

Sun Peaks Mountain Resort Municipality
“Building Regulations Bylaw No. 0209”

CONSOLIDATED FOR CONVENIENCE ONLY

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Bylaw No.	Adoption Date	Purpose
0209	May 7, 2024	• Original Bylaw
0233	January 29, 2026	• Appendix A of Building Regulations Bylaw No. 0209, 2023 is hereby repealed in its entirety. • Appendix A, attached to and forming part of this Amendment Bylaw, is hereby substituted in place of the repealed Appendix A and shall have the same force and effect as if enacted as part of Building Regulations Bylaw No. 0209, 2023.

SUN PEAKS MOUNTAIN RESORT MUNICIPALITY

BYLAW NO. 0209, 2023

A BYLAW TO REGULATION THE CONSTRUCTION, ALTERATION, REPAIR, MOVING AND DEMOLITION OF BUILDINGS AND STRUCTURES

WHEREAS the *Community Charter* provides that Council may, by bylaw, regulate, prohibit and impose requirements in relation to the health, safety and protection of persons and property and in relation to buildings and other structures;

AND WHEREAS the Province of British Columbia has adopted the Building Code and other building regulations in respect of the construction, alteration, repair, and demolition of buildings,

NOW THEREFORE Council of Sun Peaks Mountain Resort Municipality, in open meeting assembled, enacts the following:

DIVISION ONE - CITATION, PURPOSE AND INTERPRETATION

Citation

- 1.1 This Bylaw may be cited for all purposes as the *Sun Peaks Mountain Resort Municipality Building Regulations Bylaw No. 0209, 2023*.
- 1.2 Despite any other provision herein, this Bylaw must be interpreted in accordance with this Division.
- 1.3 Every permit issued under this Bylaw is issued subject to the provisions of this Division.

Purpose

- 1.4 This Bylaw is enacted to regulate, prohibit, and impose requirements regarding construction within the **Municipality** in the general public interest. The activities undertaken by or on behalf of the **Municipality** under this Bylaw are for the sole purpose of providing a limited and interim spot-checking and monitoring function for the health, safety and protection of persons and property.
- 1.5 The purpose of this Bylaw does not extend to:
 - (a) the protection of **owners**, builders, constructors or occupiers from bodily injury or economic loss;
 - (b) an assumption by the **Municipality** or any **Building Official** of any responsibility for ensuring the compliance by any **owner**, an **agent** or any employees, constructors or designers retained by the **owner**, with the **Building Code**, the requirements of this Bylaw, or other applicable enactments, codes or standards respecting safety;

- (c) providing any **person** a warranty of design or workmanship with respect to any building or **structure** for which a building **permit** or occupancy **permit** is issued under this Bylaw;
- (d) providing any **person** a warranty or assurance that **construction** undertaken under a building permit issued by the **Municipality** is free from latent, or any, defects, or that it complies with this Bylaw;
- (e) any assumption by the **Municipality** or any **Building Official** of any responsibility for ensuring that any construction will be geotechnically sound and not subject to flooding, mud flows, debris flows or torrents, erosion, land slip, rock falls, subsidence, avalanche or other geotechnical hazards; or
- (f) the protection of adjacent real property from incidental damage or nuisance.

Application

1.6 This Bylaw applies to:

- (a) the design, **construction** and occupancy of a building or **structure** when the building or **structure**, or part thereof, is constructed on **site** or is assembled or placed on **site** as a factory-built unit or component;
- (b) the work involved in the demolition when the whole or any part of a building or **structure** is demolished or removed;
- (c) all parts of a building or **structure** when the whole or any part of it is relocated;
- (d) any alteration of a building or **structure** and to any part of a building or **structure** affected by an alteration to an extent that, in the opinion of the **Building Official**, reduces the level of public health or safety below that which existed prior to the alteration;
- (e) any and all parts of a building or **structure** affected by a change of use when occupancy or use of the building is changed;
- (f) all replacements and alterations when regulated materials or equipment are replaced or altered in a building or **structure**;
- (g) any part remaining when a building is damaged or destroyed to the extent of seventy-five percent (75%) or more of its value above its foundations, as determined by the Building Official;
- (h) the design and construction of retaining walls where the difference in finish grade elevation is greater than 1.2 m (4ft) in height;
- (i) the design and installation of a plumbing system in its entirety when a plumbing system is installed, repaired, renovated or altered;
- (j) the design and repair of an entire plumbing system where a condition exists that is, or may become dangerous or injurious to health, except where the portion of the system affected is completely independent from any other part of the system.
- (k) the design, **construction** or installation of solid fuel burning appliances, fireplaces, and chimneys; and
- (l) **construction** of or addition to unroofed decks attached to or adjacent to single or two-family dwellings if the deck surface is more than 600 mm (24 in) above the adjacent ground level and more than 10 m² (107 sq ft²).

Exemptions

1.7 This Bylaw does not apply to:

- (a) buildings or **structures** exempted under Division A, Part 1 of the **Building Code**, except as expressly provided herein; or
- (b) single-storey accessory buildings less than 10 m² (107 sq ft) in building area.

Limited Application to Existing Buildings

- 1.8 Except as provided in the **Building Code**, or to the extent an existing building is under construction or does not have an occupancy permit, where an existing building has been constructed before the enactment of this Bylaw or any prior bylaw in effect at that time, the enactment of this Bylaw is not to be interpreted as requiring that the building must be reconstructed or altered unless it is expressly so provided by this or another enactment.
- 1.9 This Bylaw applies if the whole or any part of an existing building is moved, either within or into the Municipality, including relocation relative to parcel lines created by subdivision or consolidation.
- 1.10 If an alteration is made to an existing building, the alteration must comply with the **Building Code** and this Bylaw, and the entire building must be made to so comply, but only to the extent necessary to address any new violations introduced in the remainder of the building as a result of the alteration.

Metric Units

- 1.11 Metric Units are used for all measurements in this Bylaw. The approximate equivalent of those units in commonly used units of imperial measure (feet, inches, etc.) are shown in brackets following each metric measurement, and such bracketed figures are included for convenience only and do not form part of this Bylaw.

No Warranty or Representation

- 1.12 Neither the issuance of a **permit** under this Bylaw nor the acceptance or review of plans, drawings, or specifications for 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 other applicable enactments have been complied with. A **person** must not rely on any **permit** as establishing conformance with this Bylaw or assume or conclude that this Bylaw has been administered or enforced according to its terms. The **owner** of a **site** and if different, any **person** to whom the **permit** is issued are responsible for making such determination.

Other Enactments

- 1.13 Where the **Building Code**, or any other Provincial enactment or another bylaw of the **Municipality** may apply to any matter covered in this Bylaw, conformance with this Bylaw

shall not relieve the **owner** or an **agent** from their obligation to conform with such other enactment.

Severability

- 1.14 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, that portion is severable and shall not affect the validity of the remainder of this Bylaw.

DIVISION TWO - DEFINITIONS

- 2.1 This Bylaw is to be interpreted with the same intent as the **Building Code**, the *Community Charter*, and the *Local Government Act* as enactments of British Columbia. Words and phrases used in this Bylaw have the meanings set out in this Division and otherwise have the same meanings as defined in Part 1 of the **Building Code**, and where not defined are given their normal or common meaning. A reference to a statute, regulation, code, bylaw, or other enactment refers to that enactment as amended or replaced from time to time.

- 2.2 In this Bylaw:

Accepted means accepted in writing.

Agent means an individual, firm or company representing the owner, by designation or contract, and includes a hired tradesman or contractor.

Building Code means the current edition of the British Columbia Building Code as adopted by the Minister pursuant to the *Building Act*, SBC 2015, c. 2.

Building Official includes an individual designated by the Municipality as a Building Inspector, Plumbing Inspector or Plan Checker, and includes supervisors for these positions.

Complex Building means:

- (a) a building used for a major occupancy classified as:
 - i. assembly occupancy;
 - ii. care or detention occupancy; or
 - iii. high hazard industrial occupancy; and
- (b) any building exceeding 600 square metres in building area or exceeding three (3) storeys in building height used for a major occupancy classified as:
 - i. residential occupancy
 - ii. business and personal services occupancy
 - iii. mercantile occupancy
 - iv. medium and low hazard industrial occupancy.

Council means the Council of the **Municipality**.

Construction includes erection, repair, alteration, enlargement, addition, installation, demolition, removal, replacement, renovation, reconstruction, or relocation of a building or structure.

Constructor means the registered owner any person or entity that performs construction work.

Cupola means a small structure in a similar style to the main building on top of the main roof used to admit air flow from lower portions of the attic or roof system.

Health and safety aspects of the work means design and **construction** regulated by all applicable sections of the **Building Code**.

Monitor refers to the method by which a **Building Official** reviews the process of field reviews as conducted by registered professions pursuant to the **Building Code** and this Bylaw, which may be satisfied by receipt by the **Building Official** of applicable letters of assurance submitted by the registered professionals and as referred to in article 2.2.7 of the **Building Code**.

Municipality or **SPMRM** means the Sun Peaks Mountain Resort Municipality.

Owner means the registered owner in fee simple of real property that is a **site** for the purposes of this Bylaw.

Permit means a permit required or issued under this Bylaw.

Person includes an individual, a partnership, association and any incorporated company, society, or other body.

Site means a lot or lots upon which work regulated under this Bylaw is undertaken or intended to be undertaken and includes the **construction** thereon.

Standard Building means a building of three (3) storeys or less in building height, having a building area not exceeding 600m² (6458 sq ft) and used for a major occupancy classified as:

- (a) residential occupancy.
- (b) business and personal services occupancy.
- (c) mercantile occupancy; or
- (d) medium or low hazard industrial occupancy.

Structure means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but does not include landscaping, fences, paving, or retaining structures less than 1.2 m (4 ft) in height.

DIVISION THREE - PROHIBITIONS

3.1 Unless expressly exempted under this Bylaw or another enactment, a **person** must not:

- (a) commence or continue any **construction** or change the occupancy of any building or **structure** or other work related to **construction** unless a **Building Official** has issued a **permit** for the work;
- (b) reverse, alter, deface, cover, remove or in any way tamper with any notice, order, **permit** or certificate posted upon or affixed to any building, **structure** or **site** pursuant to this Bylaw unless authorized in writing by a **Building Official**;
- (c) perform any **construction** that is substantially at variance with the reviewed design or plans and specifications for the building, **structure** or other **construction** for which a permit has been issued, unless that variance has been accepted by a **Building Official**;
- (d) occupy, use or allow the occupancy or use of any building or part thereof contrary to the terms of this Bylaw or any **permit**, notice, order, certificate or decision given or posted by the **Building Official**;
- (e) submit false or misleading information to a **Building Official** in relation to any **permit** application or **construction** undertaken; or
- (f) interfere with or obstruct the entry of a **Building Official** or other authorized official of the **Municipality** in their administration of this Bylaw.

3.2 A **person** having control of or authority for **construction** on a **site** must not cause, allow, or maintain any unsafe condition on the site.

3.3 A person must not **construct** or install, or allow to be **constructed** or installed, a building or **structure** within the **Municipality's** boundaries that does not have:

- (a) gable vents, or if not practical, vented **cupola(s)** on or near the highest portion of the roof structure in a vented roof assembly;
- (b) snow clips or other snow retention devices of a kind acceptable to the **Building Official**, installed over walkways, doorways, decks or driveways and on all metal roofs;
- (c) deep heel trusses or roof systems that carry a continuous level of thermal resistance across the entire plane of connection between the wall and the roof in a manner which shall prevent or attempt to prevent ice damming and similar melting conditions prevalent to past Sun Peaks buildings.
- (d) insulated skirting on any building with the CAN/CSA Z-240 MH Series Standard for Mobile Homes to Section 10.2 (energy efficiency) equivalent of RS1 2.1 (R12) as indicated in the **Building Code** for foundation walls;
- (e) snow fall protection over doorways where there could be a danger of falling snow or ice, at the discretion of the Building Official
- (f) where pot lights are installed, CAN/CSA certified LED lighting and adequate insulation and ventilation;

(g) flow limits below:

- i. toilet flush limits below 3.0 / 6.0 litres per flush for dual flush models, or 4.0 litres per flush for single flush models; and a MaP flush score of between 600G and 1000G;
- ii. urinal flush limits below 3.8 litres per cycle;
- iii. shower heads limits below 6 litres per minute;
- iv. lavatory faucet flow levels below 3.8 litres per minute; and
- v. kitchen faucet flow levels below 8.4 litres per minute.

3.4 Regardless of professional assurances, a constructor or owner must not construct any mechanical or passive ducts, trunk lines, box framing, or other passages that allow air transfer between a primary space in a dwelling unit and the secondary suite in accordance with BC Building Code Sections 9.10 or 9.11, the intent of which is to remove risk of fire, sound, or any life safety risks which may result from interconnected systems.

3.5 A person must not, by action or inaction, cause or allow water, in any form, to flow onto an adjacent property or onto the Municipal road at anytime during excavation, construction or occupancy where it may cause damage and/or can reasonably be avoided with erosion protection measures or slope shaping. Exceptions shall be areas where there are no municipal ditches or storm drainages available and other reasonable measures are not practical.

3.6 A person must not construct a driveway access for a single-family or two-family dwelling of greater than 6m wide at the junction of the road.

3.7 No new wood fueled appliances shall be installed within the boundaries of Sun Peaks.

3.8 A replacement fireplace, wood heater, or other wood burning appliance may be installed in a location where a previously grandfathered wood fueled appliance had already been installed. However, no wood fueled appliance may be installed to an existing chimney if the existing chimney has not been previously inspected and accepted by a WETT certified technician. A permit must be obtained to review the installation and certifications of the installer and the appliance.

DIVISION FOUR - BUILDING OFFICIAL

4.1 The Building Official:

- (a) is responsible for the administration of this Bylaw;
- (b) may issue, refuse to issue, revoke and renew **permits** and require security as a condition of **permit** issuance, in accordance with this Bylaw;
- (c) will keep records of **permit** applications, **permits**, notices and orders issued, inspections and tests made in relation to **construction**, and retain copies of documents related to the administration of this Bylaw; and
- (d) will carry identifying credentials confirming his or her status as a **Building Official**.

Entry and Determination

4.2 The **Building Official** may:

- (a) enter any land, building, **structure**, or premises at any reasonable time to ascertain whether the requirements of this Bylaw are being met; and
- (b) establish whether the **construction** of a building or **structure** for which a **permit** is sought or issued substantially conforms to the requirements of the **Building Code**.

Orders

4.3 The **Building Official** may, by notice in writing, posted at the site or delivered to the owner or an agent, order:

- (a) a **person** who contravenes this Bylaw, the **Building Code**, or another applicable enactment, to comply with that enactment within a specified time period;
- (b) the removal of any unauthorized encroachment on property of the **Municipality** or other public property;
- (c) the removal of any building or part thereof constructed in contravention of this Bylaw or another applicable enactment;
- (d) the termination of any occupancy that is in contravention of this Bylaw; and
- (e) the termination of an occupancy if the **Building Official** considers that an unsafe condition exists because of **construction** undertaken or not completed.

4.4 Before issuing an occupancy **permit**, the **Building Official** may require the **owner**, at the expense of the **owner**, to provide certification by a registered professional engineer or architect, or other qualified professional, that the requirements of this Bylaw, the **Building Code**, and any other applicable enactments respecting safety, have been substantially complied with.

4.5 If the **Building Official** considers that **construction** work is not being carried out in compliance with the **Building Code**, this Bylaw or other applicable safety enactments, the **Building Official** may direct the immediate cessation or correction of all or any portion of **construction** on the site by attaching notice of an order to that effect on the premises. Such notice must remain posted on the premises until all non-compliant work is remedied to the satisfaction of the **Building Official**. A **person** must not carry out any work other than the required remedial measures on the portion of the work affected by the order until notice of the order has been removed.

4.6 A notice of the **Building Official** must not be removed or altered except by the **Building Official** or as authorized in writing by the **Building Official**.

4.7 Every person to whom an order is directed under this Division must comply with that order within the time ordered, or if no time is ordered, immediately.

DIVISION FIVE - OBLIGATIONS OF THE OWNER

5.1 Prior to commencing **construction**, the **owner** of the **site** must:

- (a) investigate the status of the **construction site** and ensure that any concerns relating to flooding, drainage, ground water, soil stability or other potential hazards are adequately addressed;
- (b) obtain a current State of Title certificate from the Land Title Office to determine whether there are any encumbrances that may affect the proposed **construction**;
- (c) investigate the availability, location, and capacity of utility services to determine whether the proposed **construction** can be accommodated; and
- (d) if applicable, arrange the plumbing to suit the location of the connections provided for the **site** in a manner satisfactory to the **Building Official**.

5.2 After commencing and during **construction**, the **owner** of the **site** must:

- (a) allow the **Building Official** to enter the **site**, building and premises at any reasonable time for the purpose of administration and enforcement of this Bylaw or another applicable enactment;
- (b) keep posted on the **site**, in a conspicuous place, the placard provided by the **Municipality's** Planning Department;
- (c) ensure that the reviewed plans and specifications on which the **permit** is based are continuously available at the **site** during working hours; and
- (d) if no existing sanitary facilities exist on or near the **site**, provide a portable toilet or similar such facility on the subject parcel for the use of individuals who are engaged in **construction** and related work on the **site**; ensure the facility is kept clean and properly equipped; and removed from the parcel when **construction** under the **permit** is completed.
- (e) Ensure that the roadways are not blocked by deliveries, workers, equipment, bathroom facilities, stored materials, garbage bins, parked vehicles, or any other item. If a delivery will temporarily block the roadway longer than 30 minutes, notice must be given and a permit approved by the Sun Peaks Public Works Department.

Certification by Surveyor

5.3 The **owner** of a **site** must not continue **construction** beyond the foundation stage until the **Building Official** has been provided with a current Certificate of Location by a registered British Columbia Land Surveyor, certifying that the building or **structure** under **construction** is located on the property in conformance with the bylaws of the **Municipality**. Despite this requirement, where the building or **structure** is located:

- (a) on a large parcel such that setback distances to the nearest property line are not a concern;
- (b) more than 300 mm (12 in) from a minimum setback requirement, as determined by exposing survey pins; or

5.4 The **Building Official** may accept a letter of certification from the Land Surveyor in lieu of a Certificate of Location or may waive the requirement entirely if satisfied that no certification is necessary.

Evidence of Compliance

5.5 If required by the **Building Official**, the **site owner** must, at his or her own expense,

- (a) uncover and replace any work that has been covered contrary to an order by the **Building Official**; and
- {b) conduct any tests and inspections to establish conformance with this Bylaw and other applicable enactments respecting health and safety; and
- (c) provide evidence in a form satisfactory to the **Building Official** of certification as to conformance with this Bylaw and other applicable enactments, and of any permits issued, respecting health and safety.

Adjacent Properties

5.6 The **owner** of a **site** must ensure that all work is confined within the boundaries of the property for which a **permit** has been issued, and that it does not adversely affect adjacent properties.

Damage or Injury to Others

5.7 The **owner** and his or her **agent** are responsible to pay all costs and expenses for repairing any damage or injury to property of the **Municipality** that may occur as a result of undertaking **construction** or any related work on the **owner's** property, whether or not a **permit** is required or obtained.

5.8 The **owner** and his or her **agent** are responsible for any damage or injury to other **persons** or adjacent property arising out of or incidental to **construction** or any related work on the **owner's** property and for paying all costs and expenses arising from or related to such damage or injury and shall save the **Municipality** harmless in this regard.

Correct Unsafe Condition

5.9 If a **site** is in an unsafe condition, the **owner** must promptly take all action and measures necessary to put the site in a safe condition.

5.10 Prior to **construction** or removal of a building or **structure** or part thereof, the **owner** must apply for and obtain a **permit** from the **Building Official**.

Notice of Intent to Occupy

5.11 Prior to the occupancy or use of any building or **structure** or part thereof, after **construction** of the building or part thereof is completed, including any work required in relation to any change in classification of occupancy, the **owner** must apply for and obtain an occupancy certificate from the **Building Official**.

5.12 Neither the issuance of a **permit** nor the acceptance or review of plans, drawings or supporting documents, nor any inspections made by or on behalf of the **Municipality** shall in any way relieve the **owner** or **agent** from full and complete responsibility to perform the construction and related work in strict accordance with this Bylaw, the **Building Code** and other applicable enactments respecting health and safety.

5.13 The **owner** is responsible to ensure all fees established under Appendix "A" to this Bylaw as applicable to applications, permits, installations, inspections, and information are paid in full when due, and is responsible for all costs of retaining registered professionals as required under this Bylaw and for all costs and expenses incurred by the **Municipality** in carrying out any work in default of an obligation of an **owner** or **agent** under this Bylaw.

DIVISION SIX - OBLIGATIONS OF OWNERS CONSTRUCTOR

6.1 Every *constructor* must ensure that all **construction** is done in compliance with all requirements of the **Building Code**, this bylaw, and all other applicable codes, standards, and enactments.

6.2 Every **constructor** must ensure that no **excavation** or other work is undertaken on public property, and that no public is disturbed, no **building** or **structure** erected, and no materials stored thereon, in whole or in part, without first having obtained approval from the Municipality.

DIVISION SIX- GENERAL PERMIT REGULATIONS

6.3 A **permit**, or an application for a **permit** that is in process must not be assigned or transferred until the **owner** has notified the **Building Official** in writing, and the **Building Official** has authorized the assignment or transfer in writing. The assignment or transfer of a **permit** is not an extension of the **permit**.

6.4 A separate **permit** is required for each building or **structure** to be constructed on a **site**, and shall be assessed a separate **permit** fee as determined in accordance with Appendix A.

6.5 The Building Official for the **Municipality** may prescribe, and from time to time, modify the form of application for **permits** issued under this Bylaw, and in so doing, may prescribe different forms for different categories of applications. Information required on application forms may include, but is not limited to, the following:

- (a) the full name of the **owner**, and any **agent** of the **owner**, and their contact information;
- (b) information about the condition of the land, the **site of construction**, the history of any buildings or **structures**, and the intended use of the land;
- (c) copy of the certificate of title to the land, a current title search, and any charges, encumbrances or agreements that have been registered on title;

(d) property or **site** plans, surveys, surveyor site certificates, geotechnical reports, building plans and specifications, utility information, engineering and site servicing information, photos, and related information, in either or both of electronic and hard copy formats.

6.6 The **Building Official** may require a registered professional to provide design and plan certification and field reviews supported by letters of assurance in the forms referred to in article 2.2.7, Division C of the **Building Code** and set out therein at Schedules A, B, C-A and C-B, if the **Building Official** considers that:

- (a) the **site** conditions, soil types, contours or drainage require special foundation design;
- (b) the proposed building or **structure** is not standard construction
- (c) the proposed building or **structure** is of a category requiring professional design;
- (d) work has been commenced or concealed prior to an inspection having been conducted by the **Building Official** as required under this Bylaw; or
- (e) the parcel of land is or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche, and in this circumstance the requirement for professional design is in addition to a requirement under the *Community Charter*, Division 8 or the *Building Code*, for a report certified by a qualified professional with experience in geotechnical study and geohazard assessment.

6.7 A registered professional must undertake the design and conduct field reviews of the **construction** of a retaining **structure** greater than 1.2 m (4 ft) in height. Sealed copies of the design and plan certification, and field reviews by means of letters of assurance in the form of Schedule Band C-B referred to in article 2.2.7, Division C of the **Building Code**, must be submitted to the **Building Official**.

6.8 Without limiting information requirements specified in this Bylaw or as required by the **Building Official**, every applicant for a **permit** must provide sufficient information to clearly identify the property and the **site** to be developed and to establish, prior to **construction**, that the proposed **construction** will conform to this Bylaw and other applicable enactments.

6.9 A **permit** will not be issued until:

- (a) off-site utilities to service the subject property are completed and approved by the authority having jurisdiction or from the utility providing the service and all applicable connection fees and any other **construction** costs have been paid;
- (b) the **permit** fee as set out in Appendix A has been paid; and
- (c) where required, security has been posted.

6.10 Where a sanitary sewer is not available, no **permit** will be issued until the **Building Official** has received written confirmation that the proposed sewage disposal system is accepted by the Interior Health Authority or other authority charged with enforcement of applicable regulations.

6.11 Where the **Municipality** has caused a notice to be filed on the title of a property in accordance with Section 57 of the *Community Charter*, the notice may be removed provided:

- (a) The **owner** has obtained a new **permit** for the correction of the **construction**;
- (b) The deficient **construction** has been corrected and completed so that the conditions which gave rise to the filing of the notice have been rectified; and
- (c) The **owner** has paid a title notice removal fee in accordance with Appendix "A" attached to this bylaw.

Phased Construction

6.12 The **Building Official** may issue, at the risk of the **owner**, a permit for the **construction** of a portion of a building or **structure** prior to receiving all required plans, specifications, and other information for the entire building or complex, provided that:

- (a) plans and specifications for the portion in question have been submitted in sufficient detail that the **Building Official** is satisfied the construction will conform with all requirements of the **Building Code**, this Bylaw, and other applicable enactments; and
- (b) adequate information and detailed statements have been submitted to the extent that the **Building Official** is satisfied the remainder of the building or **structure** will conform with all applicable enactments.
- (c) the **Building Official** is satisfied that exceptional circumstances justify approval of the permit prior to receiving all normally required documentation.

Permit Expiry & Renewal

6.13 Every **permit** is issued on the condition that the **permit** shall expire and the rights of the **owner** under the **permit** shall terminate if, within six (6) months of the date of permit issuance:

- (a) foundations have not been poured, inspected, and **accepted** by the **Building Official** (for construction of new buildings or structures), or
- (b) physical works have not commenced on the structure (for alteration, repair, moving, or demolition of existing buildings or structures), or
- (c) the work authorized by the **permit** is not completed within three (3) years of the date the **permit** was issued (for all permit types).

6.14 Every permit application that has not been completed or paid for will expire after a 3-month time frame. The applicant is responsible for re-applying and providing updated documents as determined by the Building Official. The original application fee will be forfeited, and payment of a new application fee will be required for subsequent applications of plans.

6.15 For expiration of a permit after three (3) years since the permit was issued, the **Building Official** may grant a one-time renewal **permit** for a period of 12 months if the **Building Official** is satisfied that **construction** under the **permit** is progressing at a reasonable rate, and on payment of the permit renewal fee established in Appendix A..

6.16 Where a permit has expired, and an occupancy permit has not been issued, a new permit application shall be required to re-commence the same or updated work, all with any relevant fees required to be repaid.

6.17 The **Building Official** may, upon request, extend the period of time set out in sections 6.11 and 6.12, where construction has been delayed due to adverse weather, strikes, material or labour shortages, or similar hardship beyond the control of the permit applicant.

Refusal to Issue

6.18 The **Building Official** may refuse to issue a **permit**:

- (a) if the information submitted on the **permit** application is inadequate to determine substantial conformance with, or is contrary to any provision of this Bylaw or other applicable enactment;
- (b) if the information submitted on the **permit** application is incorrect;
- (c) if issuance is prohibited by or contrary to a provision of this Bylaw or other applicable enactment;

Revocation

6.19 The **Building Official** may, by notice in writing to the **permit** holder, revoke a **permit** if the **Building Official** determines that:

- (a) there is a contravention of any term or condition under which the permit was issued, including a significant change in the approved design; or
- (b) the construction or any related work contravenes an applicable provision of the Building Code, this Bylaw or other applicable enactment.

DIVISION SEVEN - PLUMBING

7.1 Each application for a **permit** involving a plumbing system must be in writing in a form provided by the **Building Official** and must:

- (a) be signed by the **owner** of the **site**, an **agent** for the **owner** or a signing officer if the **owner** is an incorporated body;
- (b) state the number of fixtures to be installed in the building;
- (c) include specifications and drawings made to a suitable scale for the plumbing system with respect to multi-family, institutional, commercial and industrial buildings showing:
 - i. **site** services, including size and location of pipes;
 - ii. **site** drainage, including size and location of pipes, catch basins and dry wells;
 - iii. total fixture load on sanitary sewer and water supply systems;
 - iv. sanitary riser diagram complete with fixture loads at the base of stacks; and
 - v. rainwater leaders, size of pipe and area of roof drained;

- (d) include drawings designed by a registered professional, for **complex buildings** and buildings with complex plumbing systems as determined by the **Building Official**; and
 - (e) include any information required by the **Building Official** to establish conformance with this Bylaw.
- 7.2 There must be separate connections to utility services for each separate parcel of land within the **Municipality** connected to such utilities.
- 7.3 A plumbing system, drainage system, house sewer, private sewage disposal system or parts thereof must not be located in any lot other than the parcel that is the site of the building, **structure** or premises serviced by such facilities, except as may be specifically required by the **Municipality** and where a legal right of way has been obtained and such plans are accepted by the Manager of the Utilities Department for the **Municipality**.
- 7.4 All rain leaders, foundation drainage, and other site drainage must not be connected to or otherwise allowed to drain into the municipal sewer system. These must be drained into a dry sump system or the municipal storm drains where available.

DIVISION EIGHT - COMPLEX BUILDINGS

- 8.1 Each application for a **permit** with respect to a **complex building** must be in writing in a form provided by the **Building Official** and must:
- (a) be signed by the **owner** of the **site**, an agent for the owner or a signing officer if the **owner** is an incorporated body;
 - (b) be accompanied by the **owner's** acknowledgment of responsibility and undertakings, in the form attached as Appendix "B" to this Bylaw, signed by the **owner** or an **agent** of the **owner** or a signing officer if the **owner** is an incorporated body;
 - (c) include a copy of a title search of the subject property obtained within thirty (30) days of the date of the **permit** application;
 - (d) include **site** plans drawn to suitable scale and referenced to the current registered legal survey for the subject property, which must show:
 - i. the legal description and civic address of the property;
 - ii. by dimension from property lines, the location of any proposed building or structure;
 - iii. means of access and egress to service the property and a detailed parking layout;
 - iv. by dimension from property lines, the location of any other existing buildings or structures on the site;
 - v. existing and finished ground levels to an established datum;
 - vi. all easements and rights of way, whether or not registered;
 - vii. setbacks to the natural boundary of any lake, swamp, pond or watercourse;
 - viii. snow storage spring melt drainage retained within the surveyed property lines; and

- ix. for other than single-family and two-family dwellings, provisions for garbage containers, proposed method of screening, and a detailed landscape treatment for the site.

except that the **Building Official** may waive the requirements for a **site** plan, in whole or in part, where the application is for a permit to repair or alter an existing building or **structure**;

(e) include building plans drawn to suitable scale showing sufficient information for the **Building Official** to determine conformance with this Bylaw, including but not limited to the following information:

- i. foundation plans;
- ii. floor plans showing the dimensions and uses of all areas;
- iii. dimensions and height of crawl and roof spaces;
- iv. location, size and swing of doors;
- v. location, size and opening of windows;
- vi. floor, wall, ceiling and roof finishes;
- vii. components of fire protection, including
 - A. firewalls
 - B. degree of fire separation of storeys, shafts and rooms
 - C. fire detection, suppression and alarm systems;
- viii. plumbing fixtures;
- ix. structural, mechanical and electrical elements;
- x. stair, handrail and guard dimensions;
- xi. a cross-section through the building or **structure** illustrating foundations, drainage, ceiling heights and construction systems;
- xii. elevations of all sides of the building or **structure** showing finishes, roof slopes, roof top equipment screening, windows, doors, finished grade; and
- xiii. cross-sectional details drawn at sufficient locations to illustrate that the building or **structure** conforms to the **Building Code**;
- xiv. landscape plans conforming to the SPMRM Landscape Design Guideline

(f) include copies of approvals required under any enactment relating to health or safety, including, without limitation, permits and all related inspections for electrical installation, gas appliance installation, sewage disposal, highway access and Ministry of Health approval, as applicable;

(g) letter of assurance in the form of Schedule A referred to in article 2.2.7, Division C of the **Building Code** [*Confirmation of Commitment by Owner and Coordinating Registered Professional*], signed by the registered professional and by the **owner** or a signing officer if the **owner** is an incorporated body;

(h) include letters of assurance in the form of Schedule B referred to in article 2.2.7, Division C of the Building Code [*Assurance of Professional Design and Commitment for Field Review*], each signed by such registered professional as the **Building Code** or **Building Official** may require, to prepare the design for and conduct field reviews of the construction of the building or **structure**;

(i) include one hard copy and one electronic copy of specifications and two hard copy sets and one electronic copy of drawings at a suitable scale of the design, prepared by each registered professional and including the information set out in paragraph (f) herein; and

- o) include any other information required by the **Building Code** or the **Building Official** to establish conformance with the **Building Code**, this Bylaw and other enactments applicable to the proposed building or **structure**.

8.2 In addition to the requirements of section 8.1 (d) *[site plans]*, where the **Building Official** considers warranted due to the complexity of the proposed building or **structure** or siting circumstances, the following information must be submitted along with a building **permit** application for the **construction** of a **complex building**:

- (a) **site** servicing drawings, including sufficient detail of **off-site** services to indicate locations at the property line, prepared and sealed by a registered professional;
- (b) a section through the **site** showing grades, buildings, structures, parking areas and driveways; and
- (c) Energy Advisors review of the plans and subsequent BC Energy Compliance Report and Energy Modelling design approval as mandated by the Province of British Columbia.
- (d) F-280 calculations for heating appliance sizing needs as required by BC Building Code
- (e) A ventilation checklist (TECA) as required by BC Building Code
- (f) such other information required by the **Building Code** or the **Building Official** to establish conformance with the **Building Code**, this Bylaw and other enactments applicable to the building or **structure**.

8.3 Prior to the issuance of a building **permit** for a Complex Building or **structure** under the **Building Code**, the owner must satisfy the Building Official or Fire Chief that the building or **structure** for which the permit is issued will be served by a fire access route that satisfies the following:

- (a) the width of an access route must be not less than 6 metres;
- (b) the centerline radius of an access route must be 12 metres;
- (c) the overhead clearance of an access route must be at least 5 metres;
- (d) the gradient of the access route must not change more than 1 in 12.5 over a minimum distance of 15 metres; and
- (e) be designed to support the expected loads imposed by firefighting equipment and be surfaced with materials designed to permit accessibility under all climatic conditions.
- (f) the length above which a dead-end portion of an access route requires turnaround facilities is 90m.

The requirements of this section may be waived by the Fire Chief for the **Municipality** if the Fire Chief is satisfied that the access route will not impede or obstruct vehicles or equipment used by the **Municipality's** Fire Rescue Department in carrying out their work.

DIVISION NINE- STANDARD BUILDINGS

9.1 Each application for a **permit** with respect to a **standard building** must be in writing in a form provided by the **Building Official** and must:

- {a) be signed by the **owner** of the **site**, an agent for the owner or a signing officer if the **owner** is an incorporated body;
- {b) be accompanied by the **owner's** acknowledgment of responsibility and undertakings, in the form attached as Appendix "B" to this Bylaw, signed by the **owner** or an **agent** of the **owner** or a signing officer if the **owner** is an incorporated body;
- {c) include a copy of a title search of the subject property obtained within thirty (30) days of the date of the **permit** application;
- {d) include **site** plans drawn to suitable scale and referenced to the current registered legal survey for the subject property, which must show:
 - i. the legal description and civic address of the property;
 - ii. by dimension from property lines, the location of any proposed building or **structure**;
 - iii. means of access and egress to service the property and a detailed parking layout;
 - iv. by dimension from property lines, the location of any other existing buildings or structures on the **site**;
 - v. existing and finished ground levels to an established datum;
 - vi. all easements and rights of way, whether or not registered;
 - vii. setbacks to the natural boundary of any lake, swamp, pond or watercourse;
 - viii. for other than single-family and two-family dwellings, provision for garbage containers, proposed method of screening and a detailed landscape treatment for the **site**;
 - ix. snow storage spring melt drainage retained within the surveyed property lines,

except that the **Building Official** may waive the requirements for a **site** plan, in whole or in part, where the application is for a **permit** to repair or alter an existing building;

- {e) include building plans drawn to suitable scale showing sufficient information for the **Building Official** to determine compliance with this Bylaw, including but not limited to:
 - i. foundation plans {one (1) PDF and one (1) paper copy);
 - ii. floor plans showing the dimensions and uses of all areas {one (1) PDF and two (2) paper copies);
 - iii. dimensions and height of crawl and roof spaces;
 - iv. location, size and swing of doors;
 - v. location, size and opening of windows;
 - vi. floor, wall, ceiling and roof finishes;
 - vii. components of fire protection including:
 - A. plumbing fixtures;
 - B. structural, mechanical and electrical elements;
 - C. stair, handrail and guard dimensions;
 - viii. a cross section through the building or **structure** illustrating foundations, drainage, ceiling heights and **construction** systems;

- ix. elevations of all sides of the building or **structure** showing finishes, roof slopes, roof top equipment screening, windows, doors, and finished grade; and
 - x. cross-sectional details drawn at sufficient locations to illustrate that the building or **structure** conforms to the **Building Code**;
 - xi. landscape plans conforming to the SPMRM Landscape Design Guideline;
- (f) include copies of approvals required under any enactment relating to health or safety, including without limitation permits and all related inspections for electrical installation, sewage disposal, gas appliance installations along with confirmation from supplier that the appliances were or will be installed by a certified gas fitter, and Ministry of Health approvals;
 - (g) include two (2) sets of drawings and one (1) (PDF copy at a suitable scale including the information set out in paragraph (e) herein; and
 - (h) include any other information required by the **Building Code** or the **Building Official** to establish conformance with the **Building Code**, this Bylaw and other enactments applicable to the building or **structure**.

9.2 In addition to the requirements of section 9.1 (d) [site plans], where the **Building Official** considers it warranted due to the complexity of the proposed building or **structure** or siting circumstances, the following information must be submitted along with a building **permit** application for the **construction** of a **standard building**:

- (a) **site** servicing drawings, including sufficient detail of **off-site** services to indicate locations at the property line, prepared and sealed by a registered professional;
- (b) a section through the site showing grades, buildings, **structures**, parking areas and driveways;
- (c) a roof plan and roof height calculations;
- (d) structural, electrical, mechanical or fire suppression drawings prepared and sealed by a registered professional;
- (e) letters of assurance in the form of Schedule B referred to in article 2.2.7, Division C of the **Building Code** [*Professional Design and Commitment for Field Review*], signed by the registered professional; and
- (f) Energy Advisors review of the plans and subsequent BC Energy Compliance Report and Energy Modelling design approval as mandated by the Province of British Columbia.
- (g) F-280 calculations for heating appliance sizing needs as required by BC Building Code
- (h) A ventilation checklist (TECA) as required by BC Building Code
- (i) other information required by the **Building Code** or **Building Official** to establish compliance with the **Building Code**, this Bylaw and other enactments applicable to the building or **structure**.

9.3 Prior to the issuance of a building **permit** for a building or **structure** under Part 9 of the **Building Code**, the owner must satisfy the Building Official that the building or **structure** for which the permit is issued will be served by a fire access route that satisfies the following:

- (a) the width of an access route must be not less than 6 metres;

- (b) the centerline radius of an access route must be 12 metres;
- (c) the overhead clearance of an access route must be at least 5 metres;
- (d) the gradient of the access route must not change more than 1 in 12.5 over a minimum distance of 15 metres;
- (e) be designed to support the expected loads imposed by firefighting equipment and be surfaced with materials designed to permit accessibility under all climatic conditions.
- (f) the length above which a dead-end portion of an access route requires turnaround facilities is 90m.

The requirements of this section may be waived by the Fire Chief for the **Municipality** if the Fire Chief is satisfied that the access route will not impede or obstruct vehicles or equipment used by the **Municipality's** Fire Rescue Department in carrying out their work.

DIVISION TEN - RELOCATION OF BUILDING OR STRUCTURE

Permit Application

- 10.1 Each application for a **permit** with respect to the relocation of a building, other than a factory-built building, must be in writing in a form provided by the **Building Official** and must:
- (a) be signed by the **owner** of the **site**, an **agent** for the **owner** or a signing officer if the **owner** is an incorporated body;
 - (b) be accompanied by the **owner's** acknowledgment of responsibility and undertakings, in the form attached as Appendix "B" to this Bylaw, signed by the **owner** or an **agent** of the **owner** or a signing officer if the **owner** is an incorporated body;
 - (c) include a copy of a title search of the subject property obtained within thirty (30) days of the date of the **permit** application;
 - (d) include **site** plans drawn to suitable scale and referenced to the current registered legal survey for the subject property, which must show:
 - i. the legal description and civic address of the **site**;
 - ii. by dimension from property lines, the location of any proposed building or **structure**;
 - iii. means of access and egress to service the property and a detailed parking layout;
 - iv. by dimension from property lines, the location of any other existing buildings or **structures** on the **site**;
 - v. existing and finished ground levels to an established datum;
 - vi. all easements and rights of way, whether or not registered, and the location of natural watercourses;
 - vii. for other than single-family and two-family dwellings, lot coverage and floor area ratio calculation; and
 - viii. for other than single-family and two-family dwellings, provision for garbage containers, proposed method of screening and a detailed landscape treatment for the site
 - ix. landscape plans conforming to the SPMRM Landscape Design Guideline

- (e) identify the existing location of the building or **structure** and proposed location to which the building or **structure** is to be moved; and
- (f) provide written verification by appropriate utility authorities that all utility services have been disconnected and sealed as required.

Security

10.2 Every application for a **permit** to relocate a building or **structure** must be accompanied by:

- (a) security to the **Municipality** in a form acceptable to the **Building Official** and in an amount equal to the estimated cost of completing the building or **structure** in its new location. The estimate must be acceptable to the **Building Official**, but in no case shall the security be less than five thousand dollars (\$5,000) in value; and
- (b) Proof of Insurance

Action to Complete

10.3 If the relocation of a building or **structure** is not completed within one (1) year of the date the **permit** was issued, the **Building Official** may, by written notice to the **owner**, direct the **owner** to remedy the incomplete or non-conforming condition of the building or structure within a time stated in the notice, or if not stated, within thirty (30) days of the notice being delivered. If the incomplete or non-conforming condition is not sufficiently remedied within the required period, the Building Official may cause the work to be completed to conform with this Bylaw and any other applicable enactment, and for that purpose may draw upon the security deposited under section 10.2. Any costs incurred by the Municipality in so doing that are not covered by the security deposit are the responsibility of the owner and become a debt owing to the Municipality.

DIVISION ELEVEN - DEMOLITIONS

Permit Application

11.1 Each application for a **permit** with respect to a demolition must be in writing in a form provided by the **Building Official** and must:

- (a) be signed by the **owner** of the **site** or a signing officer if the **owner** is an incorporated body;
- (b) be accompanied by the **owner's** acknowledgment of responsibility, and undertakings made in the form attached as Appendix "B" to this Bylaw, signed by the **owner** or an **agent** of the **owner** or a signing officer if the owner is an incorporated body;
- (c) include a copy of a title search of the subject property obtained within thirty (30) days of the date of the application;
- (d) include **site** plans drawn to suitable scale and referenced to the current registered legal survey for the subject property, which must show:
 - i. the legal description and civic address of the **site**;
 - ii. location of any existing buildings and structures on the **site**;

- iii. identify the building or **structure** to be demolished; and
- (e) provide written verification by appropriate utility authorities that all utility services have been disconnected and sealed as required
- (f) reference applicable provincial and / or national Fire Codes on demolition.

11.2 Every person applying for a **permit** to demolish a building or **structure** must, as part of the application, provide evidence satisfactory to the **Building Official** that no unsafe condition will be created, permitted, or allowed to continue.

Security

11.3 If required by the **Building Official**, the **owner** must, as a condition of issuing a **permit** for demolition, provide:

- (a) security to the **Municipality**, in a form acceptable to the **Building Official**, to ensure that the **site** of demolition is left in a safe, neat condition, free from debris and dust and compatible with neighbouring properties. The amount of security must be equal to the estimated cost of **site** restoration and the estimate must be acceptable to the **Building Official**; and
- (b) Proof of Insurance.

Action to Complete

11.4 If after demolition activity, the **site** is not sufficiently restored to the satisfaction of the **Building Official**, the **Building Official** may, by written notice to the **owner**, direct the **owner** to remedy the **site** condition within a time stated in the notice, or if not stated, within thirty (30) days of the notice being delivered. If the condition is not remedied within the required time period, the **Building Official** may cause the site to be restored to an acceptable state and may draw upon the security deposited under section 11.3 for that purpose. Any costs incurred by the **Municipality** in so doing that are not covered by the security deposit are the responsibility of the owner and become a debt owing to the Municipality.

DIVISION TWELVE -TEMPORARY BUILDINGS

12.1 In this Division, "**temporary**" means a period not exceeding one year.

12.2 Each application for a **permit** with respect to a **temporary** building or **structure** must be in writing in a form provided by the **Building Official** and must:

- (a) be signed by the **owner** of the **site** or a signing officer if the **owner** is an incorporated body;
- (b) be accompanied by the **owner's** acknowledgment of responsibility, and undertakings made in the form attached as Appendix "B" to this Bylaw, signed by the **owner** or a signing officer if the **owner** is an incorporated body;
- (c) include a copy of a title search of the subject property obtained within thirty (30) days of the date of the **permit** application;

(d) include **site** plans drawn to suitable scale and referenced to the current registered legal survey of the subject property, which must show:

- i. the legal description and civic address of the property;
- ii. by dimension from property lines, the location of any proposed building or **structure**;
- iii. means of access and egress to service the property and a detailed parking layout;
- iv. by dimension from property lines, the location of any other existing buildings or structures on the **site**;
- v. existing and finished ground levels to an established datum;
- vi. all easements and rights of way, whether or not registered, and the location of natural watercourses;
- vii. for other than single-family and two-family dwellings, lot coverage and floor space ratio calculation; and
- viii. for other than single-family and two-family dwellings, provision for garbage containers, proposed method of screening and a detailed landscape treatment for the **site**.

Security

12.3 Every application for a **permit** for a temporary building or structure must be accompanied by a deposit of security in a form satisfactory to the Building Official and in an amount equal to the estimated cost of removing the building or structure within the required time limit. The estimate must be acceptable to the Building Official, but in no case shall the security be less than two thousand dollars (\$2,000) in value.

Action to Complete

12.4 If the temporary building or structure is not removed within the time required under the **permit**, the Building Official may, by written notice to the **owner**, direct the **owner** to remove the building or **structure** within a period stated in the notice, or if not stated, within thirty (30) days of the notice being delivered. If the building or **structure** is not removed within that time, the Building Official may cause the building or structure to be removed and may draw upon the security deposit for that purpose. Any costs incurred by the Municipality in so doing that are not covered by the security deposit are the responsibility of the owner and become a debt owing to the Municipality.

12.5 The owner of the temporary building **site** must ensure that the siting of the temporary building conforms to the SPMRM *Zoning Bylaw No. 1400*.

DIVISION THIRTEEN - PROFESSIONAL DESIGN AND FIELD REVIEW

13.1 Where letters of assurance by a registered professional are required under this Bylaw, the **owner** of the subject property must, prior to the approval of a final inspection for a **standard building** or **complex building**, provide the **Building Official** with those letters of assurances in the forms of Schedules B [*Professional Design and Commitment for Field*

Review] and C-B [*Professional Field Review and Compliance*], set out in Division C of the **Building Code**.

- 13.2 A registered professional who provides letters of assurance pursuant to a requirement under this Bylaw must also provide the **Building Official** with proof of professional liability insurance in the form of Appendix "C" to this Bylaw prior to approval of a final inspection.

DIVISION FOURTEEN - RELIANCE ON PLAN CERTIFICATION

- 14.1 Letters of assurance by registered professionals in the form of Schedule B referred to in article 2.2.7 of Part C of the **Building Code** [*Professional Design and Commitment for Field Review*] that are provided pursuant to a requirement under this Bylaw are relied on by the **Municipality** and its **Building Officials** as certification that the design and plans to which the letters of assurance relate substantially conform to the **Building Code**, this Bylaw and other applicable enactments.
- 14.2 A building **permit** issued under this Bylaw will include a notice to the applicant that the **permit** is issued in reliance on certification by the registered professionals providing letters of assurance that the design and plans submitted in support of the **permit** application conform to the **Building Code**, this Bylaw, and other applicable enactments.
- 14.3 When a building **permit** is issued in reliance on certification by registered professionals in accordance with this Division, the **permit** fee shall be reduced as set out in Appendix "A" to this Bylaw.

DIVISION FIFTEEN - INSPECTIONS

Reliance on Letters of Assurance

- 15.1 If a registered professional has provided letters of assurance in accordance with this Bylaw, the **Municipality** and its **Building Officials** will rely solely on field reviews undertaken by the registered professional, and those letters of assurance, as certification that the **construction** substantially conforms to the relevant designs, plans and specifications and that the **construction** complies with the **Building Code**, this Bylaw, and other applicable enactments.

Monitoring Field Reviews

- 15.2 Despite section 15.1 of this Division, a **Building Official** may attend the site from time to time during **construction** to ascertain that the field reviews are taking place and to monitor the field reviews undertaken by the registered professionals.

Site Visits

- 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 conformance with the **Building Code**, this Bylaw, and any other applicable enactments concerning safety.

Notice of Construction Stages

- 15.4 The **owner** or an **agent** of the **owner** must give at least one working day's notice to the **Municipality** of the following aspects of the work when requesting an inspection, and in the case of a **standard building**, must obtain an inspection and receive acceptance by the **Building Official** of the following aspects of the **construction** work prior to concealing it:
- (a) of intent to carry out work that has been ordered by the **Building Official** pursuant to an inspection;
 - (b) of intent to cover work that has been ordered by the **Building Official** to be inspected prior to covering;
 - (c) when work has been completed so that a final inspection can be conducted; and
 - (d) without limiting the generality of the foregoing, at the following stages of **construction**:
 - i. when the forms for footings are complete, but prior to placing of any concrete therein;
 - ii. when the forms for the foundation are complete, but prior to placing any concrete therein;
 - iii. when concrete slab damp-proofing or soil gas control measures and any foundation air barrier or slab insulation have been installed, but prior to pouring a concrete slab;
 - iv. when underslab plumbing rough-ins and radon piping are installed but prior to placing any concrete therein;
 - v. when foundation concrete damp-proofing, water-proofing and perimeter drains are complete, or after framing of a preserved wood foundation wall and floor assembly and application of damp-proofing, but prior to any backfill being placed;
 - vi. when the sanitary, storm and water service pipes are installed and connected to Municipal services, but prior to backfilling;
 - vii. when framing and sheathing of the building are complete, including the installation of roof membrane, fire-stopping, bracing, chimneys, duct work, plumbing, gas venting and wiring, but before any insulation, drywall or other interior or exterior finish is applied which would conceal such work;
 - viii. When the weather resistant barrier is installed, all exterior doors and windows are installed;
 - ix. when the rough-in plumbing system, including interior water supply and drain waste and vent piping, are complete, but before any such plumbing is covered;
 - x. when exterior stucco wire and flashing is complete but prior to placement of any scratch coat thereon;
 - xi. when insulation and vapour barrier are complete but prior to placement of any finish thereon;
 - xii. during **construction** of any masonry fireplace, when cantilevered hearth forms are in place but prior to pouring concrete; at the smoke chamber stage; for a free-standing masonry chimney, at the thimble stage; before any factor-built or site

- constructed fireplace or chimney is enclosed by combustible material; and before the chimney cap is placed on a masonry chimney; and
- xii. when all work is complete, but prior to occupancy, and water and gas meters are ready for reading.

Complex Buildings

- 15.5 In respect of **complex buildings**, the requirement under section 15.4 of this Division to notify the **Municipality** of the listed stages of **construction** does not oblige the **Building Official** to attend the site for inspections, monitoring or any other purpose.

Inspection Alternative

- 15.6 Despite the requirement for an inspection under section 15.4, if unable to attend a **construction site** on the date of a required inspection due to travel distance or time constraints, the **Building Official** may alternatively determine on the basis of information provided by the **owner** or **agent** of the **owner** the acceptability of work shown or described within that information. The **Building Official** may require that photographs, electronic data or transmissions, or written reports from certified professionals be provided for review prior to authorizing the concealment of that work.

DIVISION SIXTEEN - OCCUPANCY

Prohibition

- 16.1 A person must not occupy or use a building or **structure**, or any part thereof, until an occupancy certificate has been issued by the **Building Official**.
- 16.2 Subject to section 16.3 of this Division, an occupancy certificate will not be issued unless:
- (a) all letters of assurance have been submitted as required under this Bylaw;
 - (b) all aspects of the work requiring inspection and acceptance under section 15.4 have been inspected and accepted; and
 - (c) final as-built plans are submitted that include, without limitation, all modifications, field changes, design changes and extra work.
 - (d) for new builds, the Mid-Construction Verification Report and the As-Built BC Energy Compliance Report showing that the building has met the requirements of air tightness required, demonstrated by the blower door test results completed by the appropriate professional as designated by the Province of British Columbia.
- 16.3 For the purpose of identification, and as a condition of occupancy, every parcel of real property containing a building subject to a permit under this bylaw must display the street address or other lot identification by means of a clear and legible sign.
- 16.4 A **Building Official** may issue a provisional occupancy certificate where the **construction** of a building or **structure** has been substantially completed and where the requirements of

the **Building Code** and this Bylaw have been met. A provision occupancy certificate is valid for ninety (90) days from the date of its issuance and may be extended by the **Building Official** for an additional ninety (90) days upon any terms, restrictions, conditions, and requirements imposed by the **Building Official**.

DIVISION SEVENTEEN-ENERGY CONSERVATION AND BC STEP CODE

- 17.1 In relation to the conservation of energy and reduction of greenhouse gas emissions as mandated by the Province of British Columbia, the municipality incorporates by reference the BC Energy Step Code and the requirements of the Step Code for compliance with these energy conservation measures.
- 17.2 Any building constructed under permits issued after May 1, 2023 must include a building energy label posted prior to issuance of an Occupancy Certificate.
- 17.3 All permit applications submitted after May 1, 2023 must include an Energy Design review and compliance report from an accredited Energy Advisor or other designated professional under the BC Energy Step Code.
- 17.4 All new builds, new additions to existing buildings, and energy retrofit projects must submit a mid-construction blower door test completed by a certified professional and meeting Step Code requirements as outlined on the original design review submitted at application stage.
- 17.5 All new builds, new additions to existing buildings, and energy retrofit projects must submit a final blower door test completed by a certified professional and meeting final air tightness requirements as outlined in the BC Energy Step Code.

DIVISION EIGHTEEN - FEES AND CHARGES

- 18.1 A **permit** application fee established in Appendix "A" must accompany an application for a **permit**. The application fee is non-refundable.
- 18.2 Prior to the issuance of any **permit** under this Bylaw, a **permit** fee, calculated in accordance with Appendix "A", must be paid in full to the **Municipality**.
- 18.3 A **permit** application is cancelled, and the **permit** application fee forfeited, if the **permit** has not been issued and the **permit** fee has not been paid within six (6) months of the date of notification to the **owner** that the **permit** is ready to be issued. If an application is cancelled, any plans and related documents submitted may be returned to the applicant or owner, or may be destroyed.
- 18.4 If a **permit** is surrendered or cancelled before any **construction** has commenced, the **owner** may obtain a refund of the **permit** fees established in Appendix "A", but the refund shall not include the **permit** application fee paid pursuant to section 18.1.
- 18.5 Where a required inspection is requested to be conducted after the hours during which the offices of the **Municipality** are normally open, an inspection charge must be paid based on the actual time spent in conducting the inspection, including travel time.

DIVISION NINETEEN - COST RECOVERY FOR WORK OR SERVICES PROVIDED

- 19.1 If, by notice of the **Building Official**, a person is directed or ordered to complete or remedy work or a condition on a **site** so that it conforms to the **Building Code**, this Bylaw, and other enactments, as applicable, and fails to do so within the required time period, the **Building Official** may cause the work or condition to be completed or remedied by employees or contractors of the **Municipality** at the sole cost and expense of the **owner** of the subject parcel. Any costs and expenses incurred by the **Municipality** in so doing, as invoiced to the **owner, agent** of the **owner** or both, become a debt owing to the **Municipality** and if unpaid when due may be collected in the same manner as for property taxes.

DIVISION TWENTY - ENFORCEMENT AND PENALTIES

- 20.1 This Bylaw may be enforced by a Building Official, a Fire Inspector, Bylaw Officer or the CAO.
- 20.2 Any person who:
- (a) contravenes or violates any provision of this Bylaw or an order or notice issued by the Building Official;
 - (b) causes, directs, or allows a contravention or violation of this Bylaw or an order or notice issued by the Building Official; or
 - (c) fails to meet a requirement of this Bylaw;
- commits an offence, and each day during or on which the violation occurs or continues constitutes a separate offence.
- 20.3 A person who commits an offence under this Bylaw is liable to pay a fine of not less than one hundred dollars (\$100) or more than fifty thousand dollars (\$50,000).
- 20.4 A Building Official, Bylaw Officer, Fire Prevention Officer, or Fire Chief may order the cessation of any work that is proceeding in contravention of this bylaw, the Building Code, the Fire Code, or any other enforceable enactment, by posting a Stop Work Order.
- 20.5 The owner of property on which a Stop Work Order has been posted, and every other person on that property, shall cease all construction work or business immediately and shall not do any other work until all applicable provisions of this bylaw and other applicable enactments have been substantially complied with and the Stop Work Order has been rescinded in writing by the Building Official or appropriate issuing officer.
- 20.6 Where a person occupies a building or structure or part of a building or structure in contravention of this bylaw, a Building Official may post a "Do Not Occupy" notice on the affected part of the building or structure.
- 20.7 The owner of property on which a "Do Not Occupy" notice has been posted, and every person, shall cease occupancy of the building or structure immediately and shall refrain from

further occupancy until all applicable provisions of this bylaw, the Building Code, and other applicable enactments have been substantially complied with and the "Do Not Occupy" notice has been rescinded in writing by a Building Official.

DIVISION TWENTY-ONE - GENERAL

21.1 Appendices "A", "B", "C" and "D" are attached to and form part of this Bylaw.

21.2 This Bylaw replaces the provisions of the *Thompson-Nicola Regional District Building Regulations Bylaw No. 2066, 2005* as they applied to the **Municipality** until the time this Bylaw is adopted.

READ A FIRST TIME on the 20th day of June, 2023

READ A SECOND TIME on the 19th day of March, 2024

READ A THIRD TIME on the 16th day of April, 2024

READ A FOURTH TIME AND FINALLY ADOPTED on the 7th day of May, 2024

Mayor

Corporate Officer

APPENDIX "A"

SCHEDULE OF PERMIT FEES

- A. For the purpose of calculating the fee for permits under this bylaw, the value of construction shall be the total contract price for the work including all subcontracts or the value of construction as determined by the Building Official on the basis of plans, specifications and information available to him, whatever value shall be greater.

B. BUILDING PERMIT APPLICATION FEES

A non-refundable permit application fee of \$150.00 shall be charged for all building permit applications, regardless of construction values.

C. BUILDING PERMIT FEE

(1)	<u>Construction Value</u>	<u>Fee</u>
(a)	\$0 to \$100,000.00	\$12.00 for each \$1,000.00 or part thereof in excess of \$1,000.00
(b)	Over \$100,000.00	\$1,200.00 plus \$9.00 for each additional \$1,000.00 or part thereof in excess of \$100,000.00

D. PLUMBING PERMIT FEE

(1)	Minimum fee for any plumbing permit or first fixture	\$75.00
(2)	Permit fee for each fixture after the first fixture	\$9.00
(3)	Permit fee for an interceptor or catch basin	\$20.00
(4)	Permit fee for the installation of a backflow prevention device in any plumbing system.	\$20.00
(5)	Permit fee for any fire sprinkler system	
(a)	First 25 sprinkler heads	\$75.00
(b)	Each additional sprinkler head after the first 25	\$1.50

E. SPECIAL INSPECTION

Voluntary inspection to establish conformance or status of a building.	\$110.00
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- F. MANUFACTURED HOMES OR BUILDING RELOCATION
- (1) Permit fee for manufactured homes including skirting, foundation, blocking 2m² (21 ft²) landing and stairs, water and sewer service connections. \$350.00
- (2) Permit fee for manufactured homes or relocated buildings placed on permanent foundations extending below ground level will be \$350.00 plus an additional fee based on the value of the foundation as determined by the Building Official.
- G. RENEWAL PERMIT FEE
- The fee for a renewal permit shall be 5% of the construction value to a maximum of \$700 for each renewal period of twelve (12) months.
- H. TEMPORARY BUILDING
- For a permit to construct, place or occupy a temporary building for one (1) year or part thereof. \$75.00
- I. CHIMNEY/ SOLID FUEL APPLIANCE
- Fee for the installation of a chimney, fireplace or solid fuel-burning appliance. \$150.00
- J. REMOVAL OF NOTICE ON LAND TITLE
- Fee for the removal of a land title notice \$300.00
- K. DEMOLITION OR RELOCATION
- The fee for a permit to demolish a building. \$75.00
- L. REINSPECTION FEE
- Where any re-inspection carried out pursuant to this bylaw discloses faulty work and a subsequent inspection is thereby made necessary, the fee for each subsequent inspection shall be \$75.00
- M. DOUBLE PERMIT FEE
- Where work for which a permit is required by this bylaw has been commenced prior to issuance of a permit, the applicant shall pay to the Municipality double the fee prescribed in this Schedule, provided that the additional fee shall not exceed \$2,750.00

N. PERMIT FEE REFUND

Where no construction has commenced within six (6) months of building permit issuance, should the permit holder apply in writing to cancel the application or permit, the Building Officer shall refund 75% of the original permit fee.

O. FEE REDUCTION FOR PROFESSIONAL SUPERVISION

Where a professional engineer or architect is retained by the owner and an undertaking is provided to coordinate design and field reviews on the project, the building permit fee may be reduced by five percent (5%).

P. BUILDING INFORMATION REQUEST

The fee for researching building permit files.

\$80

APPENDIX "B"

OWNER(S) UNDERTAKING LETTER

Forming Part of Building Regulation Bylaw NO. 209

Notes:

1. *This Appendix "B" document must be:*
 - a. *signed by the **owner(s)** of the property for which a building **permit** is sought in the presence of a witness; and*
 - b. *submitted to the **Municipality** prior to issuance of a building **permit**.*
2. **This document will have legal consequences for the owner(s).** *As such, the **owner(s)** is strongly encouraged by the **Municipality** to obtain independent advice from a lawyer prior to signing and submitting this Appendix B document.*

ATTENTION: BUILDING OFFICIAL

Dear Sir:

RE: _____ {the "Property")
(Legal Description of Property)

Building **Permit** Application No. (OFFICE USE) _____ (the "Project")

In consideration of the Sun Peaks Mountain Resort Municipality (SPMRM) accepting and processing an application for a building **permit** in respect of the Project, and as required by the **Municipality** Building Regulations Bylaw, the following representations, warranties and indemnities are given to the **Municipality**.

1. I am:

() the/an **owner** of the Property; or

() where the Property is owned by a company, I am authorized by the owner-company to sign this undertaking letter on behalf of the company.

Name: _____

Address: _____

2. I understand and acknowledge that the **owner** of the Property is fully responsible for carrying out the work, or having the work carried out by a contractor or a registered professional, to ensure compliance with the current version of the **Building Code**, the **Municipality** Building Regulations Bylaw, other applicable **Municipality** Bylaws or any other applicable enactments.
3. I understand and acknowledge that neither:
 - a) the issuance of a building **permit** by the **Municipality**,
 - b) the acceptance or review of plans and supporting documents in respect of the Project, nor
 - c) any **monitoring** visits made by **Sun Peaks Mountain Resort Municipality Building Officials**,

shall in any way constitute a representation, warranty or statement by or on behalf of the **Municipality** that the Project complies with current version of the **Building Code**, the **Municipality's** Building Regulations Bylaw, other applicable **Municipality** Bylaws or any other

applicable enactments nor relieve the **owner** and/or his or her **agent** from full and complete responsibility to perform the work in strict accordance with **Building Code**, the **Municipality's** Building Regulations Bylaw, other applicable **Municipality** Bylaws or any other applicable enactments respecting safety.

4. I am not in any way relying on the **Municipality** or any of the **Sun Peaks Mountain Resort Municipality Building Officials** to protect:

- a) the **owner(s)** or any future **owner(s)** of the Property,
- b) any use or occupier of the Property, or
- c) any other **person(s)** as contemplated in Division 1 of the current version of the **Municipality's** Building Regulations Bylaw,

from injury or physical harm, property loss or damage, economic loss or any other form of claim or cause of action and I will not make any claim, counterclaim, or initiate Third Party proceedings, alleging responsibility or liability on the part of the **Municipality** or any of its **Building Officials** in connection with the Project.

5. Where "Letters of Assurance of Professional Design and Commitment for Field Review" are required, I have authorized, and am relying upon the following registered professionals to prepare and submit adequate plans and supporting documents and conduct all appropriate and necessary field reviews in respect of the Project:

(Print Name of each registered professional)

Coordinating: _____

Architectural: _____

Building Envelope: _____

Structural: _____

Mechanical: _____

Plumbing: _____

Fire Suppression Systems: _____

Electrical: _____

Geotechnical - temporary: _____

Geotechnical - permanent: _____

(the "Registered Professionals").

6. I understand and acknowledge that the **Municipality** will rely solely upon the "Letters of Assurance of Professional Design and Commitment for Field Review" prepared by the Registered Professionals in respect of the Project to ensure compliance with the current version of the **Building Code**.
7. I understand that the word "work" in this document includes all work necessary to complete the Project such that it is compliance with the current version of the **Building Code**, the **Municipality's** Building Regulations Bylaw, other applicable **Municipality's** Bylaws and any other applicable enactments.
8. In the case where the Property is owned by a company, I have been authorized by the **owner-company** to make the representations, warranties and assurances to the **Municipality** as are contained in this Appendix "B" document.

9. I have been advised by the **Municipality** that I should obtain independent advice from a lawyer prior to signing and submitting this Appendix "B" document to the **Municipality**.

Where owner is an individual:	
Signature of Witness	Signature of Owner
Witness (print name)	Owner (print name) (additional owner):
Address of Witness	Signature of Owner
Signature of Witness	Owner (print name) (if required, reproduce and attach another copy of this page for additional owner signatures)
Witness (print name)	
Address of Witness	
Where owner is a company:	
Signature of Witness	Name of Company
Witness (print name)	Signature of authorized signatory for Company
Address of Witness	Name of authorized signatory for Company
	Title of authorized signatory for Company

APPENDIX "C"

REGISTERED PROFESSIONAL'S PROOF
OF INSURANCE

Forming Part of Building Regulation Bylaw NO. 209

ATTENTION: BUILDING OFFICIAL

RE: _____

(Legal Description of Property)

Building **Permit** No. _____ Project Address: _____

Project Description: _____

This is to confirm that the undersigned registered professional is insured by a policy of insurance covering liability to third parties for errors and omissions in the provision of professional services in respect of the captioned project, **a certificate of which insurance is attached.**

The undersigned will notify both the **Building Official** and the **owner** who has engaged the undersigned to provide professional services in respect of the captioned project, in writing, of any termination of or change in terms of the coverage provided by the policy, immediately upon being informed of or becoming aware of such termination or change.

Signature of Registered Professional

Name of Firm

(affix seal)

APPENDIX "D" CLIMATIC DATA

EM Weather File HOD	BCBC2018 HDD	Minimum EM Temp (°C)	BCBC1% Desi,nTemp oc)	Snow Load
5098	5030	-34.7	-32	10.5 kPa