

CITY OF DELTA

“Delta Building/Plumbing Bylaw No. 8065, 2021”

CITY OF DELTA

BYLAW NO. 8065

A Bylaw to regulate the construction, alteration, repair, demolition or moving of buildings and pools and the installation, alteration or repair of plumbing in the City of Delta.

WHEREAS Section 8(3) of the *Community Charter* authorizes the City of Delta, by bylaw, to regulate, prohibit and impose requirements in relation to buildings and other structures;

AND WHEREAS Section 15 of the *Community Charter* authorizes the City of Delta, by bylaw, to provide for a system of licences, permits or approvals;

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 in the Province;

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

NOW THEREFORE the City of Delta in open meeting assembled, enacts as follows:

SECTION 1 - GENERAL

This bylaw may be cited for all purposes as “**Delta Building/Plumbing Bylaw No. 8065, 2021**”.

1.1 DEFINITIONS

- 1.1.1 Wherever used in this Bylaw, including the recitals, unless there is something in the subject matter or context inconsistent therewith, the following terms shall have the meanings ascribed to them:

applicant means the ***owner*** of a property that is the subject of an application referred to in Section 5.1, or his or her duly authorized ***representative***, as the case may be.

Building Code means the most recent version of the British Columbia Building Code established by the Province of British Columbia.

<i>Building Official</i>	means a person appointed by <i>Council</i> to administer and enforce this Bylaw who is qualified as a building official under Section 11 of the <i>Building Act</i> , SBC 2015, c. 2.
<i>building permit</i>	means the permission or authorization in writing by the <i>Building Official</i> to construct or move a <i>building</i> or <i>structure</i> .
<i>Bylaw Enforcement Officer</i>	means a bylaw enforcement officer as defined in Delta Property Enhancement Bylaw No. 7055, 2012 as amended or replaced from time to time.
<i>complex building</i>	means any <i>building</i> or <i>structure</i> that is not a <i>non-complex building</i> .
<i>Compliance Order</i>	means an order under Section 4.5.
<i>Consolidated Fees Bylaw</i>	means City of Delta's "Consolidated Fees Bylaw No. 7273, 2013, as amended or replaced from time to time.
<i>construction</i>	means the process or activity by which any <i>building</i> or <i>structure</i> is erected, repaired, altered, renovated, added to, installed, demolished, removed or moved, or for which preparation is made by way of shoring, excavation or the installation of plumbing systems, and " <i>construct</i> " and " <i>constructed</i> " shall have a corresponding meaning.
<i>demolition permit</i>	means the permission or authorization in writing by the <i>Building Official</i> to demolish a <i>building</i> or <i>structure</i> .
<i>Do Not Occupy Order</i>	means an order under Section 4.8.
<i>dwelling unit</i>	means "dwelling unit" as defined in the <i>Zoning Bylaw</i> .
<i>Energy Step Code</i>	means the Province of British Columbia's performance-based standard for energy efficiency in new <i>construction</i> requiring energy modelling and on-site testing to demonstrate minimum performance against metrics for building envelope, equipment and systems, and airtightness requirements, and including Step 1, Step 2, Step 3, Step 4, and Step 5, as defined in Sections 9.36.6 and 10.2.3 of the <i>Building Code</i> .

<i>Farm Code</i>	means the most recent version of the National Farm Building Code of Canada
<i>field review</i>	means a review of the work • at a <i>real property</i> for which a <i>permit</i> has been issued, and • where applicable, at locations where components of a <i>building</i> or <i>structure</i> are fabricated for use that a <i>Registered Professional</i> in his or her professional discretion considers necessary to ascertain whether the work substantially complies in all material respects with the plans and supporting documents for the work prepared by a <i>Registered Professional</i>.
<i>fireplace and chimney permit</i>	means the permission or authorization in writing by the <i>Building Official</i> to <i>construct</i> a masonry fireplace or install a wood burning appliance or chimney.
<i>float home</i>	means a <i>building</i> incorporating a floatation system intended for use or being used or <i>occupied</i> for residential purposes, containing one <i>dwelling unit</i> only, not primarily intended for, or usable in, navigation and does not include a water craft designed or intended for navigation.
<i>health and safety aspects of the work</i>	means design and <i>construction</i> regulated by Part 3, Part 4, Part 7 and Part 9 of the <i>Building Code</i> .
<i>highway use permit</i>	means a highway use permit as defined in The Corporation of Delta Highways Bylaw No. 6922, 2011
<i>multi-family residential structure</i>	means a single <i>building</i> containing three or more separate <i>dwellings units</i> .
<i>Municipality</i>	means the City of Delta, or the area within its boundaries, as the context requires.

non-complex building

means

- a **building** or **structure (other than a farm building)** of three **storeys** or less in **building height**, having a **building area** not exceeding 600 square metres and used for any of the following **major occupancy classifications**:
 - **residential occupancies**;
 - **business and personal services occupancies**;
 - **mercantile occupancies**;
 - **low hazard industrial occupancies**; or
 - **medium hazard industrial occupancies**; and
- a **farm building** that is less than 400 square metres in **building area** or exceeds 400 square metres in **building area** but is of **low human occupancy** as defined by the **Farm Code**.

occupancy

means the use or intended use of a **building** or part thereof for the shelter or support of persons, animals or property, and “**occupy**” or “**occupied**” shall have a corresponding meaning.

occupancy permit

means the permission or authorization in writing by the **Building Official** to **occupy** a **building** for the accepted **occupancy**.

owner

means the registered owner of land and includes a lessee with authority to build on land.

permit

means a **building permit**, **plumbing permit**, **demolition permit** or **fireplace and chimney permit**

plumbing permit

means the permission or authorization in writing by the **Building Official** to install all or part of a plumbing system.

representative

means a person authorized in the manner prescribed in Schedule 3 by an **owner** to represent the **owner** for the purposes of this Bylaw.

retaining structure

means a **structure** that is designed or intended to hold back existing soil or added fill material.

Stop Work Order

means an order under Section 4.6 or 4.7.

structure means any **constructed** thing or portion thereof of any kind, whether fixed to, supported by or sunk into or located in land or water or airspace, that is not used or intended for supporting or sheltering any use or **occupancy**, and includes foundations or supporting framework for exterior signs, equipment and machinery but specifically excludes landscaping, fences and paving.

work related to construction *includes, without limitation, excavation.*

Zoning Bylaw means Delta Zoning Bylaw No. 7600, 2017, as amended or replaced from time to time.

1.1.2 *Unless a contrary intention appears in this Bylaw, any bolded words or phrases used in this bylaw that are not defined in Section 1.1.1, shall have the meaning given to them in the **Building Code, the Community Charter or the Local Government Act.***

1.1.3 Unless otherwise specified, a reference in this Bylaw to any Section, Part or Schedule shall be a reference to the corresponding Section, Part or Schedule in this Bylaw.

1.2 PURPOSE OF BYLAW

1.2.1 This Bylaw shall, notwithstanding any other provision herein, be interpreted in accordance with this Section 1.2 - Purpose of Bylaw.

1.2.2 This Bylaw is enacted and retained for the purpose of regulating **construction** within the **Municipality** in the general public interest. The activities undertaken by or on behalf of the **Municipality** pursuant to this Bylaw are for the sole purpose of providing a limited spot check for health, safety and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of this Bylaw extend:

1.2.2.1 to the protection of the **owners**, owner/builders or **constructors** from economic loss;

1.2.2.2 to the assumption by the **Municipality** of any responsibility for ensuring the compliance by any **owners**, his or her **representatives**, or any employees, **constructors** or **designers** retained by him or her, with the **Building Code**, the requirements of this Bylaw or any other applicable codes or standard;

1.2.2.3 to providing any person a warranty of design or workmanship with respect to any **building** or **structure** for which a **permit** or **occupancy permit** is issued under this Bylaw;

- 1.2.2.4 to providing a warranty or assurance that work undertaken pursuant to a **permit** issued by the **Municipality** is free from latent or any defects or complies with this Bylaw.

1.3 PERMIT CONDITIONS

- 1.3.1 A **permit** is required whenever matters regulated under this Bylaw are to be undertaken.
- 1.3.2 Neither the issuance of a **permit** or **occupancy permit** under this Bylaw nor the acceptance or review of plans, drawings, or specification or supporting documents, nor any inspections made by or on behalf of the **Municipality**, shall in any way relieve the **owner**, or his or her **representatives**, from full and sole responsibility to perform the work in strict accordance with the **Building Code**, this Bylaw and all other codes, standards and applicable enactments.
- 1.3.3 It shall be the full and sole responsibility of the **owner** (and where the **owner** is acting through a **representative** as per Schedule 3, the **representative**) to carry out the work in respect of which the **permit** was issued in compliance with the **Building Code**, this Bylaw and all other applicable codes, standards and enactments.
- 1.3.4 Neither the issuance of a **permit** or **occupancy permit** under this Bylaw nor the acceptance or review of plans, drawings, or specifications or supporting documents, nor any inspections made by or on behalf of the **Municipality**, constitute in any way a representation, warranty, assurance or statement that the **Building Code**, this Bylaw or any other applicable codes, standards or enactments have been complied with.

SECTION 2 - SCOPE AND EXEMPTIONS

- 2.1 This Bylaw applies to all of the area located within the **Municipality** as described in the Letters Patent incorporating the **Municipality**, as amended from time to time, for the design, **construction** and **occupancy** of new **buildings** and **structures**, and the alteration, reconstruction, demolition, removal, relocation and **occupancy** of existing **buildings** and **structures**.
- 2.2 The provisions of this Bylaw do not apply to the matters exempted by Part 1 of the **Building Code** except as provided herein.
- 2.3 The provisions of this Bylaw do not apply to **retaining structures** less than 1.2 metres in height except those referenced in Section 22 - Retaining Structures.
- 2.4 The provisions of this Bylaw do not apply to fences except as provided in Section 19 - Swimming Pools.
- 2.5 The provisions of this Bylaw do not apply to the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, or the replacement of fixtures when such repairs do not exceed \$1,000 in value and do not involve or require the rearrangement of valves and pipes.

SECTION 3 - PROHIBITIONS

3.1 Unless otherwise permitted elsewhere in this Bylaw:

- 3.1.1 No person shall commence or continue any **construction**, alteration, extension, structural repair, health or safety repair, placement of any **building** or **structure** or other **work related to construction**, including work described in Section 1.1 of the **Building Code**, unless a valid and subsisting **permit** has been issued for the work by a **Building Official**.
- 3.1.2 No person shall, unless exempt by Section 2 – Scope and Exemptions, commence or continue **construction**, the connection, installation, alteration or repair of plumbing, sewers, drains, tanks, pumps, heating and air conditioning equipment and similar works unless a valid and subsisting **permit** has been issued for the work by a **Building Official**.
- 3.1.3 No person shall demolish or remove a **building** or **structure** or any portion thereof, unless a valid and subsisting **demolition permit** has been issued for the demolition by a **Building Official**.
- 3.1.4 No person shall **occupy** or use any **building** unless a valid and subsisting **occupancy permit** has been issued by a **Building Official** for the **building**, or **occupy** or use any **building** contrary to the terms of any **occupancy permit** issued or any notice given by a **Building Official**.
- 3.1.5 No person shall, unless authorized by a **Building Official**, reverse, alter, deface, cover, remove or in any way tamper with any **Stop Work Order, Compliance Order, Do Not Occupy Order**, notice, **permit** or certificate posted by a **Building Official** upon or affixed to any **building, structure** or **property** pursuant to this Bylaw.
- 3.1.6 No person shall commence or continue any work that is at variance or contrary to the authorized descriptions, plans and specifications of a **building** or **structure** for which a **permit** has been issued, unless that variance has firstly been authorized in writing by a **Building Official**.
- 3.1.7 No person shall obstruct the entry of a **Building Official or Bylaw Enforcement Officer** on any land, **building** or premises.
- 3.1.8 No person shall move or cause any **dwelling unit** to be moved into the **Municipality** except a **dwelling unit** built to Canadian Standards Association standards A277, Z240 or BC Float Home Standard, as applicable, unless a valid and subsisting **Building Permit** authorizes the move.
- 3.1.9 No person shall move or cause any **building** or **structure** to be moved onto a lot in the **Municipality** without first obtaining a **building permit** for the work on the lot to which the **building** is to be moved.

- 3.1.10 No person shall **occupy** a **building** or portion of a **building** after a change in class of **occupancy** of the **building** or part of it unless the requirements of Section 16 - Occupancy Permits have been complied with and the **building** complies with the health and safety requirements of the **Building Code**, the Bylaws of the **Municipality** or any statute for the new **occupancy**.

SECTION 4 - BUILDING OFFICIALS

4.1 A **Building Official** may:

- 4.1.1 administer this Bylaw;
- 4.1.2 keep records of applications received for **permits** or **occupancy permits** issued, inspections and tests made, and shall retain copies of papers and documents connected with the administration of this Bylaw as required by the **Municipality's** retention policy;
- 4.1.3 establish, if requested to do so, whether the methods or types of **construction** and types of materials used in the **construction** of a **building** or **structure** conform to the requirements of the **Building Code**; and
- 4.1.4 establish and use a system for digital or online submissions of materials associated with applications for **permits** or **occupancy permits** and digital or online bookings of inspections and require the use of such systems and establish exceptions for the use of such systems.

4.2 All applications, **permits**, **occupancy permits**, plans, records or documents submitted to, issued by or kept by the **Building Official** are the property of the **Municipality** and shall not be available for public viewing, except to the extent permitted under the *Freedom of Information and Protection of Privacy Act*.

4.3 Section 4.1 creates no obligations other than to the **Municipality**.

4.4 A **Building Official** or **Bylaw Enforcement Officer**:

- 4.4.1 may enter any land, **building** or **structure** at any reasonable time for the purpose of ascertaining that the regulations of this Bylaw are being observed;
- 4.4.2 where any residence is **occupied**, shall, except in emergency situations, obtain the consent of the occupant or provide written notice 24 hours in advance of entry; and
- 4.4.3 shall carry proper credentials confirming that person's status as a **Building Official** or **Bylaw Enforcement Officer**, as applicable.

4.5 Without limiting anything in Sections 4.6, 4.7 and 4.8, if an **owner** of **real property** fails to comply with a requirement of this Bylaw, a **Building Official** may issue a **Compliance Order** requiring the **owner** to correct any work which is being done or has been done in contravention of this Bylaw or bring the **real property** into compliance with the provisions of this Bylaw within such time as the **Building Official** considers appropriate.

- 4.6 Without limiting anything in Sections 4.5, 4.7 and 4.8, a **Building Official** may, if work is being done or is about to be done in contravention of a **permit** or this Bylaw, or if any provision of this bylaw is not being complied with, order all work authorized by a **permit** to be stopped, by posting a **Stop Work Order** on the property.
- 4.7 Without limiting anything in Sections 4.5, 4.6 and 4.8, a **Bylaw Enforcement Officer** may, if work is being done or is about to be done in contravention of a **permit** or this Bylaw, or if any provision of this bylaw is not being complied with, by posting a **Stop Work Order** on the property, order all work authorized by a **permit** to be stopped for the lesser of seven days or until a **Building Official**, in writing, authorizes the work to resume.
- 4.8 Without limiting anything in Sections 4.5, 4.6 and 4.7, a **Building Official** may, by posting a **Do Not Occupy Order** on a **building** or property, prohibit **occupancy** of a **building** if the **Building Official** believes that:
- 4.8.1 the **building** is being **occupied** for a class of **occupancy** other than that authorized by the more recent **occupancy permit** ;
 - 4.8.2 the **building** is in violation of any provision of the **Building Code** or this Bylaw; or
 - 4.8.3 the **building** is not safe for **occupancy** due to the condition of the **building** or the condition of the **real property** on which it is located or any nearby property.
- 4.9 Delivery of a **Compliance Order**, **Stop Work Order** or **Do Not Occupy Order** upon an **owner** will be sufficient if a copy of the order is posted on the property, served personally on the **owner** or mailed by prepaid registered mail to the **owner** as shown on the current year's **real property** assessment roll.

SECTION 5 – APPLICATIONS REQUIRED

- 5.1 Every person shall apply for and obtain:
- 5.1.1 a **building permit** before **constructing**, repairing or altering a **building** or **structure**;
 - 5.1.2 a **building permit** before moving a **building** or **structure**;
 - 5.1.3 a **demolition permit** before demolishing a **building** or **structure**;
 - 5.1.4 a **plumbing permit** before **constructing**, repairing or altering a plumbing system;
 - 5.1.5 a **fireplace and chimney permit** prior to **construction** of a masonry fireplace or the installation of a wood burning appliance or chimney unless the works are encompassed by a valid **building permit**.
- 5.2 All plans submitted with a **permit** application shall bear the name and address of the **designer** of the **building, structure or plumbing**.

- 5.3 Each **building** or **structure** to be **constructed** placed, altered, extended or repaired on site requires a separate **building permit** and shall be assessed a separate **building permit** fee based on the value of that **building** or **structure**, as determined in accordance with the **Consolidated Fees Bylaw**, except in the case of **buildings** in a phased condominium or similar project involving multiple **buildings** on a single site, where a single **building permit** may be issued for more than one **building**.
- 5.4 Each application shall state the estimated market value of the proposed **construction**. In calculating the market value of the proposed work, the market value of that portion of the proposed work which is cladding repair or replacement necessitated by water penetration of an existing **multi-family residential structure** shall not be taken into account. The **applicant** must establish, by way of an opinion certified by a **Registered Professional**, that the cladding repair or replacement is necessitated by water penetration into an existing **multi-family residential structure**.
- 5.5 Where the source of water supply is from other than a community water system, e.g., spring, lake, river, creek, or well, proof of a minimum of 4500 litres per day water supply shall be provided.
- 5.6 The minimum building elevation of any space used for human **occupancy**, commercial sales, business or storage of goods, measured at the underside of a structural floor system or the top of a concrete slab, shall be no lower than 1.6 m G.S.C. Datum.
- 5.6.1 The minimum elevation shall not apply to:
- 5.6.1.1 an addition to a single or two family dwelling provided the addition is no lower than the existing portion of the **building**;
 - 5.6.1.2 a **building** or portion thereof to be used as a carport, garage or storage shed, in conjunction with a single or two family dwelling;
 - 5.6.1.3 a greenhouse;
 - 5.6.1.4 a **farm building** located in an Agricultural Zone under the **Zoning Bylaw**, provided that the minimum elevation of the bottom of the lowest floor, slab, crawl space or basement of such **farm buildings** shall be not less than 0.3 metres above the mean elevation of the natural grade of the land within the **building** envelope.
- 5.7 An application for a **building permit** or **plumbing permit** may be rejected if **construction** has commenced under another **building permit** or **plumbing permit** for the same **building** or **structure** but an **occupancy permit** has not been issued in relation to the work authorized by that **permit**.

SECTION 6 - APPLICATIONS FOR COMPLEX BUILDINGS

6.1 An application for a **building permit** with respect to a **complex building** shall:

- 6.1.1 be made in the form established and provided by the **Building Official**;
- 6.1.2 be accompanied by the **owner's** acknowledgment of responsibility and undertaking made in the form attached as Schedule 2 to this Bylaw, signed by the **owner**, or a signing officer if the **owner** is a corporation.
- 6.1.3 include a copy of a title search made within 30 days of the date of the application;
- 6.1.4 include two site plans prepared by a British Columbia Land Surveyor or Professional Engineer within the last six months showing:
 - 6.1.4.1 the bearing and dimensions of the **parcel** taken from the registered subdivision plan;
 - 6.1.4.2 the legal description and civic address of the **parcel**;
 - 6.1.4.3 the location and dimensions of all statutory rights of way, easements and setback requirements;
 - 6.1.4.4 the location and dimensions of all existing and proposed **building** and **structures** on the **parcel**;
 - 6.1.4.5 setbacks to the natural boundary of any ocean, river, lake, swamp, pond or watercourse where there are applicable siting requirements related to flooding;
 - 6.1.4.6 the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a **building** or **structure** where there are applicable siting requirements related to minimum floor elevation; and
 - 6.1.4.7 the location, dimension and gradient of parking and driveway access, boulevard, trees, overhead wire, street lights and pole locations;
- 6.1.5 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;
- 6.1.6 include a cross section through the **building** or **structure** illustrating foundations, drainage, ceiling heights and **construction** systems;
- 6.1.7 include elevations of all sides of the **building** or **structure** showing finish details, roof slopes, windows, doors, and finished grade;
- 6.1.8 include cross sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the **building** or **structure** conforms to the **Building Code**;

- 6.1.9 include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, **highway use permits** and Ministry of Health approval;
 - 6.1.10 include a Letter of Assurance in the form of Schedule A as referred to in the **Building Code**, signed by the **owner**, or a signing officer of the **owner** if the **owner** is a corporation, and the **coordinating Registered Professional**;
 - 6.1.11 include Letters of Assurance in the form of Schedule B as referred to in the **Building Code**, each signed by such **Registered Professionals** as the **Building Official** or **Building Code** may require to prepare the **design** for and conduct **field reviews** of the **construction** of the **building** or **structure**;
 - 6.1.12 include three sets of drawings and specification, if necessary, at an appropriate scale of the design prepared by each **Registered Professional** and including the information set out in Sections 6.1.5, 6.1.6, 6.1.7 and 6.1.8;
 - 6.1.13 include a completed, signed and sealed **Building Code** analysis in a form provided by a **Building Official**.
- 6.2** In addition, the following may be required by a **Building Official** to be submitted with a **building permit** application for the **construction** of a **complex building** where the complexity of the proposed **building** or **structure** or siting circumstances warrant:
- 6.2.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line prepared and sealed by a **Registered Professional**, in accordance with the **Municipality's** Subdivision and Development Standards Bylaw;
 - 6.2.2 a section through the site showing grades, **buildings**, **structures**, parking areas and driveways;
 - 6.2.3 any other information required by the **Building Official** or the **Building Code** to establish compliance with this Bylaw, the **Building Code** and other bylaws and enactments relating to the **building** or **structure**.
- 6.3** A **Building Official** may accept plans with less details for an application to undertake minor repairs or alterations to **complex buildings**.
- 6.4** A **Building Official** may accept a **building permit** application to make minor repairs or alterations to **complex buildings** under Section 7 – Applications – Non-Complex Buildings provided that the **Building Code** does not require that **Registered Professionals** be retained.

SECTION 7 - APPLICATIONS – NON-COMPLEX BUILDINGS

- 7.1** An application for a **building permit** with respect to a **Non-complex building** shall:

- 7.1.1 be made in the form established and provided by a **Building Official**;
- 7.1.2 be accompanied by the **owner's** acknowledgment of responsibility and undertakings made in the form attached as Schedule 2 to this Bylaw, signed by the **owner**, or a signing officer if the **owner** is a corporation;
- 7.1.3 include a copy of a title search made within 30 days of the date of the application;
- 7.1.4 include two site plans prepared by a British Columbia Land Surveyor or Professional Engineer within the last six months showing:
 - 7.1.4.1 the bearing and dimensions of the **parcel** taken from the registered subdivision plan;
 - 7.1.4.2 the legal description and civic address of the **parcel**;
 - 7.1.4.3 the location and dimensions of all statutory rights of way, easements, covenant requirements, setback requirements and diameter of existing trees and proposed trees on the land or water lot on which the **building** or **structure** is to be situated;
 - 7.1.4.4 the location and dimensions of all existing and proposed **buildings** or **structures** on the **parcel** and dwellings on adjacent lots;
 - 7.1.4.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where there are applicable siting requirements related to flooding;
 - 7.1.4.6 the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a **building** or **structure** where there are applicable siting requirements related to minimum floor elevation;
 - 7.1.4.7 the location, dimension and gradient of parking and driveway access;
 - 7.1.4.8 the location of water service, sewer service, storm water service and site collection system, vehicle access to a roadway, firefighting access, parking, landscaping and screening requirements as required by the **Zoning Bylaw** or Subdivision and Development Standards Bylaw or the **Building Code**;
 - 7.1.4.9 the grades and elevations of the streets and sewers abutting the land boulevard, trees, overhead wires, street lights and pole locations.
- 7.1.5 include floor plans to scale of 1/4" - 1'0" or 1:50 showing the minimum dimensions and uses of all areas; the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of window; floor, wall, and ceiling finishes; plumbing fixtures; location of structural elements and stair dimensions;

- 7.1.6 include a cross section through the **building** or **structure** illustrating foundations, drainage, ceiling heights and **construction** systems showing that the lot will conform to the Vertical Building Envelope;
 - 7.1.7 include elevations of all sides of the **building** or **structure** showing finish details, roof slopes, windows, doors, spatial calculations and finished grade;
 - 7.1.8 include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the **building** or **structure** conforms to the **Building Code** and complies with Delta bylaws, covenants and contracts;
 - 7.1.9 include copies of approvals required under any enactment relating to health or safety, including, without limitation sewage disposal permits, **highway use permits** and Ministry of Health approval;
 - 7.1.10 include a foundation design that complies with Subsection 9.4.4 of the **Building Code** and the foundation excavation complies with Section 9.12 of the **Building Code**.
 - 7.1.11 include two copies of sets of drawings at a scale of 1/4" - 1' 0" or 1:50 of the design including the information set out in Sections 7.1.4, 7.1.5, 7.1.6, 7.1.7, 7.1.8 and 7.1.10.
- 7.2 In addition to the requirements of Section 7.1, the following may be required by a **Building Official** to be submitted with a **building permit** application for the **construction of non-complex buildings** where the project involves two or more **buildings**, which, in the aggregate, total more than 800 square metres in **building area**, or two or more **buildings** that will contain three or more **dwelling units**, or otherwise where the complexity of the proposed **building** or **structure** or siting circumstances warrant:
- 7.2.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a **Registered Professional**, in accordance with the **Municipality's** Subdivision and Development Standards Bylaw;
 - 7.2.2 a section through the site showing grades, **buildings, structures**, parking areas and driveways;
 - 7.2.3 a roof plan and roof height calculations;
 - 7.2.4 structural, electrical, mechanical or fire suppression drawings prepared and sealed by a **Registered Professional**;
 - 7.2.5 Letters of Assurance in the form of Schedule B as referred to in the **Building Code**, signed by the **Registered Professional**;
 - 7.2.6 any other information required by the **Building Official** or the **Building Code** to establish compliance with this Bylaw, the **Building Code** and other bylaws and enactments relating to the **building** or **structure**.
- 7.3 A **Building Official** may accept plans with less detail for an application to undertake minor repairs or alterations to **non-complex buildings**.

SECTION 8 – OTHER APPLICATIONS

- 8.1 An application for a **plumbing permit** shall:
- 8.1.1 be in the form established and provided by the **Building Official**. Requirements for issuance may require a valid BC Tradesman's Qualification Certification;
 - 8.1.2 in the case of commercial, industrial, institutional **buildings** or residential **buildings** containing three or more **dwelling units**, be accompanied by a plan drawn to a scale that shows to the satisfaction of a **Building Official**, the proposed works and the location and size of every **building** drain and of every trap or inspection piece on a **building** drain, a sectional drawing showing the size and location of every soil and waste pipe, trap and vent pipe, and an isometric drawing showing water distribution system layout and sizing;
 - 8.1.3 in the case of plumbing being installed in a **complex building** Schedule B are required to be submitted by a **Registered Professional**.
- 8.2 An application for a **demolition permit** shall be made in the form established and provided by the **Building Official** and include the fees established in the **Consolidated Fees Bylaw**. An application for a **demolition permit** shall be accompanied by a Rodent Inspection and Control Declaration in a form prescribed by the **Building Official** from time to time.
- 8.3 An application for a **Permit** to move a **building** shall be made in the form established and provided by the **Building Official** and shall contain sufficient information to satisfy the **Building Official** that the proposed work will comply with the requirements of Section 17 – Moving of Buildings. A **permit** authorizing **construction** required to bring the **building** into a healthy, safe and bylaw compliant state must be attached to the application. The application must include the application fee set out in the **Consolidated Fees Bylaw**.

SECTION 9 - PROFESSIONAL PLAN CERTIFICATION

- 9.1 The Letters of Assurance provided pursuant to this Bylaw are relied upon by the **Municipality** and its **Building Officials** as certification that the design and plans to which the Letters of Assurance relate comply with the **Building Code** and other applicable enactments relating to safety.
- 9.2 A **building permit** issued for the **construction** of a **complex building**, or for a **non-complex building** for which a **Building Official** required professional design pursuant to Section 7.2.4 and Letters of Assurance pursuant to this Bylaw, shall be in the form provided by the **Building Official**.
- 9.3 A **building permit** issued pursuant to Section 9.2 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.

- 9.4 When a **building permit** is issued in accordance with Section 9.2 the **permit** fee shall be reduced by 5% of the fees payable pursuant to the **Consolidated Fees Bylaw**, up to a maximum reduction of \$500.

SECTION 10 – ISSUANCE OF PERMITS

- 10.1 A **Building Official** shall issue the **building permit** for which the application is made when:
- 10.1.1 a completed application, including all required supporting documentation has been submitted;
 - 10.1.2 if it is a **complex building**, the proposed work set out in the application has been undertaken by **Registered Professionals** in relation to the **Building Code** as required in Section 6 – Applications for Complex Buildings, and the **Building Officials'** review of the proposed work set out in the application complies with this Bylaw and all other applicable bylaws and statutes;
 - 10.1.3 if it is a **non-complex building**, a **Building Official's** review of the proposed work set out in the application has been undertaken in relation to the **Building Code**, this Bylaw and all other applicable bylaws and statutes;
 - 10.1.4 the **applicant** has paid the fees prescribed in the **Consolidated Fees Bylaw**.
 - 10.1.5 the **owner**, or signing officer if the **owner** is a corporation, or the coordinating **Registered Professional**, if applicable, has signed the **building permit**;
 - 10.1.6 the **Building Official** is satisfied that all charges have been paid and all requirements have been met that are imposed by any other statute or bylaw;
 - 10.1.7 no covenant or agreement in favour of the **Municipality** authorizes a **building permit** to be withheld;
 - 10.1.8 there is assurance given that the portion of the **construction** involving a plumbing system will be installed by a plumber holding valid BC Tradesman's Qualification Certification, or an **owner** and resident of a **dwelling unit**, will install, alter or repair plumbing in his **dwelling unit** or related accessory **building**; and
 - 10.1.9 The **owner** provides a non-refundable sum equal to the cost of planting one street tree for every 9 meters of streets abutting a property.
- 10.2 If the application is in respect of a **building** that includes, or will include, a **residential occupancy**, a **Building Official** shall not issue the **building permit** unless the **owner** provides evidence, in a form satisfactory to the **Building Official**, that the **owner** has complied with the **Homeowner Protection Act**, SBC 1998 Chapter 31 and amendments thereto or that the proposed building is exempt from that Act.

10.3 A **Building Official** shall issue a **permit** for which the application is made, other than a **building permit**, when:

- 10.3.1 a completed application, including all required supporting documentation has been submitted;
- 10.3.2 the **applicant** has paid the fees prescribed in the **Consolidated Fees Bylaw**
- 10.3.3 the **owner**, or signing officer if the **owner** is a corporation, or the coordinating **Registered Professional**, if applicable, has signed the **permit**
- 10.3.4 for a **demolition permit** only, the **Building Official** has approved a Rodent Inspection and Control plan
- 10.3.5 the **Building Official** is satisfied that all charges have been paid and all requirements have been met that are imposed by any other statute or bylaw; and
- 10.3.6 no covenant or agreement in favour of the **Municipality** authorizes a **demolition permit** to be withheld.

10.4 The **Building Official** may terminate a **permit** if:

- 10.4.1 the work authorized by the **permit** is not commenced within six months from the date of issuance of the **permit**;
- 10.4.2 six months or more time has elapsed since obtaining the most recent acceptance by the **Building Official** of any inspection listed in Section 15.4;
- 10.4.3 the authorized work is not completed within two years from the date of issuance of the **permit**;
- 10.4.4 the sewage disposal permit that is required under Section 7.1.9 of this Bylaw or Section 9.31.5.2.(2) of the **Building Code** is revoked;
- 10.4.5 the title of the property on which the **permit** authorizes work to be done is transferred to a different **owner**. A **building permit** that is valid at the time of transfer may be transferred to the new land **owner** when the **permit** holder requests such a transfer in writing to the **Municipality**. A transfer fee as set out in the **Consolidated Fees Bylaw** shall be paid;
- 10.4.6 the **Building Official** determines that an **applicant** or his or her **representative** has provided false or misleading information on the application or otherwise obtained the **permit** fraudulently; or
- 10.4.7 the **permit** has been extended under Section 10.8 and the authorized work is not completed within the extension period established by the **Building Official**.

- 10.4.8 the **permit** has been extended under Section 10.8 and the conditions imposed by the **Building Official** have not been complied with.
- 10.4.9 a Rodent Inspection and Control plan was approved by the **Building Official** but is not being complied with.
- 10.5 If a **permit** is terminated under Section 10.4, the **Building Official** must notify the **owner** of the termination in writing or by email.
- 10.6 When notice of termination of a **permit** has been given in accordance with Section 10.5, the rights under the **permit** shall cease and no **construction** or other work may continue or commence under that **permit**.
- 10.7 A **Building Official** may issue a **permit** for the **construction** of a portion of a **building** or **structure** before the plans and specifications for the entire **building** or **structure** have been accepted, provided adequate information has been filed to enable the **Building Official** to ensure the portion to be **constructed** complies with this Bylaw, the **Building Code**, and other bylaws and regulations of the **Municipality** and other authorities having jurisdiction, and the **permit** fee applicable to that portion of the **building** or **structure** has been paid. The issuance of the **permit** notwithstanding, the requirements of this Bylaw apply to the remainder of the **building** or **structure** as if the **permit** had not been issued.
- 10.8 As an alternative to terminating a **permit** under Sections 10.4.1 to 10.4.3, a **Building Official** may extend the period of time set out under those Sections by not more than the same amount of time as is specified in the applicable Section and make the extension subject to such conditions as may be appropriate in the circumstances, having regard to safety and the public interest.
- 10.9 If a **permit** is extended under Section 10.8, with or without conditions, the **Building Official** must notify the **owner** of the length of the extension and any applicable conditions in writing or by email.
- 10.10 If a **Building Official** grants an extension under Section 10.8 the extension is added to the amount of time allowed to complete the authorized work under Section 10.4.3
- 10.11 A **Building Official** may make any **permit** subject to such conditions as may be appropriate in the circumstances, having regard to safety and the public interest.

SECTION 11 - FEES

- 11.1 Every **permit** application shall include a non-refundable plan processing fee in accordance with the **Consolidated Fees Bylaw**. This plan processing fee will be credited to the **permit** fee calculated in accordance with the Schedules to the Bylaw. The plan processing fee is non-refundable.

- 11.2** A **permit** fee calculated in accordance with the Schedules to this Bylaw shall be paid in full prior to issuance of the relevant **permit** under this Bylaw.
- 11.3** An application for a **permit** may be cancelled if the prescribed **permit** fee is not paid within 60 days from the date of notification to the **applicant** that the **permit** is ready for issuance.
- 11.4** An application for a **permit** may be cancelled if the application is incomplete and inactive for six months.
- 11.5** If a **permit** application is cancelled under Sections 11.3 or 11.4, the **Building Official** must notify the **owner** of the length of the cancellation in writing or by email. The cancellation shall be effective on the date such notice is given and thereafter submissions in support of the cancelled **permit** application may be destroyed.
- 11.6** A reapplication for a **permit** shall be processed as a new application and subject to payment of the plan processing fee under Section 11.1.
- 11.7** Where applicable, inspection charges shall be paid in accordance with the **Consolidated Fees Bylaw**, in advance of inspection.
- 11.8** The fee for a **permit** to complete work previously authorized by **permit** which is no longer valid shall be based on the cost of work remaining to be completed.
- 11.9** A fee as set out in the **Consolidated Fees Bylaw** is required when revised drawings are submitted after the **building permit** has been prepared for issuance.
- 11.10** Where, due to non-compliance with this Bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in the **Consolidated Fees Bylaw** may be paid prior to additional inspections being performed.
- 11.11** When a required **permit** inspection is requested to be done after the hours during which the offices of the **Municipality** are normally open, an inspection charge shall be payable based on the time actually spent in making such inspection, including travel time, as set out in the **Consolidated Fees Bylaw**.
- 11.12** An inspection charge, as set out in the **Consolidated Fees Bylaw**, shall be payable in advance for a voluntary inspection to establish compliance of or to obtain a report on the status of an existing **building** or **structure**.

SECTION 12 - DISCLAIMER OF WARRANTY OR REPRESENTATION

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

SECTION 13 - PROFESSIONAL DESIGN AND FIELD REVIEW

- 13.1 When a **Building Official** considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a **Registered Professional** to provide design and plan certification and **field review** supported by Letters of Assurance in the form of Schedules A, B, C-A and C-B referred to in the **Building Code**.

Prior to issuance of an **occupancy permit** for a **complex building**, or **non-complex building** in circumstances where Letters of Assurance have been required in accordance with this Bylaw, or where Letters of Assurance referred to in the **Building Code** have been provided in support of an **building permit** the **owner** shall provide the **Municipality** with Letters of Assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in the **Building Code**.

- 13.2 When a **Building Official** considers that the design of a component or combination of components of a project is beyond the scope of Part 9 of the **Building Code** the **Building Official** may require a **Registered Professional** to review the design of the component(s). The **Building Official** may require the submission of Letters of Assurance in the form of Schedules A, B, C-A and C-B referred to in the **Building Code** for the component(s), as applicable.
- 13.3 When a **Registered Professional** provides Letters of Assurance in accordance with this Bylaw, he or she shall provide proof of professional liability insurance to the satisfaction of the **Building Official**.

SECTION 14 - RESPONSIBILITIES OF THE OWNER

- 14.1 Every **owner** shall ensure that all **construction** complies with the **Building Code**, this Bylaw and other applicable enactments respecting safety and health.
- 14.2 Every **owner** to whom a **permit** is issued shall be responsible for the cost of repair of any damage to **municipal** works that occurs in the course of work authorized by the **permit**.
- 14.3 Every **owner** to whom a **permit** is issued shall, during **construction**:

- 14.3.1 post and maintain the **permit** in a conspicuous place on the property in respect of which the **permit** was issued;
 - 14.3.2 keep a copy of the accepted designs, plans and specifications on the property; and
 - 14.3.3 post the civic address on the property in a location visible from any adjoining streets.
- 14.4** Every **owner** to whom a **permit** is issued must ensure, throughout the period of the **permit** and until the work is complete, that:
- 14.4.1 the property is not so cluttered, dilapidated, unclean, or in such a state of apparent abandonment, neglect or disrepair, as to cause irritation or inconvenience to residents or business operators in the vicinity; and
 - 14.4.2 building materials, equipment and portable toilet facilities are not present on the property unless:
 - 14.4.2.1 a valid **building permit** is in effect for a **building** or **structure** on the **real property** and **construction** activity that materially advances the completion of the **building** or **structure** has occurred on the property in the last fifteen (15) days;
 - 14.4.2.2 all such items are safely stored within a **building, structure** or facility that is permitted under the **Zoning Bylaw**, or otherwise obscured from view from any other property or public place by a method, **structure** or device approved in writing by a **Building Official**; or
 - 14.4.2.3 the storage of such items is a permitted use of the **real property** under the **Zoning Bylaw** and undertaken in a manner specified by the **Zoning Bylaw**.
- 14.5** When a **Registered Professional** provides Letters of Assurance in accordance with this Bylaw, the **owner** to whom a **permit** was issued must submit to the Building **Official**, at least once every 30 days from the date of issuance of the **permit**, a written progress report together with copies of **field reviews** from each **Registered Professional** involved in the work authorized by the **permit**.
- 14.6** Every **owner** to whom a **demolition permit** is issued shall, until the demolition work is complete, comply with all terms and conditions of any Rodent Inspection and Control plan approved by the **Building Official**.

SECTION 15 - INSPECTIONS

- 15.1** When a **Registered Professional** provides Letters of Assurance in accordance with this Bylaw, the **Municipality** will rely solely on **field reviews** undertaken by the **Registered Professional** and the Letters of Assurance, submitted pursuant to this Bylaw, as assurance that the **construction** conforms to the design, plans and specifications and that the **construction** complies with the **Building Code**, this Bylaw and other applicable enactments respecting safety and health.
- 15.2** Notwithstanding Section 15.1, a **Building Official** may attend the site from time to time during the course of **construction** to ascertain that the **field reviews** are taking place.
- 15.3** A **Building Official** may attend periodically at the site of the **construction** of **non-complex buildings** or **structures** where a **Registered Professional** has provided assurances in accordance with this Bylaw to ascertain whether the **health and safety aspects of the work** are being carried out in conformance with those portions of the **Building Code**, this Bylaw and any other applicable enactment concerning health or safety.
- 15.4** The **owner**, or his or her **representative**, shall schedule inspections using the system established by the **Building Official** and shall obtain an inspection and receive a **Building Official's** acceptance of the following aspects of the work prior to concealing them:
- 15.4.1 the foundation and footing forms, after a British Columbia Land Surveyor certificate has been received and before concrete is poured;
 - 15.4.2 installation of perimeter drain tiles and damp-proofing, sanitary sewer, storm sewer and water services, prior to backfilling;
 - 15.4.3 plumbing under-slab rough-in during a required test phase prior to cover;
 - 15.4.4 the preparation of ground, including ground cover, hydronic heating system when installed, prior to the placing of a concrete slab;
 - 15.4.5 rough-in of factory built chimneys and fireplaces and wood burning appliances;
 - 15.4.6 plumbing above slab rough-in during a required test prior to cover;
 - 15.4.7 the framing and sheathing;
 - 15.4.8 insulation and vapour barrier;
 - 15.4.9 the **health and safety aspects of the work** when the **building** or **structure** is complete and ready for **occupancy**.
 - 15.4.10 any elements of the work covered or affected by the **Energy Step Code**.
- 15.5** No aspect of the work referred in Section 15.4 shall be concealed until a **Building Official** has accepted it in written or digital form.

- 15.6** The requirements of Section 15.4 and 15.5 do not apply to any aspect of the work that is the subject of a **Registered Professional's** Letter of Assurance provided in accordance with this Bylaw.

SECTION 16 - OCCUPANCY PERMITS

- 16.1** No person shall **occupy** a **building** or part of a **building** until an **occupancy permit** has been issued.
- 16.2** An application for an **occupancy permit** shall be made in the form established and provided by the **Building Official**.
- 16.3** A **Building Official** may issue an **occupancy permit** if:
- 16.3.1** all Letters of Assurance have been submitted when required in accordance with this Bylaw;
 - 16.3.2** all aspects of the work requiring inspection and acceptance pursuant to Section 15.4 have been inspected and accepted;
 - 16.3.3** the property and the proposed **occupancy** of it complies with this Bylaw, the **Building Code** and all other applicable enactments, regulations and bylaws;
 - 16.3.4** if the **building** or **structure** is a **complex building** the **Registered Professional** has submitted digital as constructed drawings in Adobe format;
 - 16.3.5** the property and the proposed **occupancy** of it complies with all conditions contained in the applicable **permit**; and
 - 16.3.6** all electrical and/or gas permits required by the *Safety Standards Act* have been obtained.
- 16.4** A **Building Official** may issue an **occupancy permit** for part of a **building** or **structure** when that part of the **building** or **structure** is self contained, provided with essential services, and meets the requirements set out in Section 16.3.
- 16.5** A **Building Official** may make any **occupancy permit** subject to such conditions as may be appropriate in the circumstances, having regard to safety and the public interest.

SECTION 17 - MOVING OF BUILDINGS

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

- 17.2** No **building permit** to move a **building** or **structure** shall be issued until the time and route of the moving have been approved by the Chief Constable and the Director of Engineering.
- 17.3** No **building** shall be moved into the **Municipality** or to another **parcel** of land within the **Municipality** for use as a dwelling, unless:
- 17.3.1** such **building** has an assessed value of at least \$50,000 as shown on the last assessment roll upon which such **building** was assessed or has recently been appraised (using the cost approach to value method) at a value of at least \$50,000 by an accredited Appraiser of the Canadian Institute;
 - 17.3.2** such **building** has an assessed value of at least 90% of the average assessed value of all **buildings** within 45 metres of the site or **parcel** to which it is to be moved, as shown on the last assessment rolls upon which such **buildings** were assessed;
 - 17.3.3** such **building** complies with the **Building Code** and all of the bylaws of the **Municipality**, or the **owner** thereof has entered into an agreement with the **Municipality** for the completion of the **building** in accordance with the **Building Code** and all bylaws of the **Municipality**, within one year from the date on which the **building permit** was granted, and has deposited with the **Municipality**, in the form of cash or an irrevocable Letter of Credit, in a form satisfactory to the **Municipality**, a sum equal to the estimated cost involved in completing such **building** upon its new site, in compliance with all the bylaws of the **Municipality** and the **Building Code**, as determined by the **Building Official**; and
 - 17.3.4** such **building** conforms to or is altered to conform to the established architectural standards of the **buildings** situated in the vicinity of the site or **parcel** to which it is to be moved.
 - 17.3.5** the requirements in Sections 17.3.2 and 17.3.4 may be waived by the **Building Official** for a **building** that is listed on the Delta Heritage Register, is included in Delta's urban or rural heritage inventories, or is deemed to have sufficient **heritage value** to qualify for inclusion in Delta's urban or rural heritage inventories based on an assessment by a qualified heritage professional.

SECTION 18 - TEMPORARY BUILDINGS

- 18.1** Subject to compliance with other applicable bylaws and the **Building Code**, a **Building Official** may issue a **permit** for the erection or placement of a temporary **building** or **structure** unless a **Building Official** is of the opinion that the **building** or **structure** would not be safe for the use intended.
- 18.2** The word "temporary", as used in this Section 18 – Temporary Buildings, shall mean the period designated on the **permit**, but not exceeding 12 months.

18.3 Applications for a **permit** to **construct** a temporary **building** or **structure** shall be made in the form contained in Schedule 2, and accompanied by:

- 18.3.1 plans of sufficient detail to show complete compliance with the **Municipality's** Bylaws, the **Building Code** and other applicable regulations and shall include the location of the **building** or **structure** on the site and **construction** details of the **building** or **structure**;
- 18.3.2 a statement of the intended use and duration of the use;
- 18.3.3 the **permit** fee noted on the **Consolidated Fees Bylaw**, which will be non- refundable; and
- 18.3.4 a removal security in the amount equal to the estimated cost of removal in the form of cash, certified cheque, bond guarantee by a licensed bonding company, or a Letter of Credit from a bank, which removal security is refundable within 30 days of the temporary **building** or **structure** being removed and the site left in a safe and sanitary condition;
- 18.3.5 in the event of default by the **owner** to remove the temporary **building** or **structure** within 30 days after the expiration of the period provided for in the **building permit** the removal security shall be forfeited to the **Municipality**, and the **Municipality**, its employees and agents, may enter and effect the removal of the temporary **building** or **structure**, provided the **Municipality** gives the **owner** 30 days notice of its intention to effect such removal;
- 18.3.6 an agreement with the **Municipality**, in the form of a restrictive covenant registerable against the title of the land on which the temporary **building** or **structure** is to be located, agreeing to remove the temporary **building** or **structure** from the land within one year from the date of issue of the **building permit** therefore and providing that if the **owner** fails to do so, the **Municipality** may do so at the **owner's** expense.

SECTION 19 - SWIMMING POOLS

- 19.1** A **building permit** is required for a swimming pool, hot tub, spa, fish pond, wading or lap pool, prior to its installation or **construction**, where the depth exceeds 450 mm. Every application for a **building permit** for a swimming pool, hot tub, spa, fish pond, wading or lap pool shall be accompanied with a plan showing the location, depth and dimensions of the proposed swimming pool, hot tub, spa, fish pond, wading or lap pool and all water supply piping, waste piping and appurtenances, **structural** detail and the location of all **buildings** on the site.

- 19.2** Every swimming pool, hot tub, spa, fish pond, wading or lap pool, having a pool depth of greater than 450mm at any point, shall be surrounded by a fence, **building** or other **structure**, no less than 1.5 metres (5 feet) in height above grade. The fence shall be **constructed** either on the property line or surrounding the pool, spa or pond in such a manner as to render the pool, spa or pond secure from unauthorized entry. Where chain link fence material is to be used the openings in the mesh shall not be greater than 45 mm measured horizontally and the wire shall not be less than 11 gauge. The fence shall have no openings greater than 100 mm between grade and the top of the fence and shall be built so that no attachment between 100 mm and 900 mm will facilitate climbing. All access to a pool, spa or pond shall be operated by a self-closing mechanism and latch mounted on the pool side of each access through the fence, building or other **structure**, a minimum of 1 metre above grade.
- 19.3** A spa or hot tub may be covered with a locking cover which would prevent unauthorized access to the water in-lieu of a fence.
- 19.4** It is the responsibility of each **owner** or **occupier** of property on or in which a pool is located, to maintain every fence required under Section 19.2 in good order. All sagging gates, loose parts, torn mesh, missing materials, worn latches, locks or broken or binding members shall be promptly replaced or repaired.

SECTION 20 - HERITAGE BUILDINGS

- 20.1** Withholding of Approvals
- 20.1.1 The Director may withhold the issuance of any **permit** where he or she is of the opinion that the **permit** would authorize alteration to:
- 20.1.1.1 property that is included in the Delta Heritage Register established by **Council**;
- 20.1.1.2 **protected heritage property**;
- 20.1.1.3 property subject to temporary heritage protection under Part 27 of the *Local Government Act*.
- 20.1.2 The Director may withhold the issuance of any **demolition permit**:
- 20.1.2.1 in respect to property on the Delta Heritage Register, until a **building permit** and any other necessary approvals have been issued with respect to the alteration or redevelopment of the site;
- 20.1.2.2 in respect of **protected heritage property**, until a **heritage alteration permit** and any other necessary approvals have been issued with respect to the alteration or redevelopment of the site.

SECTION 21 - FLOAT HOMES

- 21.1** **Float homes** shall be **constructed** and located in compliance with the BC Float Home Standard.

SECTION 22 - RETAINING STRUCTURES

22.1 Section 22.2 applies to a **retaining structure**:

- 22.1.1 retaining soil or fill material greater than 1.2 metres in height;
- 22.1.2 used to support or protect a **building** or **structure**, regardless of the height of soil or fill material retained; or
- 22.1.3 that is to be built on land that the **Building Official** considers is subject to or is likely to be subject to mud flows, debris flows, debris torrents, erosion, land slip, rockfalls, subsidence or avalanche, regardless of the height of soil or fill material retained.

22.2 **Retaining structures** referred to in section 22.1 are subject to section 7, but sections 6.1.10, 6.1.11, 14.5, 15.1, 15.2 and 15.3 shall also apply in relation to any **retaining structure** referred to in section 22.1. All site reports and final completion records (Schedule C-B forming part of the **Building Code**) relating to the **retaining structure** shall be submitted to the **Building Official** by the **Registered Professional** before final inspection of the **retaining structure**.

SECTION 23 – STORM WATER AND SANITARY PUMPS

23.1 Where the sanitary or storm sewer serving a building or lot is not able to achieve a gravity connection that conforms to the **Building Code** a pumped system shall be provided and maintained by the **owner**.

23.2 Only that portion of a storm drainage system serving a **building, structure** or lot that is unable to achieve a gravity connection that conforms to the **Building Code** shall be pumped.

23.3 A **Registered Professional** shall provide design certification and **field review** of the pumped system, supported by Letters of Assurance in the form of Schedules B and C-B as referred to in the **Building Code**, each signed by such **Registered Professionals** as the **Building Official** or **Building Code** may require.

23.4 A pumped system must be designed to the satisfaction of the **Building Official** and, at a minimum, include:

- 23.4.1 dual or duplex pumps;
- 23.4.2 backflow prevention;
- 23.4.3 temporary back-up power; and
- 23.4.4 an alarm audible within the premises to warn of high water levels in the sump.

23.5 A pumped system must be placed in a location acceptable to the **Building Official**, having regard to efficient operation and impact on neighbours.

- 23.6** Where a pump system is proposed, a covenant pursuant to Section 219 of the *Land Title Act* shall be registered on title and shall provide that the **building** cannot be **occupied** unless the pump system has been installed in accordance with this bylaw and is in good working order. The covenant must also release and indemnify the **Municipality** and its elected officials, officers and employees from and against any claims relating to or arising from the use, operation or malfunction of the pump system. The covenant must contain such additional provisions as the **Municipality's** Director of Community Planning and Development considers necessary for the protection of the **Municipality's** sanitary or storm sewer system or the protection of public health, including but not limited to the health of occupants of the **building** or lot.

SECTION 24 - CLIMATIC DATA

- 24.1** When climatic data is required for the design of **buildings**, it shall be the data provided by the table shown on Schedule 1 and the accompanying map.

SECTION 25 - PENALTIES AND ENFORCEMENT

- 25.1** Every person who:
- 25.1.1 contravenes, violates or fails to comply with any provision of this Bylaw;
 - 25.1.2 suffers or allows any act or thing to be done in contravention of this Bylaw; or
 - 25.1.3 fails or neglects to do anything required to be done under this Bylaw,
- commits an offence, and where the offence is a continuing one, each day that the offence is continued constitutes a separate and distinct violation of this Bylaw.
- 25.2** This Bylaw may be enforced by a **Building Official**:
- 25.2.1 in accordance with Municipal Ticketing Information Bylaw No. 6639, 2007, as amended, by means of a ticket in the form prescribed for that purpose under the *Community Charter*;
 - 25.2.2 in accordance with Delta Bylaw Notice Enforcement Bylaw No. 7009, 2011, as amended, by means of a notice authorized by the *Local Government Bylaw Notice Enforcement Act*; or
 - 25.2.3 by proceedings under the *Offence Act*.

- 25.3** This Bylaw may be enforced by a **Bylaw Enforcement Officer**:
- 25.3.1 in accordance with Municipal Ticketing Information Bylaw No. 6639, 2007, as amended, by means of a ticket in the form prescribed for that purpose under the *Community Charter*; or
- 25.3.2 in accordance with Delta Bylaw Notice Enforcement Bylaw No. 7009, 2011, as amended, by means of a notice authorized by the *Local Government Bylaw Notice Enforcement Act*;
- 25.4** A person who commits an offence that is prosecuted under the *Offence Act* is liable to a fine of not more than \$50,000 or to imprisonment for not more than six months, or both.
- 25.5** Upon receipt of a **Compliance Order**, an **owner of real property** must comply with the order within a time period stated in the order, or if no time period is stated, within 10 business days.
- 25.6** Every **owner of real property** to whom a **Stop Work Order** issued by a **Building Official** has been delivered in accordance with this Bylaw, and every other person having knowledge of the **Stop Work Order**, shall cease all **construction** work immediately and shall not do any work until all provisions of the **Building Code** and this Bylaw have been fully complied with and the **Stop Work Order** has been rescinded in writing by a **Building Official**.
- 25.7** Every **owner of real property** to whom a **Stop Work Order** issued by a **Bylaw Enforcement Officer** has been delivered in accordance with this Bylaw, and every other person having knowledge of the **Stop Work Order**, shall cease all **construction** work immediately and shall not do any work until the earlier of seven days after the **Stop Work Order** was posted or a **Building Official**, in writing, authorizes the work to resume.
- 25.8** The **owner** of property to whom a **Do Not Occupy Order** has been delivered in accordance with this Bylaw, and every other person having knowledge of the **Do Not Occupy Order**, shall cease **occupancy** of the **building** immediately and shall refrain from further **occupancy** until all applicable provisions of the **Building Code** and this Bylaw have been complied with and the **Do Not Occupy Order** has been rescinded in writing by a **Building Official**.
- 25.9** Every person who commences work requiring a **permit** without first obtaining such a **permit** shall, if a **Stop Work Order** is issued, pay an additional charge equal to 100% of the **permit** fee prior to obtaining the required **permit**.
- 25.10** If an **owner** fails to comply with a **Compliance Order** within the time specified, the **Municipality** may, by its workers or by other persons authorized by the **Building Official**, at all reasonable times and in a reasonable manner, enter the property and bring about such compliance at the cost of the **owner**. Such costs shall include all costs and expenses incurred by the **Municipality** to achieve compliance with this Bylaw including, without limitation, administrative costs, costs to attend property by the **Municipality's** employees or contractors, and the costs of removal, clean up, and disposal.

25.11 Where the **owner** at whose expense a **Compliance Order** is carried out under Section 25.10 does not pay the costs of the removal within thirty (30) days of receipt of an invoice for such work, the costs may be:

25.11.1 recovered from the **owner** as a debt; and

25.11.2 added to and form part of the taxes payable on the property as taxes in arrears if they remain unpaid on December 31st in the year in which the thirty (30) days expired.

SECTION 26 - SEVERABILITY

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

SECTION 27 - SCHEDULES

27.1 Schedules “1” through “3” attached to this Bylaw form a part of this Bylaw.

SECTION 28 - TRANSITIONAL

28.1 Subject to Section 28.2, “Delta Building/Plumbing Bylaw No. 6060, 2002” is hereby repealed and replaced by this Bylaw.

28.2 All **construction** authorized by **building permits** issued under Delta Building/Plumbing Bylaw No. 6060, 2002 shall continue to be regulated pursuant to the provisions of that Bylaw until the earlier of:

28.2.1 a final inspection of the work authorized by the **permit** indicates the work is complete; or

28.2.2 expiration of the **building permit**, following which any further **construction** shall be regulated by this Bylaw.

READ A FIRST time the **13th** day of **December,** **2021.**

READ A SECOND time the **13th** day of **December,** **2021.**

READ A THIRD time the **13th** day of **December,** **2021.**

FINALLY CONSIDERED AND ADOPTED the **24th** day of **January,** **2022.**

“Dylan Kruger”

Dylan Kruger
Acting Mayor

“Michelle Jansson”

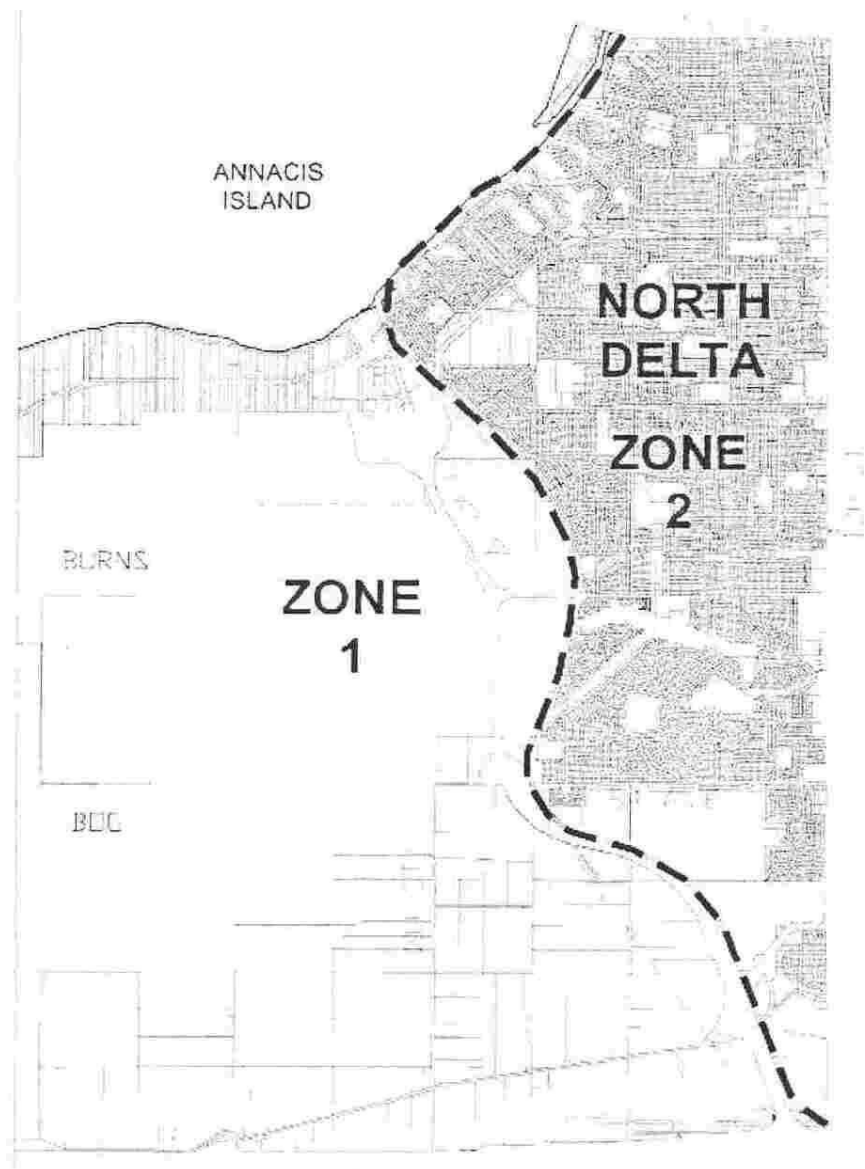
Michelle Jansson, CMC
City Clerk

Schedule 1

Delta Building/Plumbing Bylaw No. 8065, 2021

Climatic Data

For the purposes of this Schedule, Zone 1 is all of the **Municipality** to the west of the dashed line and Zone 2 is all of the **Municipality** east of the dashed line shown on the map below, which forms part of this Schedule.



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

	Zone 1	Zone 2
(a) January 2½ percent Design Temperature	-6°C	-8°C

(b)	January 1 percent Design Temperature	-8°C	-10°C
(c)	July 2-½ percent Design Drybulb Temperature	27°C	29°C
(d)	July 2-½ percent Design Wetbulb Temperature	19°C	20°C
(e)	Annual Total Degree - days below 18°C	2600	2750
(f)	Maximum Fifteen-minute rainfall	10mm	10mm
(g)	Maximum One-day rainfall	80mm	128mm
(h)	Annual Total Precipitation	1050mm	1575mm
(i)	Maximum Snow Load on the Ground	Ss=1.3kPa Sr=0.2kPa	Ss=2.4kPa Sr=0.3kPa
(j)	Hourly Wind Pressures: Probability 1/10	0.36kPa	0.34kPa
	Probability 1/50	0.46kPa	0.44kPa
(k)	Depth of Frost Penetration	450 mm.	
(l)	Seismic Spectral Response Sa (0.2)	0.924	0.786

SCHEDULE 2

Delta Building/Plumbing Bylaw No. 8065, 2021

Owner's Undertaking

Re: Property Address _____

Legal Description: _____

Building Permit # _____

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

I confirm that I have applied for a **building permit** pursuant to "Delta Building/Plumbing Bylaw No. 8065, 2021" and that I have carefully reviewed and fully understand all of the provisions of the Bylaw and in particular, understand, acknowledge and accept the provisions describing the purpose of the Bylaw, the conditions under which **permits** are issued, the disclaimer of warranty or representation and the limited extent of the scope of the Bylaw and inspections thereunder.

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

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

Owner's Information:

Name: _____

Address: _____

Telephone: _____ Contact Person: _____

Date: _____ Signature: _____

SCHEDULE 3

Delta Building/Plumbing Bylaw No. 8065, 2021

Appointment of Representative

City of Delta
Community Planning & Development
4500 Clarence Taylor Crescent
Delta, BC V4K 3E2

Attention: _____

Fax: 604-946-4148 or 604-946-2759

Re: Property Address: _____

Legal Description: _____

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

Representative: _____ PRINT NAME

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

- ☐ Building Permit (Application #) _____
- ☐ Demolition Permit (Application #) _____
- ☐ Land Use Application (Application #) _____

To view or receive copies of:

- ☐ Correspondence And/or Permits
- ☐ Permit Plans

To receive a building permit:

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

Owner's Information:

Name: _____
PRINT NAME

Address: _____

Telephone: _____ Contact Person: _____
PRINT NAME

Date: _____ Signature: _____

CITY OF DELTA

“Delta Building/Plumbing Bylaw No. 8065, 2021”

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Section 2	Scope and Exemptions
Section 3	Prohibitions
Section 4	Building Officials
Section 5	Applications Required
Section 6	Applications for Complex Buildings
Section 7	Applications - Non-complex Buildings
Section 8	Other Applications
Section 9	Professional Plan Certification
Section 10	Issuance of Permits
Section 11	Fees
Section 12	Disclaimer of Warranty or Representation
Section 13	Professional Design and Field Review
Section 14	Responsibilities of the Owner
Section 15	Inspections
Section 16	Occupancy Permits
Section 17	Moving of Buildings
Section 18	Temporary Buildings
Section 19	Swimming Pools
Section 20	Heritage Buildings
Section 21	Float Homes
Section 22	Retaining Structures
Section 23	Storm Water and Sanitary Pumps
Section 24	Climatic Data
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Section 27	Schedules
Section 28	Transitional
Schedule 1	Climatic Data
Schedule 2	Owner’s Undertaking
Schedule 3	Appointment of Representative