



Colwood Building Bylaw, 1988, (Sprinkler Provisions)

(With amendments to May 6, 2022)

Consolidated for convenience only:

All persons making use of this consolidation are advised that the amendments have been consolidated for convenience only, and that the original bylaws should be consulted for all purposes of interpretation and application of the bylaw.

Includes Amendments:

Bylaw No. 114	September 12, 1988
Bylaw No. 141	June 12, 1989
Bylaw No. 229	April 27, 1992
Bylaw No. 252	February 22, 1993
Bylaw No. 256	May 10, 1993 (<i>Repealed</i>)
Bylaw No. 338	March 11, 1996
Bylaw No. 370	March 10, 1997 (<i>Repealed</i>)
Bylaw No. 509	September 12, 1999
Bylaw No. 722	October 27, 2003
Bylaw No. 975	July 14, 2008

CITY OF COLWOOD

BYLAW NO. 98

A BYLAW TO ADOPT BUILDING REGULATIONS IN THE CITY OF COLWOOD

WHEREAS:

- A. The *Municipal Act* and Regulations made pursuant thereto provide that the Building Code of British Columbia applies to the City of Colwood;
- B. The Council may for health and safety and protection of persons and property, subject to the Health Act and the Fire Services Act and the Building Code of British Columbia and regulations thereunder, regulate the construction, installation, alteration, relocation or repair of buildings and structures, chimneys and fireplaces, and plumbing systems including septic tanks and sewer connections;
- C. The Council desires to provide for the health and also the safety and protection of persons and property in respect of sewage disposal systems, septic tanks, plumbing and sewer connections.

NOW THEREFORE the Council of the City of Colwood in open meeting assembled enacts as follows:

TABLE OF CONTENTS

SECTION 1.....	1
CITATION:	1
SECTION 2.....	2
INTERPRETATION:	2
SECTION 3.....	3
PROHIBITIONS	3
SECTION 4.....	4
DUTIES OF AUTHORITY HAVING JURISDICTION	4
SECTION 8.....	5
RESPONSIBILITY OF THE OWNER.....	5
SECTION 17.....	6
OFFENCES AND PENALTIES.....	6
SECTION 18.....	7
AUTOMATIC FIRE SPRINKLERS	7
SECTION 19.....	9
SEVERABILITY	9

CITATION:

- 1.1. This bylaw may be cited for all purposes as the “Colwood Building Bylaw, 1988, (Sprinkler Provisions)”.

INTERPRETATION:

- 2.1. For the purpose of this Bylaw, the following words and expressions are defined, and where those same words and expressions are defined in the Building Code, those definitions do not extend to the use of those words and expressions in this Bylaw.

"Agent" includes a person representing the owner by designation or contract and includes a hired tradesman and/or contractor who may be granted Permits for work within the limitations of his licence.

"Authority having jurisdiction" for the purposes of this Bylaw, shall mean the Council of the City of Colwood and/or its authorized representatives.

"Building" means a structure that is used or intended to be used for supporting or sheltering persons, animals or property, except those prescribed by regulation as exempted from the Building Code and includes plumbing contained in a building and servicing a building.

"Building Code" means the current edition, and amendments, of the British Columbia Building Code, made pursuant to Section 740 of the Municipal Act.

"Inspector" means the person (or persons) appointed from time to time by the Council, as its authorized representative.

"Building Permit" means a Permit for construction required or issued pursuant to this Bylaw.

"Council" means the Council of the City of Colwood.

"Construct" includes to reconstruct, install, repair, alter, demolish, and move.

"Occupancy Permit" means an Occupancy Permit issued pursuant to this Bylaw.

"Permit" means a Permit required or issued pursuant to this Bylaw and includes a Building Permit, a Plumbing Permit, a Chimney Permit, a Fireplace Permit and a Solid Fuel Burning Permit.

"Plumbing Permit" means a Permit issued under Section 7.5

"Pool" means a water receptacle used for swimming or as a plunge or other bath designed to accommodate more than one bather at a time or for decorative or landscaping purposes; but does not include irrigation or natural ponds not filled from domestic water sources.

"Zoning Bylaw" means the Zoning Bylaw of the City of Colwood.

PROHIBITIONS

- 3.6. No person shall do any work or carry out any construction contrary to any provision or requirement of this Bylaw or the Building Code.
- 3.7. No person shall interfere with or obstruct the entry of the authority having jurisdiction acting in the conduct of administration of this Bylaw.

DUTIES OF AUTHORITY HAVING JURISDICTION

4.1. Authority having jurisdiction may:

- (a) administer this Bylaw;
- (b) keep records of applications received, permits and orders issued, inspections and tests made, and retain copies of all papers and documents connected with the administration of this Bylaw; and
- (c) take such action deemed necessary to establish whether any method, type of construction or material used in the construction of a building conforms with the requirements and provisions of the Building Code.

RESPONSIBILITY OF THE OWNER

- 8.1 Neither the granting of a Permit nor the approval of the drawings and specifications nor inspections made by the authority having jurisdiction shall in any way relieve the owner of such building from full responsibility for carrying out the work or having the work carried out in accordance with the requirements of this Bylaw, the Building Code and any other applicable Bylaw.
- 8.2 Any owner of property for which a Permit is issued shall be responsible for the cost of repair of any damage to private or public works that occurs as a result of the work covered by the Permit

OFFENCES AND PENALTIES

- 17.1 No person shall do any act, or suffer or permit any act or thing to be done in contravention of this Bylaw.
- 17.2 Every person who contravenes this Bylaw by doing any act which it forbids, or omitting to do any act which it requires to be done, is guilty of an offence and is liable, on summary conviction, to a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) for a first offence and for each subsequent offence to a fine of not less than fifty dollars (\$50.00) and not more than five hundred dollars (\$500.00). A separate offence shall be deemed to be committed upon each day during and in which the contravention occurs or continues.
- 17.3 The penalties imposed under sub section 17.2 hereof, shall be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw or any other statute, law or regulation.

AUTOMATIC FIRE SPRINKLERS

- 18.1 This section does not apply to buildings to which the Building Code does not apply.
- 18.2 Words and phrases in this section that are not defined in this bylaw but are defined in the Building Code have the meaning set out in the Building Code.
- 18.3 The following buildings must be equipped with an automatic fire sprinkler system that complies with the most current edition of document NFPA13 entitled "Standard for the Installation of Sprinkler Systems":
- (a) new buildings containing an assembly, mercantile, industrial, institutional, business or personal service occupancy;
 - (b) existing buildings containing an occupancy referred to in section 18.3(a) together with a multi-family residential occupancy where an additional dwelling unit is being created;
 - (c) existing buildings containing an occupancy referred to in section 18.3(a) where the total value, as determined by the Chief Building Inspector on the basis of building permit applications, of all additions and structural alterations made or proposed to be made within any period of 24 consecutive months exceeds 25 per cent of the assessed value of the building as most recently determined by the B.C. Assessment Authority; and
 - (d) every building referred to in section 18.3(a) that is destroyed or damaged to the extent of 25 per cent or more of its assessed value above its foundation as most recently determined by the B.C. Assessment Authority, where the owner proposes to repair or reconstruct the building.
- 18.4 All residential buildings must be equipped with an automatic fire sprinkler system that complies with the most current edition of document N.F.P.A. 13 or N.F.P.A. 13R, entitled "Standard for the installation of sprinkler systems in residential occupancies up to and including four storeys in height", excluding single family and two family dwellings.
- 18.5 The following buildings must be equipped with an automatic fire sprinkler system that complies with the most current edition of document NFPA13, NFPA13R or NFPA13D entitled "Standard for the Installation of Sprinkler Systems in One or Two Family Dwellings and Mobile Homes".
- (a) single family dwellings, two-family dwellings and multi-family dwellings in respect of which:
 - i. the driveway grade giving vehicular access to the building exceeds 15 per cent;
 - ii. the access route for fire fighting apparatus does not comply the Building Code or the B.C. Fire Code; or
 - iii. the size or complexity of the building or its location with respect to the location of fire fighting facilities is such that, in the reasonable opinion of the Fire Chief of the City and the Chief Building Inspector, access to the building by fire fighting apparatus for the purpose of fighting fires is impractical.
- 18.6
- (a) All automatic fire sprinkler systems required by this section must be designed and their installation reviewed by a Registered Professional with experience in sprinkler system design, except for modifications to existing systems involving the relocation or addition of fewer than six sprinkler heads in which case the requirement for Registered Professional design and review may be waived if the Chief Building Inspector considers that the size or complexity of the development do not warrant such a requirement.
 - (b) Review of the work by the Registered Professional must include Field Review as defined in the Building Code and review of the contractor's material and test certificate, a copy of which must be provided to the City with the Letter of Assurance of Professional Field Review and Compliance.

- (c) Where Registered Professional design and review is required by this section, the owner must comply with section 2.6 of the Building Code as if that section applied to the design and installation of the automatic fire sprinkler system.

18.7

- (a) All automatic fire sprinkler systems must be maintained and tested in accordance with NFPA13, NFPA25 and the current edition of the B.C. Fire Code and the results reported in writing to the Fire Chief of the City. Notification of water flow or other tests to be made to a sprinkler system must be given to the City Engineer prior to testing.

- 18.8 Despite any other provision of this Bylaw, the maximum fine for failing to install a sprinkler system as required, or failing to keep the sprinkler system maintained and operational at all times, is \$100.00 and every day the violation of a sprinkler system requirement exists or is permitted to exist constitutes a separate offense.

SEVERABILITY

- 19.1 If any portion of this Bylaw is for any reason held to be invalid by a Court of competent jurisdiction, the invalid portion shall be severed and the validity of the remainder shall not be affected.

The Capital Regional District Building Bylaw No. 1042 as it applies to the City of Colwood is hereby repealed.

READ A FIRST TIME the 15th day of March, 1988.

READ A SECOND TIME the 5th day of April, 1988.

READ A THIRD TIME the 5th day of April, 1988.

RECONSIDERED, FINALLY PASSED AND ADOPTED THIS 19th day of April, 1988.

MAYOR

CLERK