
PART 13 - BUILDING
Division 1 - Introductory Provisions

Subdivision 1 - The Building Code

- 13.1.1. 1. The *Building Code* as defined by this Part of the *Kitimat Municipal Code* is hereby adopted and by this reference is made a part of the *Kitimat Municipal Code* and shall apply to all buildings in the District of Kitimat.

Subdivision 2 - Definitions

- 13.1.2. 1. In this Division, the following words have the following meanings:
- “ALTERATION/RENOVATION” means a change made to an existing *building* or *structure* that maintains the floor area of the existing *building* or *structure* and includes but is not limited to:
- a. Construction of, cutting into, or removal of a wall, partition, column, beam, joist or floor within the existing *building* or *structure*; and
 - b. A change to, or closing of, any window or door.
- “ARCHITECT” means an individual who is a member in good standing, licensed by the Architectural Institute of British Columbia, to practice as an Architect in the Province of British Columbia.
- “BASEMENT” means a storey or storeys of a building located below the first storey as defined in the *Building Code*.
- “BUILDING” means any structure used or intended for supporting or sheltering any use or occupancy, and includes a manufactured home.
- “BUILDING CODE” means the *British Columbia Building Code* adopted pursuant to the *Building Act*.
- “BUILDING INSPECTOR” means a qualified building official designated by the District of Kitimat from time to time to be the Building Inspector, and includes any qualified building official designated as his or her assistants and deputies.

PART 13 - BUILDING
Division 1 - Introductory Provisions

Subdivision 2 - Definitions (Continued)

“BUILDING PERMIT” means a permit authorizing construction, reconstruction, repair or alteration/renovation of a building or structure.

“CITY” means District of Kitimat

“COMPLEX BUILDING” means a building or structure exceeding 600 square metres in building area or exceeding three stories in building height used or intended to be used for, in whole or part, commercial, industrial, or institutional purposes, or a multi-family residential building containing five or more dwelling units.

“CONSTRUCTION TRAILER” means a prefabricated trailer mounted on a steel frame with attached axle/s and wheels or skids, CSA certified, detached from other structures used for the purpose of temporary office, lunchroom, first-aid room, washroom, storage or other related use on a construction site.

“CONSTRUCTION TRAILER COMPLEX” means a single prefabricated trailer mounted on a steel frame or skids assembled and connected to other trailers to form a complex and used for the purpose of office, lunchroom or other related use on a construction site.

“CONTRACTOR” means a person who contracts with an owner to undertake a building project, and includes an owner who contracts with more than one person for the work on a project or undertakes the work on a project or any part thereof.

“DAMAGE” means physical harm caused to property resulting in loss of value or the impairment of usefulness and includes but is not limited to physical harm to roads, curbs, gutters, boulevards, sidewalks, hydrants, valves and other appurtenances, street lighting, street furnishings, and trees, or, the placement, dropping, or deposit of any dirt, debris, plants, materials, objects, or substances.

“DECK” means a structure attached to a dwelling, with no walls except for visual partitions and railings, which is constructed with a floor on posts and beams above grade for use as an outdoor living area.

“DECK PERMIT” means a permit authorizing the construction, reconstruction, repair or alteration/renovation of a deck.

“DEMOLITION PERMIT” means a permit authorizing the demolition, or partial demolition, of a building or structure.

PART 13 - BUILDING
Division 1 - Introductory Provisions

Subdivision 2 - Definitions (Continued)

“DISTRICT” – means the District of Kitimat.

“DO NOT OCCUPY NOTICE” means a directive by the building inspector to the owner to cease occupancy of a building.

“DWELLING” AND “DWELLING UNIT” means a room or suite of rooms comprising a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

“ELEVATIONS” means elevation above sea level in District of Kitimat datum.

“FENCE” means a structure serving as an enclosure, a barrier or a boundary, usually made of posts or stakes, joined together by boards, wire or rails and includes a gate, screen, trellis and wall that is not a retaining wall.

“FIELD REVIEW” means a site visit, inspection and report review by a registered professional regarding the work at a construction site to which a building permit relates.

“FINISHED GRADE” means the final elevation of the ground surface adjacent to a building or structure after construction.

“GARAGE” means a structure which is attached to a dwelling by a common wall, common roof structure, breezeway or other form of attachment or a detached stand-alone structure and is designed or used for the sheltering or motor vehicles and the storage of household goods incidental to the residential use of the dwelling.

“GRADE” (as applying to the determination of building height) means the lowest of the average levels of finished ground adjoining each exterior wall of a building, excluding localized depressions such as for vehicle and pedestrian entrances.

“LETTERS OF ASSURANCE” means the letters attached as Schedule A, Schedule B and Schedule C-A and C-B of Part 2 of Division C of the *Building Code*, amended as necessary by the registered professional in cases where the letters are required by the building inspector but not required by the *Building Code*.

“MANUFACTURED HOME” means a factory built, single detached dwelling unit conforming to CAN/CSA-Z240 MH.

PART 13 - BUILDING
Division 1 - Introductory Provisions

Subdivision 2 - Definitions (Continued)

“OCCUPANCY” means the use or intended use of a building or part thereof for the shelter or support of persons, animals or property.

“OWNER” means, in respect of a parcel,

- a. the registered owner of an estate in fee simple;
- b. the tenant for life under a registered life estate;
- c. the registered holder of the current or most recent registered agreement for sale;
- d. the holder of occupier of land held in the manner referred to in Section 228 (taxation of Crown land used by others) or Section 229 (taxation of Municipal land used by others) of the Community Charter.

“PAVED” means surfaced with asphalt, concrete or brick that cannot be removed by natural weather conditions.

“PLUMBING FIXTURE” means a toilet, water closet, sink, lavatory, bathtub, shower, hot water tank, clothes washer, dishwasher, floor drain, roof drain, water heater, oil and grease interceptor, sump, catch basin, backflow prevention device, vacuum breaker and any similar appliance which is connected to a sanitary drain, water supply or internal rain water leader.

“PLUMBING SYSTEM” means a system of pipes and fixtures installed in a building for the distribution of potable water and the removal of sanitary wastes or rain water.

“QUALIFIED BUILDING OFFICIAL” means

- a. person having the qualifications described by the District of Kitimat; and
- b. upon the coming into force of s. 10 of the *Building Act*, a qualified building official as defined in the *Building Act*.

“RECONSTRUCTION” means to re-build a building or structure, including any structural elements, to original design, dimensions and materials.

PART 13 - BUILDING
Division 1 - Introductory Provisions

Subdivision 2 - Definitions (Continued)

“REGISTERED PROFESSIONAL” means

- a. a person who is registered or licensed to practice as an architect under the *Architects Act*; or
- b. a person who is registered or licensed to practice as a professional engineer under the *Engineers and Geoscientists Act*.

“RENTAL PREMISES” means a building containing one or more rental units.

“RENTAL UNIT” means residential living accommodation of any kind that is rented or intended to be rented to a tenant under a tenancy agreement and includes, without limitation, a dwelling unit, a sleeping unit or a housekeeping unit.

“REPAIR” means the replacement of an existing component of a building or structure, other than a structural element, with a component of like characteristics.

“SECONDARY SUITE” means a self-contained, accessory dwelling unit located within a principal single-detached dwelling having its own separate cooking, sleeping and bathing facilities and direct access to the outside without passing through any part of the principal dwelling unit.

“SECURITY” means cash, a certified cheque or an unconditional, irrevocable and automatically renewing letter of credit issued by a chartered bank or credit union.

“SECURITY FENCE” means a temporary structure that surrounds the perimeter of a construction or demolition site to prevent access.

“SETBACK” means the horizontal distance measured at right angles to a parcel line, between the parcel line and the nearest point of a building, structure, or use.

“STRUCTURAL ENGINEER OF RECORD (SER)” means a Structural Engineer engaged to review, certify and provide letters of assurance for the structure, engineered components and foundations of a standard building.

“SHED” means an outbuilding used for storage.

“SIDING” means a material used for surfacing the outside walls of a wood frame building.

PART 13 - BUILDING
Division 1 - Introductory Provisions

Subdivision 2 - Definitions (Continued)

“STANDARD BUILDING” means a building that is not a complex building and includes a single-family dwelling, a manufactured home, and a multi-family residential building having four or fewer dwelling units on one parcel.

“STOP WORK NOTICE” means a directive by the building inspector to an owner to cease work on a building or structure.

“STRUCTURE” means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and retaining structures less than 1.2 metres in height.

“VALUE” in relation to construction means all costs of construction, materials and labour required to carry out the construction to completion.

Subdivision 3 – Purpose of Part 13

- 13.1.3.
1. Interpretation of Part 13 – This Part, notwithstanding any other provision herein, be interpreted in accordance with this Subdivision 3.
 2. Purpose of Part 13 – This Part has been enacted for the purpose of providing for the administration and regulation of the *Building Code* within the District of Kitimat and to regulate building and development in general in respect to those matters not included in the *Building Code*.
 3. Limitations of Part 13 – It is not contemplated nor intended, nor does the purpose of this Part extend:
 - a. to the protection of owners, constructors, subsequent owners, or any other person from economic loss;
 - b. to the assumption by the District or any building inspector of any responsibility for ensuring the compliance by any owner, his or her agent or representative, or employees, constructors or designers retained by him or her, with the *Building Code*, the requirements of this Part or other applicable enactments respecting health or safety
 - c. 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 Part; or
 - d. to providing a warranty or assurance that construction undertaken pursuant to permits issued by the District is free from latent, or any defects.
-

PART 13 - BUILDING
Division 1 - Introductory Provisions

Subdivision 4 – Permit Conditions

- 13.1.4.
1. A permit is required whenever and before work regulated under this Part is undertaken.
 2. Disclaimer of Warranty or Representative – Neither the issuance of a permit under this Part, the review and acceptance of the design, drawings, plans or specifications, nor inspections made by a building inspector, shall constitute representation, warranty, assurance or statement that the *Building Code*, *Municipal Code* or other enactments respecting health and safety have been complied with or that the building or structure meets any standard of materials and workmanship, and no person shall rely on any of those acts as establishing compliance with the *Building Code*, this Part or any other applicable enactments respecting health and safety. The person to whom a permit is issued is responsible for making such determination.
 3. Owner Responsibility –
 - a. It shall be the full and sole responsibility of the owner to carry out the work in respect of which the permit was issued in compliance with the *Building Code*, this Division and other applicable enactments respecting health and safety.
 - b. 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, and shall acknowledge this prior to issuance of the permit by signing the Damage Deposit form and providing the required security.

Subdivision 5 – Scope and Exemptions

- 13.1.5.
1. Applications - This Part applies to the design, construction and occupancy of new buildings and structures, and the alteration/renovation, reconstruction, demolition, removal, relocation and occupancy of existing buildings and structures. Where renovation, repair or addition to a building are undertaken the Building Inspector may require upgrades to the entire building as provided in Appendix A of the Code.
 2. Exemptions – This Part does not apply to:
 - a. buildings or structures exempted by Section 1.1.1.1(2)(a) to (e), (g) to (h) of the *Building Code*; or
 - b. retaining structures less than 1.2 metres in height.
-

Subdivision 5 – Scope and Exemptions (continued)

- 13.1.5
3. Building Permit Not Required – A Building Permit is not required for any of the following:
 - a. replacement of roofing materials, providing like materials are used;
 - b. replacement of windows within existing wall openings;
 - c. replacement of plumbing fixtures;
 - d. exterior siding replacement that does not require changes to the building envelope assembly to meet the manufacturer's installation instructions.
 4. Permits Not Required for LNG Facilities – No permit of any kind is required under this Part for the construction, erection, placement or alteration of a building or structure on land whose legal description, as of the date of first reading of Municipal Code Part 13 – Building Amendment Bylaw No. 1948 2019, is set out in Subdivision 9 of this Division, or that is located within the area outlined in heavy black line on Plan 10748 being a Reference Plan to Accompany Lease of Part of District Lot 5469 Range 5 Coast District, if the construction, erection, placement or alteration has been authorized by a leave to Construct and the occupancy has been authorized by a Leave to Operate issued under s. 25 of the *Oil and Gas Activities Act* and copies of the authorizations have been provided to the District.
 5. Building Energy Conservation Step Code - In relation to the conservation of energy, buildings may be constructed on or after May 1, 2023, in accordance with sections 9.36.2 to 9.36.4 of Division B of the BC Building Code 2018.

PART 13 - BUILDING
Division 1 - Introductory Provisions

Subdivision 6 – Prohibitions

- 13.1.6.
1. Permits Required – No person shall commence or continue any construction, alteration/renovation, reconstruction, demolition, removal, relocation of any building or structure or plumbing system, including excavation or other work related to construction, unless a building inspector has issued a valid and subsisting permit for the work.
 2. Occupancy Permit – No person shall occupy or use any building or structure, or part of it, unless a valid and subsisting occupancy permit has been issued by a building inspector for the entire building or structure, or contrary to the terms of any occupancy permit issued or any notice given by a building inspector.
 3. No False Information – No person shall knowingly submit false or misleading information to a building inspector in relation to any permit application or construction undertaken pursuant to this Part.
 4. No Tampering with Permit – No person shall reverse, alter, deface, cover, remove or in any way tamper with any notice, order, permit or certificate issued by the building inspector, including one posted upon or affixed to a building or structure pursuant to this Part.
 5. No Variances – No person shall do any work that is substantially at variance with the design or plans of a building, structure or other works for which a permit has been issued, unless that variance has been accepted in writing by a building inspector.
 6. No Obstruction of Building Inspector – No person shall obstruct the entry of a building inspector or other authorized official of the District of Kitimat on property in the administration of this Part.
 7. Structural Damage – At the discretion of the building inspector, any building that has experienced structural damage due to a tornado, earthquake or other act of Nature, fire, decay or man-made disaster, shall provide an engineer's report upon the completion of the repairs, certifying that the work has been completed in accordance with the engineer's recommendations.
 8. Despite any other provision of Part 13, no permit shall be issued without prior issuance of a development permit, where such permit is required by Section 489 of the *Local Government Act*.
-

PART 13 - BUILDING
Division 1 - Introductory Provisions

Subdivision 7 – Owners and Authorized Agents

- 13.1.7.
1. Use of An Agent - An owner may appoint an agent for the purposes of this Part, by completing and delivering to the building inspector the District's form for that purpose, and all subsequent applications, requests and other acts of the agent shall be deemed to be acts of the owner and all permits, notices, acceptances and other notices delivered to the agent will be deemed to have been delivered to the owner.
 2. An owner may not revoke an appointment of an agent for the purposes of this Part unless the owner provides the building inspector with a written revocation.
 3. Rules on Signing by Owners - Where an application, letter or other document is required by this Part to be provided by the owner, the following apply;
 - a. the document must be signed by the owner;
 - b. if a corporation is an owner of the property, the document must be signed by at least one signing officer of the corporation;
 - c. if the property is or involves common property of a strata corporation, the document must be signed by two members of the strata council, and depending on the circumstances, the building inspector may require proof;
 - d. a document may be signed by the owner's authorized agent, if the owner has provided the building inspector with a signed authorization of that person as agent for all purposes associated with the construction.
-

PART 13 - BUILDING
Division 1 - Introductory Provisions

Subdivision 8 – Building Inspector

Powers of Building Inspectors

- 13.1.8. 1. Each building inspector may:
- a. administer this Part and all other *Municipal Codes* and permit relating to any property for which a permit has been issued, or relating to any property for which a permit is required for the activity underway or completed;
 - b. keep records of permit applications, permits, notices and orders issued, inspections and tests made, and retain copies of documents related to the administration of this Part 13 including digital copies of such documents;
 - c. establish if requested to do so, whether the methods or types of construction and types of materials proposed to be used in the construction of a building or structure for which a permit is sought under this Part will achieve at least the minimum level of performance of the applicable acceptable solution described in the *Building Code*;
 - d. post a *Stop Work Notice*, or otherwise order the cessation of work that is proceeding in contravention of this Part, a permit or the *Building Code*;
 - e. post a *Do Not Occupy Notice*, or otherwise order to cease occupancy of a building that is proceeding in contravention of this Part, a permit or the *Building Code*;
 - f. refuse to issue a permit where, the application for a permit or the proposed construction does not comply with the *Building Code*, this *Division of Part 9 of the Municipal Code* or where in his/her opinion, the results of tests of materials, devices, construction methods, structural assemblies or foundation conditions are not satisfactory;
 - g. prescribe from time to time the form for applications, permits, orders and other notices referred to in this Part.
-

PART 13 - BUILDING
Division 1 - Introductory Provisions

Subdivision 8 – Building Inspector (continued)

13.1.8 Entry onto Land

2. A building inspector may:
 - a. enter any land, building, structure, or premises at any reasonable time for the purpose of ascertaining that the requirements of the *Building Code* and this Part are being observed;
 - b. where any residence is occupied, obtain the consent of the occupant or provide written notice to the occupant TWENTY-FOUR (24) hours in advance of entry; and
 - c. carry proper credentials confirming his/her status as building inspector.
3. Order Correction of Work - A building inspector may order the correction of any work that is being or has been done in contravention of the *Building Code*, this Part or a permit issued under this Part.
4. Unavailability of Building Inspector - The District may, in circumstances in which a building inspector is not available to exercise powers to perform duties under this Part, issue a building permit, plumbing permit, demolition permit, solid fuel burning appliance permit, occupancy permit or fire sprinkler permit, if a qualified building official who is not a building inspector as defined in the *Building Act*, has certified that the application for the permit and the proposed construction comply with the *Building Code* and this Part, or in the case of an occupancy permit that the construction complies with the *Building Code*, this Part and the applicable permit.

Subdivision 9 – Permits Not Required for LNG Facilities

PID	Description
013-085-484	District Lot 94 Range 5 Coast District
004-332-041	District Lot 5469 Range 5 Coast District Except Plans EPP41247
030-237-939	Lot A District Lots 187 & 6050 Range 5 Coast District Plan EPP67347
013-119-621	Parcel A (see L361) of District Lot 6003 Range 5 Coast District
004-333-519	The West 1/2 of District Lot 6003 Range 5 Coast District
004-334-078	District Lot 6004 Range 5 Coast District Except Part in Plan EPP67348
004-333-021	District Lot 6001 Range 5 Coast District
004-333-276	District Lot 6002 Range 5 Coast District
004-329-627	Block 1506 District Lot 73 Range 5 Coast District Plan 6148
030-473-667	District Lot 186 Lot A Range 5 Coast District
013-085-638	District Lot 187 Range 5 Coast District Except Plan 11524
016-334-558	Lot 1 DLS 981 5469 & 7940R Range 5 Coast District Plan 12731

PART 13 - BUILDING
Division 2 - Applications for Permits

Subdivision 1 – Applications for Permits

- 13.2.1. 1. Required Permits - Every person shall apply for and obtain:
- a. a building permit before constructing, reconstructing, repairing or altering a building or structure;
 - b. a plumbing permit before constructing or altering a plumbing system;
 - c. a demolition permit before demolishing a building or structure, or any part thereof;
 - d. a solid fuel burning appliance permit prior to the construction and/or installation of a solid fuel burning appliance within a building or structure;
 - e. an occupancy permit prior to occupying a building or structure;
 - f. a fence permit before construction of a fence, a partial fence or security fence;
 - g. a deck permit before construction of a deck;
 - h. a shed permit before construction of a shed that has a floor area less than 10m² measured to the outer surfaces of the exterior walls;
 - i. a fire sprinkler permit before installation of fire sprinklers within a building or structure.
2. Permit Application Forms – Applications for permits required by this Part shall be made on the forms provided.
3. Plans – Designer Name – All plans submitted with building permit applications shall bear the name and address of the designer of the building or structure.
4. Separate Building Permits – Each building or structure to be constructed on a parcel requires a separate building permit and shall be assessed a separate permit fee based on Schedule A of this Part.

Subdivision 1 – Applications for Permits (Continued)

5. Separate Plumbing Permits – Each plumbing system to be constructed on a parcel requires a separate plumbing permit for each building and shall be assessed a separate permit fee based on Schedule A of this Part.
 6. Construction Trailer – Subject to any other Division, the Building Inspector may issue a One (1) Year Permit for the placement of a Construction Trailer, provided that:
 - a. the permit fee and security specified in Schedule A of this Part has been paid;
 - b. the trailer complies with the requirements of the Building Code with respect to local snow load or alternate solution acceptable to the Building Inspector;
 - c. the trailer is adequately supported;
 - d. the trailer has ingress and egress facilities acceptable to the building inspector; and
 - e. the placement of the trailer has been approved;
 - f. An application for a permit shall be made on the form for such applications accompanied by a suitable plan showing the location of the trailer.
 7. Construction Trailer Complex – Subject to any other Division, the Building Inspector may issue a One (1) Year Permit for the placement of a Construction Trailer Complex provided that:
 - a. The permit fee and security specified in Schedule A of this Part has been paid;
 - b. The trailer complex is certified by a Registered Professional that it complies with the *Building Code* with respect to:
 1. Snow Load
 2. Structure
 3. Foundation Support
 4. Seismic Restraint
 - c. The trailer has ingress/egress facilities acceptable to the building inspector;
 - d. Placement of the trailer has been approved
 8. Application for a Construction Trailer or Construction Trailer Complex shall be made on the form for such applications
-

accompanied by a suitable plan showing the location of the trailer or complex.

9. The permit holder shall remove the Construction Trailer or Construction Trailer Complex's from the site no later than the expiry date of the permit and leave the site in a safe, tidy and sanitary condition, in default of which the District may perform the work and dispose of the trailer at the permit holder's expense, and apply the security to the cost of doing so.
10. A permit for a Construction Trailer or Construction Trailer Complex may be renewed for additional one (1) year terms provided that construction continues to be authorized by a Building Permit and work is in progress. Renewals shall be subject to the following conditions;
 - a. Payment of the fee specified in Schedule A of this Part;
 - b. Satisfactory inspection of the Construction Trailer or Complex by the Building Inspector and Fire Department;

Subdivision 2 – Professional Plan Certification

- 13.2.2. 1. Letters of Assurance Required Under the *Building Code* – In addition to the circumstances where building design and field review are required to be performed by a registered professional under the *Building Code*, every owner applying to construct a complex building or standard building requiring a registered professional under this Part shall:
 - a. provide to the building inspector prior to issuance of a building permit, letters in the form(s) set out in Schedules A and B of Division C Part 2 of the *Building Code*;
 - b. provide to the building inspector prior to issuance of a building permit, proof for each Registered Professional's liability insurance coverage by providing the completed Registered Professional Proof of Insurance form.
 - c. provide to the building inspector prior to obtaining a final inspection for an occupancy permit for the building, the form(s) set out in Schedules C-A and C-B of Division C Part 2 of the *Building Code*.
-

Subdivision 2 – Professional Plan Certification (Continued)

2. Building Inspector Requirements for Letters of Assurance – In addition to the circumstances where building design and field reviews by a registered professional are required under the *Building Code*, the building inspector may require an owner applying for a building permit for a standard building or a structure to provide the District with the certifications referred to in Section 13.2.2.1.(a) and Section 13.2.2.1.c) of this Part if the building inspector considers that this is warranted by circumstances that relate to site conditions, size or complexity of development, or another aspect of development.
3. Reliance on Letters of Assurance - Building Permits issued pursuant to Section 13.2.2.1 and 13.2.2.2 shall include notice to the owners that:
 - a. the letters of assurance are relied upon by the District and its building inspectors as certification that the design and plans and construction to which the letters of assurance relate comply with the *Building Code*, this Part and other applicable enactments relating to health and safety.
 - b. When a building permit is issued in accordance with 13.2.2.3.(a) the permit fee shall be reduced pursuant to Section 13.4.1.4

Subdivision 3 – Applications for Standard Buildings

- 13.2.3. 1. Documents Required for Applications - An application for a building permit for a standard building shall be made on the District's form for such applications and the owner shall include the following additional information:
 - a. Owner's Declaration – the owner of a building or structure to be constructed requiring a building permit shall include with the permit application(s), a signed and completed "Acknowledgement of Owner" form;
 - b. Application Forms – if applicable, any other permit application form(s) made on the District's form for such applications;
 - c. Water Turn On/Off Application Form – if applicable, in accordance with Part 6, Division 3 of the *Municipal Code*;
 - d. Homeowner Protection Office Form – the form required by *Section 30 of the Homeowner Protection Act*, in the case of a residential use;
-

Subdivision 3 – Applications for Standard Buildings (Continued)

- e. Site Plan – unless the building inspector waives the requirement for a site plan, in whole or in part, where the permit is sought for the repair or alteration/renovation of an existing building or structure, a site plan showing;
 - (1) Dimensions – the bearing and dimensions of the parcel, taken from the registered subdivision plan, if applicable;
 - (2) Legal – title search print, legal description, civic address and owner information of the parcel, and listing of restrictive covenants in favour of the District of Kitimat;
 - (3) No Building Areas – the location and dimensions of all statutory rights of way, easements, covenants, and zoning bylaw setback requirements;
 - (4) Buildings – the location and dimensions of all existing and proposed buildings or structures on the parcel, including on-site sewage disposal systems, if applicable;
 - (5) Foundation Elevations – proposed elevations for top of basement and garage foundation, garage floor, surface drainage to District of Kitimat Datum;
 - (6) Parking/Driveway – the location, dimension and slope of parking and driveway access;
 - (7) Lot Grading Plan – lot grading plans showing elevations of all corners of the parcel, which indicate the existing and final elevations and mandatory grades from the dwelling to the corners of the parcel on which is located. Elevations to be to District of Kitimat Datum;
 - (8) Floor Plans – 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; stair dimensions; structural elements; plumbing fixtures including hot water tanks and tankless water heating systems; appliances, heating systems including heat recovery ventilation systems, and carbon monoxide and smoke detectors;
-

Subdivision 3 – Applications for Standard Buildings (Continued)

- (9) Cross Section – cross sections through the building or structure at an appropriate scale and sufficient locations, illustrating foundations, drainage, ceiling heights and construction systems;
 - (10) Elevations – elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;
 - (11) Foundation Design – plans showing the layout, dimensions, widths and depths of all footings, foundation walls, pads and cross-sections of walls, footings, pads showing reinforcement location, size and spacing, prepared by a registered professional if 13.2.2.2. applies;
 - (12) Building Design – two sets of drawings illustrating the design of the building or structure;
 - (13) Truss Plan – a truss plan and truss drawings provided by the truss supplier and stamped by a professional engineer;
 - (14) Roof – a roof plan and roof height calculations;
 - (15) Spatial Separations – information on all window openings to enable the building inspector to calculate spatial separations.
- 1. f. Other Information – any other information required by the building inspector to consider compliance with this Part, the *Building Code* and other applicable Divisions and enactments.
 - g. Letter of Assurance – the applicable letters of assurance as referred to in Division C Part 2 of the *Building Code*, each signed by the relevant registered professionals, if professional plan certification is required by the *Building Code* or this Part.
 - h. Securities – completed “Damage Deposit” form and pay the security amount.
- 2. Manufactured Homes – in addition to the requirements of *Section 13.2.3.1.*, the following shall be submitted with a moving permit application and building permit application for the installation of a manufactured home.
-

Subdivision 3 – Applications for Standard Buildings (Continued)

- a. Standards – evidence that the manufactured home will be constructed and certified under current Canadian Standards Association (CAN/CSA) A277 or Z240MH standards, and certification that it meets the Climatic Data requirements for Kitimat, set out in “Climatic Data” form;
- b. Registered Professional – where a foundation and site prepared for a manufactured home does not comply with Section 13.2.2.2. of this Part, Schedules A and B of Division C Part 2 of the *Building Code* will be required from a registered professional;
- c. Site Information – details of siting, servicing, foundations or tie downs.

Subdivision 4 – Applications for Complex Buildings

- 13.2.4.
- 1. Documents Required for Application – An application for a building permit for a complex building shall be made on the District's form for such applications and the owner shall provide the following additional information:
 - a. Drawings – two complete sets of drawings at a suitable scale of the design, illustrating that the building or structure substantially conforms to the *Building Code*, prepared by each registered professional and including all necessary information;
 - b. Other Permit Applications – if applicable, any other permit application which shall be made on the District of Kitimat's form for such applications;
 - c. Cost Estimate – a construction cost estimate from a registered professional or a signed copy of the actual contract between the contractor and the owner, the cost estimate to include site drainage collection infrastructure, parking infrastructure and servicing utilities;
 - d. Water Turn On/Off Application Form – if applicable, in accordance with Part 6, Division 3 of the *Municipal Code*;
 - e. Application Forms – if applicable, any other permit application form(s) made on the District's form for such application;
 - f. Home Protection Office form – the form required by section 30 of the *Homeowner Protection Act*, in the case of a residential use;
-

Subdivision 4 – Applications for Complex Buildings (Continued)

- g. Declaration Forms – each owner of a building or structure to be constructed requiring a building permit shall include with the permit application(s), a signed and completed “Acknowledgement of Owner” form and if applicable an “Owner’s Authorization”;
 - h. Title Search – print providing the legal description, owner information and listing all restrictive covenants pertaining to the title;
 - i. Letters of Assurance – letters of assurance as referred to in Division C Part 2 of the *Building Code*, each signed by the relevant registered professionals;
 - j. Report – a geotechnical engineer’s report providing detailed information on site conditions, including but not limited to, soils, drainage requirements, slope, stability and contamination, except to the extent that a building inspector has determined that such report is not required;
 - k. Approvals – copies of approvals required under any enactment relating to health or safety, including, without limitation, filings made with the Northern Health Authority with regard to on-site sewage disposal, highway access permits and Ministry of Health approval of on-site potable water supplies;
 - l. Business License – copy of current business license for each general contractor, subcontractor and owner/contractor’s;
 - m. Development Permit – copy of any required development permit;
 - n. Securities – completed “Damage Deposit” form and pay the security amount;
 - o. Site Plan – a site plan, prepared by a British Columbia Land Surveyor unless a building inspector determines that a plan prepared by a person of lesser qualification is adequate, showing:
 - (1) Dimensions – the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (2) Site Information – the location and size of the building and the floor area and lot coverage ratio;
-

Subdivision 4 – Applications for Complex Buildings (Continued)

- (3) Legal – the legal description and civic address of the parcel;
 - (4) No Build Area – the location and dimensions of all statutory rights of way, easements and zoning bylaw setback requirements;
 - (5) Buildings – the location and dimensions of all existing and proposed buildings or structures on the parcel;
 - (6) Bins – the proposed location and dimensions of garbage and recycling bins;
 - (7) Hydrants – the locations of all nearby fire hydrants, fire sprinklers/standpipe connections and fire flow calculations;
 - (8) Landscape Area – the detailed description and illustration of the landscape plan;
 - (9) Levels – the existing and finished ground levels to an established datum at or adjacent to the site and to the District of Kitimat Datum of the underside of the floor system of a building or structure where the District's zoning regulations establish siting requirements related to a minimum floor elevation; and
 - (10) Roads – the location, dimension and gradient of access roadways, parking and driveway access.
- p. All necessary building plans including but not limited to:
- (1) Architectural Plans – 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 openings of windows; floor, wall and ceiling finishes; structural elements; and stair dimensions;
 - (2) Structural Plans – showing the details for the footings/foundation plans, load bearing members, fasteners and connectors, concrete reinforcing, roof slope, finishes; structural elements; and stair dimensions;
-

Subdivision 4 – Applications for Complex Buildings (Continued)

- (3) Mechanical Plans – including the heating, ventilation and air conditioning details, plumbing details, site servicing for water, sewer and drainage outside the building envelope, fire suppression systems and roof drainage systems;
 - (4) Electrical Plans – prepared by an electrical engineer including all electrical systems of the building and fire alarm systems;
- 2. Security Fence - An owner must install a security fence prior to constructing a complex building and;
 - a. The owner must include a fence permit application made under Section 13.2.10 of this Part with the building permit application;
 - b. The owner must ensure that the security fence surrounds the entire construction site, is properly maintained throughout the construction period and complies with the *Building Code* Municipal bylaws and has been approved by a building inspector.
- 3. Additional Information – In addition to the requirements of Section 13.2.4, the owner may be required by a building inspector to submit site servicing drawings, including sufficient detail of off-site services to indicate location at the property line, prepared and sealed by a registered professional, in accordance with the District of Kitimat's Subdivision and Development Servicing Division.

Subdivision 5 - Moving Permits

- 13.2.5.
 - 1. Documents Required for Application – An application for a moving permit shall be made on the District's form for such applications.
 - 2. Disconnection of Services – Prior to moving any building, the owner must submit a Water Turn On/Off application to have the water turned off by the District of Kitimat and the owner must disconnect all services, cap all underground services and install stakes at the end of those services.
 - 3. Highway Closures – If an owner requires any temporary highway or lane closures for the moving of a building, permission must be received from the District and the District's costs to accommodate the move are the responsibility of the owner.
-

Subdivision 6 – Fire Sprinkler Permits

- 13.2.6. 1. Documents Required for Application – An application for a fire sprinkler permit shall be made on the District's form for such applications and the owner shall provide letters of assurance from the registered professional who designs the system.

Subdivision 7 – Demolition Permits

- 13.2.7. 1. Documents Required for Application – An application for a demolition permit shall be made on the form for such applications.
2. Disconnection of Services – Prior to demolition of any building, the owner must submit a Water Turn On/Off Application. The owner must coordinate disconnection of all utility services in accordance with the applicable utility standards as well as cap all underground services and install stakes at the end. Services older than 25 years shall be excavated, removed and capped at the service mains or, if to be reused, replaced at the developers' cost.
3. Backfilling – Upon completion of demolition of a building, the owner must remove all cellars, foundations and other remaining structures, and backfill excavations to grade level with uncontaminated native backfill or other uncontaminated granular material.
4. Site Profile – Before issuance of a demolition permit the owner shall complete and submit, if required, the Ministry of Environment's Schedule 1 Form indicating that no Schedule 2 activities were performed on the site, or provide a site profile and Ministry of Environment clearance documentation.
5. Security Fence – If required by the *Building Code* the owner must install a security fence prior to demolition and after obtaining a fence permit under Section 13.2.10 of this Part, and Section 13.2.2.2 of this Part applies to the fence.

Subdivision 8 – Solid Fuel Burning Appliance Permits

- 13.2.8. 1. Documents Required for Application – An application for a solid fuel burning appliance permit shall be made on the District's form for such applications and be accompanied by a copy of the manual for the solid fuel burning appliance.
2. Certifications of Appliances – All appliances installed pursuant to a solid fuel burning appliance permit must have a certification label attached to the unit from the Canadian Standards Association, Underwriters Laboratories of Canada, or another certifier acceptable to the building inspector.
-

Subdivision 8 – Solid Fuel Burning Appliance Permits (Continued)

3. Manufacturer Specifications – All solid fuel burning appliances and chimneys must be installed in accordance with manufacturer specifications including but not limited to pipe sizing and clearances.
4. Required Inspections – Every owner shall obtain an inspection and acceptance of the installation of a solid fuel burning appliance, after installation and before any portion of the work is covered or concealed. If the work is covered or concealed prior to inspection, the owner shall uncover the work, remove construction materials and do everything else necessary for the building inspector to conduct inspection.
5. Owner Must Call for Inspections – The owner shall give at least 24 hours notice to the building inspector of the owner's request for an inspection of a solid fuel burning appliance and the District of Kitimat is not required to undertake any inspection under Section 13.2.8.4 until requested by the owner.
6. Plans Available – An owner is not entitled to request an inspection of work under Section 13.2.8.4 unless a copy of the issued solid fuel burning appliance permit and all applicable plans and manufacturer specifications are available at the site and the civic address is clearly visible from the street.

Subdivision 9 – Plumbing Permits

- 13.2.9.
1. Documents Required for Application - An application for a plumbing permit shall be made on the District's form for such applications.
 2. Certified Tradesman - All plumbing must be installed by a certified tradesman unless being installed by a home owner occupying or intending to occupy the residential building in which the plumbing is installed. Owner/installers must complete, acknowledge and sign the Home Owner's Plumbing Declaration Section of the Plumbing Permit Application.
 3. Required Inspections – Every owner shall obtain an inspection and acceptance of the installation of plumbing fixtures, after installation and before any portion of the work is covered or concealed. If the work is covered or concealed prior to inspection, the owner shall uncover the work, remove construction materials and do everything else necessary for the building inspector to conduct the inspection.
-

Subdivision 9 – Plumbing Permits (Continued)

4. Owner Must Call for Inspections – The owner shall give at least 24 hours advance notice to the building inspector of the owner's request for an inspection of plumbing and the District is not required to undertake any inspection under *Section 13.2.9.3* until requested by the owner.
5. Plans Available – An owner is not entitled to request an inspection of work under *Section 13.2.9.3* unless a copy of the issued plumbing permit and all applicable plans are available at the site and the civic address is clearly visible from the street.

Subdivision 10 – Fence, Security Fence, Deck and Shed Permits

- 13.2.10.
 1. Documents Required for Application – An application for a fence permit, a security fence permit, a deck permit or a shed permit shall be made on the District's form for such applications.
 2. Required Inspections – Every owner shall obtain an inspection and acceptance of the installation of a fence, security fence, deck or shed, after installation and before any portion of the work is covered or concealed. If the work is covered or concealed, every owner shall uncover the work, remove construction materials and do everything else necessary for the building inspector to conduct the inspection.
 3. Owner Must Call for Inspections – The owner shall give at least 24 hours notice to the building inspector of the owner's request for an inspection and the District is not required to undertake any inspection under *Section 13.2.10.3* until requested by the owner.
 4. Plans Available – An owner is not entitled to request an inspection of work under *Section 13.2.10.3* unless a copy of the issued fence permit, deck permit or shed permit as applicable, and all applicable plans are available at the site and the civic address is clearly visible from the street.

Subdivision 11 – Retaining Structures

- 13.2.11.
 1. Documents Required for Application – An application for a building permit for a retaining structure shall be made on the District's form for such applications.
 2. Requirement for Professional Design and Field Reviews – A registered professional shall undertake the design and conduct field reviews of the construction of a retaining structure greater than 1.2 metres in height and tier walls with a total height greater than 1.2 metres spaced at a distance less than each tier height.
-

Subdivision 11 – Retaining Structures (Continued)

3. Information with Permit Application – Sealed copies of the design plan prepared by the registered professional for all retaining structures greater than 1.2 metres in height shall be submitted to a building inspector prior to issuance of a building permit.

Subdivision 12 – Fuel Tank Storage – Commercial Property

- 13.2.12. 1. Documents Required for Application – An application to remove, install, repair or upgrade a fuel storage tank and/or piping for commercial property shall be made and a permit fee shall be paid in accordance with the Fire Prevention Part of the *Municipal Code*.
2. Required Inspections – An on-site inspection is required during tank removal by the Fire Department.

PART 13 - BUILDING
Division 3 - Owner Requirements

Subdivision 1 – Responsibility of the Owner

- 13.3.1.
1. Owner Liability – Neither the issuance of a permit under this Part nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the District shall in any way relieve the owner from full and sole responsibility to perform the work in strict accordance with this Part, the *Building Code* and other applicable enactments respecting health and safety.
 2. On Site Requirements – Every owner to whom a permit is issued shall, during construction;
 - a. Post Permit – post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;
 - b. Plans on Site – keep a copy of the accepted designs, plans and specifications on the property; and
 - c. Civic Address – post the civic address on the property in a location clearly visible from the abutting road.
 3. Site Conditions - Where a building permit has been issued, the owner of a property shall ensure that during construction:
 - a. Storage – no construction material or equipment is placed or stored on adjacent District property or, without permission, on adjacent private property;
 - b. No Disturbances – there is no disturbance to adjacent properties or to existing erosion and sediment control appurtenances;
 - c. Drainage Control – proper site drainage and erosion and sedimentation control measures are in place to prevent the discharge of sediment into the District storm drainage system or neighbouring properties or natural water courses;
-

PART 13 - BUILDING
Division 3 - Owner Requirements

Subdivision 1 – Responsibility of the Owner (Continued)

- d. Residues – the residue from the cleaning of concrete trucks or the wash from exposed aggregate concrete is not discharged directly into the District storm drainage system, onto District boulevards or onto private property without the owner's consent;
 - e. Sidewalks – sidewalks and roadways are kept clear of mud and debris associated with vehicles travelling to and from the building site and are cleaned daily;
 - f. Rubbish – a container with a closable lid is available for deposit of rubbish and debris during construction, and the building site is kept in neat and tidy condition;
 - g. Recycling Material – containers for separation of materials are available to divert recyclable materials from the disposal at the landfill. Cardboard must be separated, maintained at an appropriate recycling facility.
4. If an owner fails to clear mud or debris from sidewalks and roadways as required by Section 13.3.1.3.e, allows rubbish or debris to escape from a building site, or allows rubbish or debris to accumulate on a building site outside of the confines of a container provided on the site to contain rubbish or debris, the District may clear the mud or debris or collect and dispose of the rubbish or debris at the owner's cost, may recover the cost from the owner as a debt, and may collect any unpaid costs from the owner in the same manner and with the same remedies as property taxes.

Subdivision 2 – Site Standards

- 13.3.2. 1. Drainage - The owner shall ensure that in connection with the construction of any building, structure or paved surfaces, drainage works and patterns shall be established in accordance with the following standards:
- a. Surface Water – adequate drainage of surface water shall be provided over the whole area of a building site in accordance with this Part, and Part 9 of the *Municipal Code*;
 - b. Terminus of Drainage – surface water from each site shall drain directly into either a public storm sewer system in accordance with the Division where such is available or into a natural water course designated by the building inspector;
-

PART 13 - BUILDING
Division 3 - Owner Requirements

Subdivision 2 – Site Standards (Continued)

- c. Adjacent Property – surface water shall not be allowed to drain from any site into any adjacent property or public park other than a natural watercourse designated by the building inspector;
- d. Catch Basins – where grading will result in collection of water, catch basins shall be installed to carry such surface water from the site, or other methods of drainage acceptable to the building inspector must be employed in accordance with the Subdivision and Servicing Development Division;
- e. Downspouts – where downspouts are provided and are not connected to storm sewer or an acceptable private sub-surface disposal system, extensions shall be provided to carry rainwater away from the building and towards the street storm drainage in a manner which will prevent soil erosion.

2. Grading

- a. Plan – if a lot grading plan has been provided by the District as part of the application for the building permit, the lot must be graded in accordance with the approved plan;
- b. Direction of Grading – whenever topographically possible, lots shall be graded towards roadways, and in no case shall lots be permitted to drain onto an adjacent lot. In areas where site topography prohibits drainage to roadways, lots may be graded to lot lines with drainage swales graded out to the roadways in accordance with the Subdivision and Servicing Development Division.

- 3. Driveways – Maximum Grade – the finished gradient of driveway access shall not be greater than 8% and not less than 0.5%;
 - 4. Paving – Finished surfaces shall conform to Part 9 of the *Kitimat Municipal Code*;
-

PART 13 - BUILDING
Division 3 - Owner Requirements

Subdivision 3 – Water Meters and Water Services

This Section does not apply to single-family residential properties

- 13.3.3.
1. Installation of Water Meter – the owner must install the water meters required by Part 6, Division 3 of the *Municipal Code* before a building inspector performs the final inspection;
 2. No Occupancy Without Water Meter – an occupancy permit will not be issued if the water meter and the meter transmission unit, which allows for remote reading of the water meter, are not installed or water is not being supplied to the building or structure.

Subdivision 4 – Rental Accommodation

This Section only applies to rental accommodation.

- 13.3.4
1. Notice to Comply – the Inspector may direct an owner whose rental unit fails to meet the requirements of this bylaw to remedy the non-compliance within the time stated by the Inspector in a written notice to comply delivered to the owner.
 2. Compliance with Other Bylaws – compliance with this bylaw does not excuse an owner or any person from requirement to comply with all other municipal bylaws and regulations.
 3. Owners Duties and Obligations – an owner of rental premises must not use, permit the use of, lease, rent or offer to lease or rent any rental unit that does not at all times conform to minimum maintenance standards for rental premises prescribed by this bylaw.
 4. Service and Utilities
 - a. Water
 - (1) All plumbing, including plumbing fixtures, drains, vents, water pipes, toilets and toilet tanks and connecting lines to the water and sewer system, shall be maintained in good working order and repair, free from leaks or other defects and protected from freezing.

- (2) Hot water systems are capable of providing an adequate supply of hot and cold running water to every hand basin, bathtub, and shower. Every toilet and toilet tank shall have an adequate supply of running water. Hot water shall be supplied at minimum temperature of 45 degrees Celsius and a maximum of 60 degrees Celsius.

b. Heat

- (1) Furnaces and other heating equipment installed within a rental premise must be capable of continuously maintaining each room in every rental unit within the rental premises at a minimum temperature of 19 degrees Celsius, measured at a point 1.5 m from the floor and in the centre of the room.
- (2) At the request of any tenant of a rental unit, the owner of the rental premises must, without unreasonable delay, provide sufficient heat to the tenant's rental unit to meet the minimum temperature standard.

c. Electrical System and Lighting

- (1) Electrical wiring and lighting equipment, including circuits, fuses, circuit breakers, electrical equipment and electrical heating systems shall be maintained in good working order.
- (2) Adequate levels of artificial lighting shall be maintained in good working order in all rental units, with tenants being responsible to supply light bulbs or tubes as required.

5. Ventilation and Moisture Build-up

- a. Ventilation systems and their supporting members contained in the approved construction shall be maintained in good working condition.
 - b. The building envelope shall be maintained to prevent the accumulation of moisture in the wall through the wall system.
 - c. An owner shall not cause or allow residential premises to become subject to the growth of mould or fungus.
-

6. Structural Integrity

- a. Buildings and their structural components including, but not limited to: roofs; stairs; railings; porches; deck joists; rafters; beams; columns; foundations; floors; walls and ceilings; shall be maintained in good repair and in a manner that provides sufficient structural integrity so as to safely sustain its own weight and any additional loads and influences to which it may be subjected through normal use.

7. Exterior Finishing

- b. Exterior walls and their components shall be maintained to prevent their deterioration due to weather or insects. All exterior walls shall have cladding or covering free of holes, cracks, or excessively worn surfaces, to prevent the entry of moisture into the structure and provide reasonable durability.
 - c. A roof including the fascia board, soffit, cornice and flashing shall be maintained in a watertight condition so as to prevent leakage of water into the building.
 - d. Exterior doors, windows, skylights, and hatchways shall be maintained in good repair.
 - e. Openings in exterior walls, other than doors and windows, shall be effectively protected to prevent the entry of rodents, insects or vermin.
-

PART 13 - BUILDING
Division 4 - Issuance of Permits and Permit Fees

Subdivision 1 – Permit Fees

- 13.4.1. 1. Permit Fees Payable – in addition to applicable fees and charges that may be required under other Divisions, a permit fee, in the amount established by Schedule A of this Part, shall be paid in full before issuance of any permit under this Part.
2. Plan-Processing Fee - a permit fee for a building permit shall include the applicable plan-processing fee as set out in Schedule A to this Part. The plan-processing component of the building permit fee is payable when owner's submit an application for a building permit.
- a. The owner must pay an additional plan-processing fee if the building permit application is amended or revised either before or after the issuance of the permit, to accommodate changes to the design made in the course of construction;
- b. The plan-processing component of the building permit fee is not refundable.
4. Building Permit Fee Reduction – when a building permit is issued acknowledging reliance on Professional Plan Certifications under Section 13.2.3. or the building inspector requires the use of a Structural Engineer of Record in the design of a Standard building the fee payable shall be reduced by:
- a. Complex buildings – 20% up to a maximum of \$1000;
- b. Standard buildings – 50% up to a maximum of \$1000;
- c. Standard buildings, foundation only – 50% of the portion of fees related to the foundation work calculated as follows:
- $$\frac{\text{Foundation Cost}}{\text{Total Building Cost}} \times \text{Total Permit Fee} \times 50\%$$
-

PART 13 - BUILDING
Division 4 - Issuance of Permits and Permit Fees

Subdivision 1 – Permit Fees (Continued)

5. Commencement of Work without Building Permit – every person who commences work requiring a building permit under this Part without first obtaining such a building permit shall, if a stop work notice is issued, pay double the fees set out in Schedule A to this Part to obtain the required building permit.
6. Cancellation of Building Permit Application - an application for a building permit shall be cancelled if the owner has not paid the remainder of the building permit fee within 180 days of written notification to the owner that the building permit is ready to be issued. When a building permit application is cancelled under Section 13.4.1.6. the plans and related documents submitted with the application may be destroyed.
7. Refunds of Permit Fees – the owner may obtain a refund of the permit fees set out in Schedule A to this Part when a permit is surrendered and cancelled before any construction begins, provided the refund shall not include the plan-processing fee.
8. Re-Inspections –
 - a. where more than one inspection is necessary to establish compliance with the *Building Code* and this Part, for each inspection after the first inspection, the owner shall pay the re-inspection fee as set out in Schedule A to this Part before each additional inspection is performed.
 - b. notwithstanding *Section 13.4.1.9.(a)*, the owner is not required to pay a re-inspection fee where multiple inspections for framing and insulation in the same building are required during the months of November through March.

Subdivision 2 – Securities

- 13.4.2. 1. Damage Deposit for Municipal Protection – before the owner is issued a permit which proposes work of a value greater than \$10,000 that includes excavation or construction on lands abutting a municipal highway, sewer, drain, water main or other municipal property, the owner shall execute a “Damage Deposit” form and deposit with the District the required security.
-

PART 13 - BUILDING
Division 4 - Issuance of Permits and Permit Fees

Subdivision 2 – Securities (Continued)

- 13.4.2. 2. No Damage by Owners – every owner to whom a permit is issued is responsible to ensure that no damage is caused to a municipal highway, sewer, drain, water main or other municipal property during the course of construction authorized by the permit, and if such damage should occur, the owner shall promptly and immediately repair the damage to the District's satisfaction, and if the owner does not do so, the owner is responsible for the District's costs to undertake repairs of that damage.
- 3 Use of Security – if the owner causes any damage to a municipal highway, sewer, drain, water main, or other municipal property which is not satisfactorily repaired by the owner, the District may provide written "Notice to Owner" of the District's use of the security and the District may repair the damage and use the security to recover the District's costs of repairs.
4. Insufficient Security – if the District's cost of repairs is greater than the security provided, the owner shall pay the amount of the insufficiency to the District forthwith upon receipt of the District of Kitimat's invoice for that amount.
5. Return of Security – upon confirmation that municipal property has not been damaged or, if damage has occurred, that it has been satisfactorily repaired by the owner, the security shall be returned, less any repair costs incurred, upon the issuance of an occupancy permit for the building.
6. Replacement of Security – in the event that the District uses the security provided under Section 13.4.2.1. and the construction authorized by the owner's permit has not been completed, the owner must replace the security immediately upon request of a building inspector. If the building inspector is of the opinion that construction has proceeded to the point that any possibility of damage to municipal works or property has passed. Replacement security may be waived or amount reduced at sole discretion of the building inspector.
-

PART 13 - BUILDING
Division 4 - Issuance of Permits and Permit Fees

Subdivision 3 – Issuance of Permits

- 13.4.3. 1. Issuance of Permits - a building inspector shall issue a building permit for which application has been made only after the following requirements have been met:
- a. a completed application for a permit has been submitted and all required supporting documentation, and the contents are satisfactory to the building inspector;
 - b. the proposed work set out in the application conforms with the *Building Code*, this Division, and Part 9 of the *Municipal Code*;
 - c. the owner has paid all applicable permit fees and provided all required security as set out in this Part;
 - d. the owner has paid all charges and met all requirements imposed by other Divisions and enactments in relation to the issuance of a building permit;
 - e. no covenant in favour of the District, agreement, enactment or regulation prevents or prohibits the work, or requires the permit to be withheld;
 - f. the owner has retained an architect if required by the provisions of the *Architects Act*;
 - g. the owner has retained a professional engineer or geoscientist if required by the provisions of the *Engineers and Geoscientists Act*.
2. Homeowner Protection Act – notwithstanding anything in this Division, a building permit shall not be issued unless the building inspector is provided with documentation required under the *Homeowner Protection Act*.
3. Expiry of Permit – every permit other than a demolition permit is issued upon the condition that the permit shall expire and the rights of the owner under the permit shall terminate when TWENTY-FOUR (24) months have elapsed from the date of issuance of the permit.
4. Expiration of Demolition Permit – a demolition permit shall expire SIX (6) months after the date of issuance.
-

PART 13 - BUILDING
Division 4 - Issuance of Permits and Permit Fees

Subdivision 3 – Issuance of Permits (Continued)

5. Extension of Building Permit – when a permit has expired before the work authorized by the permit has been completed, the owner may obtain a TWELVE (12) month extension on the permit to undertake or complete the work by paying an additional fee equal to 25% of the original building permit fee. An extension will only be granted once, thereafter a new building permit and the payment of an amount equal to the original building permit fee are required. Where construction has not actually commenced and the work authorized by the permit would contravene Part 9 of *Municipal Code*, the building inspector shall not grant an extension or issue a new permit.
 6. Excavation Term Limit - when a site has been excavated for a building authorized by a building permit, but no construction within the excavation has been completed within SIXTY (60) days or the building permit has expired, upon written notice from a building inspector, the owner shall promptly fill in the excavation to restore the original site gradient. In the event that the owner has not undertaken the work required by the date specified on the written notice from the District, the District may undertake the work at the cost of the owner. The owner shall pay the cost forthwith upon receipt of the District's Invoice.
 7. Permit Issuance Date – a building permit shall be deemed to have been issued as of the date the permit was signed by the building inspector.
-

PART 13 - BUILDING
Division 5 - Inspections and Field Reviews

Subdivision 1 – Professional Design and Field Review

- 13.5.1. 1. The owner shall provide all Schedules A, B, C-A and C-B as set out in Division C Part 2 of the Building Code where required by the *Building Code* or under this Part.

Subdivision 2 – Inspections of Standard Buildings

- 13.5.2. 1. Required Inspections – unless an owner has been required by the building inspector to have a registered professional conduct field reviews of the owner's standard building, every owner shall obtain an inspection and acceptance of the following work (where applicable for that building) at the following stages of construction:
- a. Footing Forms – footing forms, before concrete is poured;
 - b. Foundation Forms – foundation forms before concrete is poured, and for the purposes of acceptance of this work, the owner shall provide clear evidence and marking of the property line opposite each building corner to confirm the required set back provided on the approved site plan. If the Building Inspector requires, the owner shall obtain the services of a suitable professional to provide a survey certificate showing the form work meets the required set-backs and provide a plan indicating the measurements to building corners from property line;
 - c. Pilings and Grade Beam – if applicable;
 - d. Utility Services – services that are connected from the District's utility system to the proposed dwelling being constructed, before being covered. Connections to Municipal Services are to be completed by the Municipality;
 - e. Drainage Works – weeping tile, drain rock, and insulation after damp proofing is completed and before backfilling;
 - f. Underslab Plumbing – underslab plumbing prior to any portion of the plumbing system being covered or concealed;
-

PART 13 - BUILDING
Division 5 - Inspections and Field Reviews

Subdivision 2 – Inspections of Standard Buildings (Continued)

- g. Slab Seal – slab seal, including polyethylene sheeting and/or insulation under the floor slab, before the concrete is poured;
 - h. Rough In Plumbing - rough in plumbing with both water and sewer lines;
 - i. Framing – framing which includes installation and completion of structural framing, roofing, windows, doors, wiring, heating systems, and fireplaces, before installation of insulation, vapour barrier and interior wall finish, and for this inspection, a copy of the roof truss drawings, engineered beams and details regarding engineered floor joist system design and layout, as applicable, shall be available at the construction site;
 - j. Insulation – insulation and vapour barrier, heating system before interior wall finish is applied which would conceal the work;
 - k. Building Envelope – during installation process;
 - l. Final Inspection – after completing construction, but before occupancy or use.
- 2. No Work Concealed – no aspect of the work referred in Section 13.5.2.1. shall be covered or concealed prior to performance of the relevant inspection(s) and any required re-inspection(s).
 - 3. Work to be Uncovered – every owner shall, if required by the building inspector, uncover work, remove construction materials and do everything else necessary for the building inspector to conduct an inspection under Section 13.5.2.1. of the Division.
 - 4. Owner Must Call for Inspections - The owner shall give at least TWENTY-FOUR (24) hours notice to the building inspector of the owner's request for an inspection and the District is not required to undertake any inspection under this Division until requested by the owner.
-

PART 13 - BUILDING
Division 5 - Inspections and Field Reviews

Subdivision 2 – Inspections of Standard Buildings (Continued)

5. In the event that the owner has not requested an inspection that was required by this Division, the work to be inspected was covered or concealed, and the owner is not willing to uncover the work, the building inspector shall not issue an occupancy permit for the building unless a registered professional engaged by the owner certifies in writing that the work fully complies with the *Building Code*, this Division and the applicable building permit.
6. Plans Available – an owner is not entitled to an inspection of work under this Division unless a copy of the issued building permit and all building plans are available at the site and the civic address is clearly visible from the street.

Subdivision 3 – Professional Designed Building and Field Reviews

- 13.5.3. 1. Requirement for Field Review Letters of Assurance – when a registered professional provides letters of assurance required by the *Building Code* or by the building inspector under this Division, the registered professional must provide to the District copies of field reviews undertaken by the registered professional and the corresponding letters of assurance that the construction substantially conforms to the design and that the construction substantially complies with the *Building Code*, this part and other applicable enactments respecting health and safety.
 2. Scheduled Field Reviews – the owner shall cause the registered professional to perform field reviews and notify the building inspector in advance of the date and time before field reviews are being conducted at the following stages of construction of a complex building:
 - a. Upon completion of building footing, foundation forms, and rebar;
 - b. Prior to backfilling on-site services including water, storm sewer and sanitary sewer;
 - c. Upon completion of base plumbing, rough plumbing, waterlines, and sprinkler systems;
 - d. Upon completion of fire rating and stopping in fire separations;
-

PART 13 - BUILDING
Division 5 - Inspections and Field Reviews

Subdivision 3 – Professional Designed Building and Field Reviews (Continued)

- e. Upon completion of insulation and vapour barrier; and
 - f. Final inspection when an occupancy permit is sought.
-

PART 13 - BUILDING
Division 6 - Occupancy

Subdivision 1 – Occupancy Permits

Information Required Before Occupancy

- 13.6.1.
1. Requirement for Occupancy – no person shall occupy a building or structure or part of a building or structure until an occupancy permit has been issued by a building inspector.
 2. Preconditions to Occupancy – an occupancy permit shall not be issued unless:
 - a. All letters of assurance and other required documents have been submitted as required by this Part;
 - b. All aspects of the work requiring inspection under this Part have been inspected and accepted by the building inspector;
 - c. Any inspection by the Fire Department or the Fire Chief and/or his designate that is required by the *Fire Services Act* or any Division of the *Municipal Code* has been satisfactorily performed.
 3. A building inspector may not issue an occupancy permit in respect of a portion of a new building.
 4. Provisional Occupancy - a building inspector may issue a provisional occupancy permit to the owner of a single or two family dwelling where winter weather conditions have prevented the completion of stucco or other exterior finishing, provided the following conditions have been satisfied:
 - a. The building exterior is in the opinion of the Building Inspector sufficiently weatherproofed to prevent moisture penetration for the duration specified in the Temporary Occupancy Permit; and
 - b. The owner requests, in writing, a Provisional Occupancy Permit and provides a security in the amount of TWO THOUSAND dollars (\$2000) in respect of the owner's obligation to complete the exterior of the building not later than July 31 of the year immediately following the year in which the Provisional Occupancy Permit was issued, and the security shall be forfeited to the District if the work is not so completed.
-

PART 13 - BUILDING
Division 6 - Occupancy

Subdivision 1 – Occupancy Permits (Continued)

- 13.6.1. 5. A provisional occupancy permit may be issued by the Building Inspector for a multi-family dwelling in a bare land strata development where a Phased Strata Plan has not been filed with the Approving Officers provided the following conditions have been satisfied:
- a. The building is completed in all aspects including exterior finish and life safety requirements;
 - b. The developer provides a letter stating all remaining works be completed with ONE year(1) of the occupancy;
 - c. The developer posts a bond or certified cheque in the amount of 1.25 times the value of the remaining works to guarantee completion of works in the term provided or the bond or cheque will be forfeited;
 - d. Unrestricted, safe and suitable access to the building is maintained;
 - e. Any other requirements deemed necessary.
-

PART 13 - BUILDING
Division 7 - Notices and Enforcement

Subdivision 1 – Disclaimer of Warranty or Representation

- 13.7.1. 1. Neither the issuance of a permit under this Part, the review and acceptance of the design, drawings, plans or specifications for a building or structure, nor inspections made by a building inspector, shall constitute a representation or warranty that the Building Code or this Part have been complied with or that the building or structure meets any standard of materials and workmanship, and no person shall rely on any of those acts as establishing compliance with the *Building Code* or this part or any standard of construction.

Subdivision 2 – Stop Work Notices

- 13.7.2. 1. Building Inspector May Issue Notice – a building inspector may order the cessation of any work that is proceeding in contravention of the applicable permit, the *Building Code*, or this Part by posting a Stop Work Notice.
2. Work Must Stop – the owner of property on which a stop work notice has been posted, and every other person working on site, shall cease construction work immediately and shall not do any work other than such work as the building inspector specifically authorizes to be done to make the premises safe, until all applicable provisions of the permit, the *Building Code* and this part have been complied with and the Stop Work notice has been rescinded in writing by a building inspector.

Subdivision 3 – No Occupancy Notices

- 13.7.3. 1. Building Inspector May Issue Notice – where a person occupies a building or part of a building before issuance of an occupancy permit required by this Part, a building inspector may post a Do Not Occupy Notice on the building or structure, or affected part of it.
2. Occupancy Must Cease – the owner of property on which a Do not Occupy Notice has been posted, and every person who occupies the building, shall cease occupancy of the building immediately and shall not occupy it until all applicable provisions of the applicable permit, the *Building Code* and this Part have been complied with and the Do Not Occupy Notice has been rescinded in writing by a building inspector.
-

PART 13 - BUILDING
Division 7 – Notices and Enforcement

Subdivision 4 – Penalties and Enforcement

- 13.7.4.
1. An offence is committed against this Part by every person who:
 - a. Commences or continues any construction, alteration/renovation, reconstruction, demolition, removal, relocation of any building or structure or plumbing system, without a permit if a permit is required;
 - b. Uses or occupies any building or structure without a permit if a permit is required;
 - c. Fails to comply with any of the terms or conditions of the permit issued under this Division;
 - d. Allows any act or thing to be done in contravention or violation of this Division or any permit issued under this Part;
 - e. Fails to comply with any order or notice given under this part; or
 - f. Violates any of the provisions of this Part.
 2. Every person who commits an offence under this Part is liable upon summary conviction to a fine not exceeding TEN THOUSAND dollars (\$10,000).
 3. Each day of any violation, contravention or breach of this Division or a permit issued under it shall be deemed to be a separate and distinct offence.
 4. The persons appointed to the job positions of titles under the *Municipal Code, Section 1.3.1* are designated as Bylaw Enforcement Officers for the purposes of issuing tickets under this Part.
 5. The words or expressions set forth in column 1 of the *Municipal Code, Section 1.3.2* designate the offence committed under the Division Section Number appearing in Column 2 opposite the respective words or expressions for the purposes of issuing tickets under the *Community Charter*.
 6. The amounts appearing in Column 3 of the *Municipal Code, Section 1.3.2* are the fines set pursuant to the Community Charter for the corresponding offences designated in column 1 for the purposes of issuing tickets under the *Community Charter*
-

PART 13 - BUILDING
Division 7 – Notices and Enforcement

Subdivision 4 – Penalties and Enforcement (Continued)

7. Nothing in this Division shall limit the District from pursuing any other remedy that would otherwise be available for a contravention of this Part.

Subdivision 5 – Severability

- 13.7.5. 1. If any section, subsection, clause or phrase of this Part is for any reason held to be invalid or illegal by a decision of any court of competent jurisdiction, it shall be severable, and such a decision shall not affect the validity or the remaining sections, subsections, clauses or phrases of this Division.

Subdivision 6 – Section Headings

- 13.7.6. 1. Section or subsection headings are inserted in this Part for ease of reference and are not to be used in interpreting this Part.

Subdivision 7 – Schedules

- 13.7.7. 1. Schedule A – Fees and Charges form part of this Division.
-

PART 13 - BUILDING
Division 8 - Building Construction and Demolition Waste

Subdivision 1 – Interpretation

13.8.1. 1. Unless otherwise specified, the following will apply to this Division.

District means the District of Kitimat

Division means Part 13, Division 8 of the *Kitimat Municipal Code*

Municipal Engineer means the Director of Engineering Services of the District of Kitimat or their authorized representative

Owner means the owner or occupier of real property

Person has the same meaning as defined in the *Interpretation Act*

Solid Waste means discarded or abandoned materials, substances or objects produced from the construction, renovation and demolition of buildings and other structures

Subdivision 2 – Building Construction and Demolition Operations

13.8.2 1. No Person carrying out building construction or demolition operations shall:

- a. without the written permission of the Municipal Engineer, place or dump the Solid Waste on any lane, street, walkway, sidewalk or any public place in the District, or
- b. accumulate such Solid Waste on the premises where such building construction or demolition operation is being carried out without having obtained from the Municipal Engineer written terms specifying the terms and time frame for disposing of such waste.



DISTRICT OF KITIMAT

FEES AND CHARGES

BUILDING INSPECTION DEPARTMENT
Ph. 250-632-8900 Fax: 250-632-4995

Plan Processing

Detached Building <10m ²	\$35.00
New Standard Building	\$150.00
New Complex Building	\$250.00
Addition/Renovation Standard Building	\$100.00
Addition/Renovation Complex Building	\$200.00

Building Permit (per \$1000 construction value accumulative)

Base Fee – up to \$1000	\$40.00
\$1,001 to \$100,000	\$6.00
\$100,001 to \$1,000,000	\$5.50
\$1,000,001 to \$2,000,000	\$5.00
Over \$2,000,000	\$4.00

Plumbing Permit (min. \$25)

5 Fixtures	\$10.00
Each additional Fixture	\$4.00
Low Pressure Septic System	\$10.00

Fire Sprinkler Permit

Permit Fee	\$50.00
Sprinkler Head	\$.50

Demolition Permit

Basic Fee	\$50.00
-----------	---------

Fence Permit, Security Fence Permit, Deck & Shed Permits

A Shed or Deck	\$40.00
Fence or Security Fence	\$10.00

Solid Fuel Burning Appliance Permit

Basic Fee	\$50.00
-----------	---------

Re-Inspection

Driveway & Parking	\$50.00
• Areas 65m ² or less	\$10.00
• Areas > 65m ²	See 13.1.4.4.3

Damage Deposit

New Standard Building	\$1,000.00
Complex Building	\$5,000.00
Demolition Permit (if required)	\$1,000.00

SCHEDULE "A" Continued

Construction Trailer Complex

Fees	See Building Permit Fees
Deposit (per unit)	\$1,000.00
Annual Renewal Fee (per unit)	\$100.00

Construction Trailers

Fees (per unit)	\$100.00
Deposit (per unit)	\$1,000.00
Annual Renewal Fee (per unit)	\$100.00