure** substantially conforms to the **Building Code**;
- 11.1.11. include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approval;

- 11.1.12. include a foundation design prepared by a **registered professional** in accordance with section 4.2 of Part 4 of the **Building Code**, accompanied by letters of assurance in the form of Schedule B as referred to in Division C- Part 2 of the **Building Code**, signed by the **registered professional**;
 - 11.1.13. include two sets of drawings at a suitable scale of the design including the information set out in sections 11.1.7 through to 11.1.12 of this bylaw;
 - 11.1.14. the requirements of section 11.1.12 may be waived by a **building official** in circumstances where the **building official** has required a professional engineer's report pursuant to section 56 (2) of the *Community Charter* and the **building permit** is issued in accordance with sections 56 (4) and (5) of the *Community Charter*;
 - 11.1.15. the requirements of section 11.1.12 may be waived by a **building official** if documentation, prepared and sealed by a **registered professional**, is provided assuring that the foundation design substantially complies with section 9.4.4 of Part 9 the **Building Code** and the foundation excavation substantially complies with section 9.12 of Part 9 of the **Building Code**; and
 - 11.1.16. the requirements of section 11.1.12 may be waived by a **building official** for the **construction** of a **standard building** where the **owner**, or signing officer of the **owner** as a corporation signs Schedule "C" to this bylaw acknowledging his or her responsibility for the design and **construction** of the foundation and supporting soils.
- 11.2. In addition to the requirements of section 11.1, the following may be required by a **building official** to be submitted with a **building permit** application for the **construction** of a **standard building** where the project involves two or more **buildings**, which in the aggregate total more than 1000 square meters, or two or more **buildings** that will contain four or more dwelling units, or otherwise where the complexity of the proposed **building** or **structure** or siting circumstances warrant:
- 11.2.1. **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 **Regional District's** subdivision servicing bylaw;
 - 11.2.2. a section through the **site** showing grades, **buildings**, **structures**, parking areas and driveways;
 - 11.2.3. a roof plan and roof height calculations;
 - 11.2.4. structural, electrical, mechanical or fire suppression drawings prepared and sealed by a **registered professional**;
 - 11.2.5. letters of assurance in the form of Schedule B as referred to in Division C- Part 2 of the **Building Code**, signed by the **registered professional**; or
 - 11.2.6. any other information required by the **building official** or the **Building Code** to establish substantial compliance with this bylaw, the **Building Code**

Code and other bylaws and enactments relating to the **building** or **structure**.

12. Professional Plan Certification

- 12.1. The letters of assurance in the form of Schedule B referred in Division C- Part 2 of the **Building Code** and provided pursuant to sections 10.1.9, 11.1.12, 11.2.5, and 16.1 of this bylaw are relied upon by the **Regional 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.
- 12.2. A **building permit** issued for the **construction** of a **complex building**, or for a **standard building** for which a **building official** requires professional design pursuant to section 11.2.4. and letters of assurance pursuant to section 11.2.5. of this bylaw shall be in the form provided by the **building official**.
- 12.3. A **building permit** issued pursuant to section 12.2. of this bylaw shall include a notice to the **owner** that the **building permit** is issued in reliance upon the certification of the **registered professionals** that the design and plans submitted in support of the application for the **building permit** comply with the **Building Code** and other applicable enactments relating to safety.
- 12.4. Pursuant to section 290 of the *Local Government Act*, when a **building permit** is issued in accordance with section 12.2. of this bylaw the **building permit** fee shall be reduced by 5% of the fees payable pursuant to Schedule "A" to this Bylaw, up to a maximum of \$500.00 (five hundred dollars).

13. Demolition of Buildings or Structures

- 13.1. Applicants for a **building permit** to allow demolition are required to do the following:
 - 13.1.1. arrange for the **Regional District** to disconnect and cap water and sewer service lines to the property prior to demolition, where the property is serviced by a system operated by the Regional District;
 - 13.1.2. arrange disconnection of all power, telephone and gas lines, prior to demolition;
 - 13.1.3. obtain from the Provincial government any approvals required for street closures, and notify all regulating bodies, prior to demolition;
 - 13.1.4. protect, as per **Building Code** Requirements (Part 8 "Safety Measures and **Construction** at Demolition Sites") all public sidewalks, thoroughfares and streets, prior to demolition;
 - 13.1.5. remove all demolition materials and foundations from the **site**, fill and level all excavations, and leave the **site** in a tidy manner; and
 - 13.1.6. all above items are to be fully completed with within ninety (90) days of the date of issuance of the demolition **building permit**.

14. Responsibilities of the Owner

- 14.1. Every **owner** shall ensure that all **construction** complies with the **Building Code**, this bylaw and other applicable enactments respecting safety.
- 14.2. Every **owner** of property for which a **building permit** is issued shall be responsible for the cost of repair of any damage to public works that occur as a result of the **work** covered by the **building permit**. When required, the **building official** may require security for the repair or replacement of highways, sidewalks, boulevards, public works or other **Regional District** property altered or damaged by activities related to the **building permit**.
- 14.3. In the event that damage which is the **owner's** responsibility is not resolved by the **owner** prior to the issuance of an **occupancy permit**, or within such other time set by the **building official**, or the damage requires the involvement of **Regional District** work crews to resolve, the costs so incurred by the **Regional District** shall be paid by the **owner**. Any costs not previously paid by December 31 of the calendar year may be added to the following year's property taxes.
- 14.4. Every **owner** who is issued a **building permit** shall:
 - 14.4.1. post the **building permit** in a conspicuous place on the property in respect of which the **building permit** is issued; and
 - 14.4.2. post a copy of the **accepted** drawings and specifications on the property in respect of which the **building permit** was issued.
- 14.5. Every **owner** shall, where applicable, obtain from the **Regional District** the necessary approvals pertaining to moving, alteration, reconstruction, replacement, demolition, excavation, **construction** and repair of **buildings** or **structures**, zoning, changes in classification of **occupancy**, sewers, water, plumbing, signs, canopies, awnings, marquees, blasting, street **occupancy**, electricity, **buildings** or **structures** to be removed and all other approvals required in connection with the proposed **work** prior to the commencement of such **work**.
- 14.6. Every **owner** shall:
 - 14.6.1. in all cases where it is proposed to conduct the waste from plumbing fixtures to a public sewer, make certain such public sewer is at a sufficient depth and of sufficient capacity to receive such discharge, and also to arrange the plumbing to suit the location of the connection provided for the lot;
 - 14.6.2. where it is deemed necessary to connect the **building** or storm sewer with any **building** or storm sewer extension, furnish such information as a **building official** may require to show that the proposed sewers will be laid at such a depth, and in such a position as to connect the property with the **building** or storm extension; and
 - 14.6.3. ensure that all water supply and drainage piping is tested in accordance

with the B.C. **Building Code**.

- 14.7. When requested by the **building official** the **owner** shall perform, or have performed, at his or her expense, tests or inspections required to prove substantial compliance with the requirements of this bylaw and the B.C. **Building Code** and shall promptly file a copy of the test or inspection reports with the **building official**.
- 14.8. When required by the **building official**, the **owner** shall uncover and replace, at his or her expense, any **work** that has been covered contrary to a notice or order, or prior to the completion of an inspection required under this bylaw.
- 14.9. The **owner** shall be responsible for ensuring that the siting of all **buildings** and **structures** meets the requirements of all bylaws and regulations.
- 14.10. The **owner** shall ensure that all **work** is confined within the boundaries of the property on which the **work** is, or is to be located and does not affect adjacent properties.

15. Notice of Inspection

- 15.1. When a **registered professional** provides letters of assurance in accordance with sections 10.1.9, 11.1.12, 11.2.5 and 16.1 or 16.2 of this bylaw, the **Regional District** will rely solely on **field reviews** undertaken by the **registered professional** and the letters of assurance submitted pursuant to section 16.2 of this bylaw as assurance that the **construction** substantially conforms to the design and that the **construction** substantially complies with the **Building Code**, this bylaw and other applicable enactments respecting safety.
- 15.2. Notwithstanding section 15.1 of this bylaw, a **building official** may attend the **site** from time to time during the course of **construction** to ascertain that the **field reviews** are taking place and to monitor the **field reviews** undertaken by the **registered professionals**.
- 15.3. A **building official** may attend periodically at the **site** of the **construction** of **standard buildings** or **structures** to ascertain whether the **health and safety aspects of the work** are being carried out in substantial conformance with those portions of the **Building Code**, this bylaw and any other applicable enactment concerning safety.
- 15.4. Every **owner** or **owner's agent** who holds a **building permit**, shall:
 - 15.4.1. give at least one week's notice to the **building official** of an intention to start **work** on the **building site**;
 - 15.4.2. give a least seventy-two (72) hours notice to the **building official** to obtain an inspection and acceptance of the **work** as substantially conforming with the **Building Code** at each of the following stages:
 - 15.4.2.1. after excavation and the forms for footings and foundations are complete, including the placement of required reinforcing, but

prior to placement of any concrete therein;

- 15.4.2.2. after removal of formwork from a concrete foundation and installation of perimeter drain tiles and damp-proofing but prior to backfilling against the foundation; for preserved wood foundations, when all framing and sheathing of the foundation is complete, including the construction of floors and completion of drainage systems and damp-proofing, but prior to backfilling;
 - 15.4.2.3. when framing and sheathing of the **building** or **structure** are complete, including fire stopping, bracing, chimney, duct work, plumbing, gas venting and wiring, but before any insulation, lath or other interior or exterior finish is applied which would conceal such **work**;
 - 15.4.2.4. when the chimney is complete but before the fireplace facing is applied;
 - 15.4.2.5. when the insulation and vapor barrier are completed; and
 - 15.4.2.6. after the **building, structure** or part thereof is substantially complete and ready for **occupancy**, but before **occupancy** takes place of the whole or a portion of the **building, structure** or part thereof.
- 15.5. Where an architect or a professional engineer, or both, lawfully authorized to practice in the Province of British Columbia, is engaged by the **owner** for the design and inspection of the **construction** of a **building** or a **structure**, certificates of compliance with the **accepted** plans signed and sealed by the architect or engineer, or both as the case may be, may be **accepted** by the **building official** in lieu of inspections required by this bylaw.
- 15.6. The **building official's** acceptance of architect or engineer certification under section 15.5 of this bylaw shall be communicated to the **owner** in writing.

16. Professional Design and Field Review

- 16.1. When a **building official** considers that the **site** conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a **registered professional** to provide design and plan certification and **field review** by means of letters of assurance in the form of Schedule B and C-B referred to in Division C- Part 2 of the **Building Code**.
- 16.2. Prior to issuance of an **occupancy permit** for a **complex building** or **standard building** in circumstances where letters of assurance have been required in accordance with sections 10.1.9, 11.1.12, 11.2.5 or 16.1 of this bylaw, the **owner** shall provide the **Regional District** with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in Division C- Part 2 of the **Building Code**.
- 16.3. When a **registered professional** provides letters of assurance in accordance with

sections 10.1.9, 11.1.12, 11.2.5, 16.1 or 16.2 of this bylaw, he or she shall also provide proof of liability insurance to the **building official**.

17. Occupancy Permits

- 17.1. No person shall occupy a **building** or **structure** or part of a **building** or **structure** until an **occupancy permit** has been issued.
- 17.2. An **occupancy permit** shall not be issued unless:
 - 17.2.1. all letters of assurance have been submitted when required in accordance with sections 10.1.8, 10.1.9 and 11.2.5 of this bylaw;
 - 17.2.2. all aspects of the work requiring inspection and acceptance pursuant to section 15.4.2 of this bylaw have both been inspected and accepted or the inspections and acceptance are not required in accordance with section 15.5 of this bylaw; and
 - 17.2.3. all **site work** is completed including, without limitation, paving, curbing and landscaping or otherwise satisfy the **building official** that the **work** in question will be completed by a specified date in accordance with **Regional District** bylaws.
- 17.3. A **building official** may issue an **occupancy permit** for part of a **building** or **structure** when the part of the **building** or **structure** is self-contained, provided with essential services and the requirements set out in section 8.2 of this bylaw have been met with respect to it.

18. Conservation of Energy

- 18.1. In relation to the conservation of energy, buildings may be constructed on or after May 1, 2023 in accordance with sections 9.36.2 to 9.36.4 of Division B of the Building Code.

19. Climatic Data

- 19.1. Ground snow load values for **building** design under this bylaw are as prescribed in Schedule "B" of this bylaw.
- 19.2. Climatic data, other than ground snow loads, for **building** design under this bylaw shall be as prescribed in the **Building Code**.

20. Stop Work Orders and Do Not Occupy Notices

- 20.1. When a Stop **Work** Order has been posted, no **construction** shall take place until the Stop **Work** Notice has been rescinded in writing by the **Building official**.
- 20.2. The **building official** shall not remove a Stop **Work** Order until supplied with satisfactory evidence that the violation giving rise to the order has been corrected.
- 20.3. When a Do Not Occupy Notice has been posted all **persons** shall cease occupancy

of the **building** immediately and shall refrain from further occupancy until the Do Not Occupy Notice has been rescinded by the **building official**.

- 20.4. The **building official** shall not remove the Do Not Occupy Notice until all applicable provisions of the **Building Code** and this bylaw have been substantially complied with.

21. Penalty

- 21.1. A **person** who violates any provision of this bylaw commits an offence and is punishable in accordance with the *Offence Act*.
- 21.2. Every **person** who fails to comply with any order or notice issued by a **building official**, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- 21.3. Every **person** who commences **work** requiring a **building permit** without first obtaining a **building permit** shall, if a Stop **Work** Notice is issued, pay an additional charge equal to 25% of the **building permit** fee prior to obtaining the required **building permit**.
- 21.4. Every **person** who commences **work** requiring a **building permit** without first obtaining a **building permit** shall, if a Stop **Work** Notice is issued and remains outstanding for 30 days because a complete **building permit** application has not been submitted pay an additional charge equal to 50% of the **building permit** fee prior to obtaining the required **building permit**.

22. Repeal

- 22.1. "Regional District of Bulkley-Nechako Building Bylaw No. 1318, 2005" and amendments thereto are hereby repealed.

23. Severability

- 23.1. The provisions of this bylaw are severable and the invalidity of any part of this bylaw shall not affect the validity of the remainder of this bylaw.

24. Title

- 23.1 This bylaw may be cited for all purposes as the "Regional District of Bulkley-Nechako Building Bylaw No. 1634, 2012."

25. Schedules

- 24.1. Schedules A through D attached to this bylaw form part of this bylaw.

READ A FIRST TIME this day of

READ A SECOND TIME this day of

READ A THIRD TIME this day of

I hereby certify that the foregoing is a true and correct copy of "Regional District of Bulkley-Nechako Building Amendment Bylaw No. 1634, 2012".

DATED AT BURNS LAKE this day of

Corporate Administrator

ADOPTED this day of

Chairperson

Corporate Administrator

REGIONAL DISTRICT OF BULKLEY-NECHAKO
BUILDING BYLAW NO. 1634, 2012

SCHEDULE “A”

BUILDING PERMIT FEES

The following fees shall be paid by applicants to the **Regional District** of Bulkley-Nechako for a **building permit** under this bylaw:

Category	Fee Calculation
(a) Commercial, Industrial and Institutional	0.6% of construction value (\$6.00 per \$1,000.00)
(b) Residential (including dwellings garages, carports and patios)	0.6% of construction value (\$6.00 per \$1,000.00)
(c) Manufactured Home (Single Wide)	\$100.00
(d) Manufactured Home (Double Wide)	\$200.00
(e) Wood Burning Appliance and Chimney (New Installations Only)	\$100.00
(f) Move a Building	0.6% of construction value (\$6.00 per \$1,000)
(g) Demolition of Buildings and Structures	0.6% of construction value (\$6.00 per \$1,000)
(h) Other Inspections (including minor alterations, additions and repairs)	0.6% of construction value (\$6.00 per \$1,000)
(i) Change of Occupancy	\$100.00 plus 0.6% of construction value
(j) Cancellation of Note Against Land Title, Pursuant to Section 58 of the <i>Community Charter</i>	\$200.00
(k) Minimum Building Permit Fee	\$50.00

REGIONAL DISTRICT OF BULKLEY-NECHAKO
BUILDING BYLAW NO. 1634, 2012
SCHEDULE "B"

CLIMATIC DATA

Climatic Zone 7A for all areas within the Regional District of Bulkley-Nechako

<u>LOCATION</u>	<u>GROUND SNOW LOAD (kPa)</u>	<u>ASSOC. RAIN LOAD (kPa)</u>
Hudson Bay Mountain		
1450 m (Prairie Village)	9.2	0.3
1288 m (Alpine Way)	7.6	0.3

The following snow/rain values are to be used when calculating roof design live loads (applicable for elevations less than 800 m above sea level):

Smithers Area	4.1	0.2
Houston Area	4.1	0.2
Granisle Area	4.1	0.2
Burns Lake Area	4.1	0.2
Fraser Lake Area	4.1	0.2
Vanderhoof Area	4.1	0.2
Fort St. James Area	4.1	0.2

**REGIONAL DISTRICT OF BULKLEY-NECHAKO
BUILDING BYLAW NO. 1634, 2012**

SCHEDULE "C"

OWNER'S UNDERTAKING OF BUILDING FOUNDATION

Property **Owner**: _____

Describe Project: _____

Street Address of Property: _____

Legal Description of Property: _____

Pursuant to Section 11.1.16 of the Regional District of Bulkley-Nechako Building Bylaw No. 1634, I _____ being the registered **owner** of the above referenced property do hereby acknowledge and accept responsibility for the design and **construction** of the foundation for the above referenced project.

Furthermore, I recognize that within the boundaries of the Regional District of Bulkley-Nechako there are areas of "problem soils" and that these are widely distributed as to location. I affirm that it is my responsibility as **owner** to identify soil conditions on which the intended **construction** is to be placed and take all action required to ensure the adequacy of the foundation.

Owner's Information:

Agent for Owner Information

Name (print)

Name & Title (print)

Signature

Signature

Mailing Address (print)

Mailing Address (print)

Mailing Address

Mailing Address

Date

Date

Building Permit # (office use only): _____

**REGIONAL DISTRICT OF BULKLEY-NECHAKO
BUILDING BYLAW NO. 1634, 2012**

SCHEDULE "D"

OWNER'S UNDERTAKING OF BUILDING SITING

Property **Owner**: _____

Describe Project: _____

Street Address of Property: _____

Legal Description of Property: _____

Pursuant to Section 11.1.6 of the **Regional District** of Bulkley-Nechako Building Bylaw No. 1634, I _____ being the registered **owner** of the above referenced property do hereby acknowledge and accept responsibility for the siting of the **building** or **structure** for the above referenced project on the property.

Owner's Information:

Agent for **Owner** Information

Name (print)

Name & Title (print)

Signature

Signature

Mailing Address (print)

Mailing Address (print)

Mailing Address

Mailing Address

Date

Date

Building Permit # (office use only): _____