

CITY OF PARKSVILLE

BYLAW NO. 1387

Consolidated for convenience only to include 1515

BUILDING BYLAW

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CITY OF PARKSVILLE

BYLAW NO. 1387

Consolidated for convenience only to include Bylaw No. 1515

BUILDING BYLAW

WHEREAS Sections 694 and 695 of the *Local Government Act* authorize the City of Parksville to regulate the construction, alteration, repair, or demolition of buildings and structures by bylaw;

AND WHEREAS the Province of British Columbia has adopted a Building Code to govern standards in respect of the construction, alteration, repair and demolition of buildings and structures in the Province;

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

NOW THEREFORE, the Municipal Council of the City of Parksville, in open meeting assembled, enacts as follows:

TITLE

1. "Building Bylaw, 2003, No. 1387"

DEFINITIONS

2. In this bylaw:

"**Addition**" means any alteration to a building which increases the floor area of the building;

"**Alteration**" means any repair, renovation, or modification of the construction or arrangement of any building, structure, or occupancy regulated under this bylaw;

"**Assessed Value**" means the most recent assessed value of a building as determined by the Assessment Authority of British Columbia;

"**Assembly occupancy**", "**building**", "**building area**", "**building height**", "**business and personal services occupancy**", "**care or detention occupancy**", "**constructor**", "**coordinating registered professional**", "**designer**", "**field review**", "**high hazard industrial occupancy**", "**industrial occupancy**", "**low hazard industrial occupancy**", "**major occupancy**", "**mercantile occupancy**", "**medium hazard industrial occupancy**", "**occupancy**", "**owner**", "**plumbing system**", "**registered professional**", and "**residential occupancy**" have the same meanings as in the *British Columbia Building Code*;

"Building Code" means the *British Columbia Building Code* as amended or enacted from time to time;

"Building Official" includes the Building Inspectors, Plan Checkers and Plumbing Inspectors or their delegates as designated by the City;

"City" means the City of Parksville;

"Complex (part 3) building" means a building whose major occupancy is assembly, care or detention, or high hazard industrial, or which exceeds 600 m² in building area or 3 stories in building height and whose major occupancy is residential, business and personal services, mercantile, or medium or low hazard industrial;

"Floor Area" means the total area of all floors in all stories of a building as measured within the inside surface of the exterior walls of the building, including basements, cellars and the area occupied by interior walls and partitions, but excluding stairwells and elevator shafts;

"Health and Safety Aspects of the Work" means design and construction regulated by part 3, part 4, and Sections 9.4, 9.8, 9.10, 9.12, 9.14, 9.15, 9.17, 9.18, 9.20, 9.21, 9.22, 9.23, 9.24, 9.25, 9.31, 9.32 and 9.34 of part 9 of the Building Code;

"Historical Building" means a building or structure that Council has designated under an enactment as having historical or architectural significance to the City;

"Mobile or Manufactured Home" means a dwelling unit manufactured to Canadian Standards Association approved with Z240 or A277 rating or subsequent equivalent standard, that is assembled as a unit which is intended to be transported to a site and assembled on a standard foundation complete with bathroom and kitchen facilities, but specifically excludes any trailer or recreational vehicle;

"Mechanical Building" means a building or structure used or intended to be used for the housing of mechanical systems and is not to be used for occupancy of material or by humans except for intermittent maintenance and servicing.

"Open Air Storage Shed" means a storage shed in which at least 25 percent of the total area of each perimeter wall is open to the outdoors;

"Permit" means a building, demolition, moving, plumbing or sign permit;

"Portable School Building" means any structure designated for educational use which is intended to be capable of movement from school site to school site;

"Premises" means a parcel of land, and includes buildings or parts of buildings situated thereon;

"Principal Building" means the main building within a parcel of land;

"**School District**" means School District No. 69 (Qualicum);

"**Standard (part 9) building**" means a building 3 or fewer stories in building height, having a building area not exceeding 600 m², and whose major occupancy is residential, business and personal services, mercantile, or medium or low hazard industrial;

"**Structure**" means a construction, or part of a construction, of any kind, whether fixed to, supported by, or sunk into, land or water, but excludes landscaping, fences, paving and retaining structures less than 1.2 m in height;

"**Zoning Bylaw**" means the Zoning and Development Bylaw of the City.

APPLICATION AND EXEMPTIONS

3. a. This bylaw applies to:
 - i. New buildings and structures' design, construction, plumbing systems, and occupancy, and existing buildings and structures' alteration, demolition, reconstruction, relocation, plumbing systems, removal, and occupancy in all the areas of the City of Parksville, including the placement of a mobile home, factory built non-residential structures, and retaining walls 1.2 m or higher or a fire suppression sprinkler system;
 - ii. Constructing, placing or demolishing a sign structure regulated by the Sign Bylaw, and requiring a permit under that bylaw.
- b. This bylaw does not apply to:
 - i. Buildings and structures listed in Section 2.1.5 of the Building Code;
 - ii. A one storey building that is less than 10 m² in floor area, accessory to a single dwelling unit;
 - iii. Non-structural repairs made to an existing building used as a single dwelling unit or an accessory building to a single dwelling unit;
 - iv. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, provided such repairs do not involve or require the rearrangement of valves, pipes or fixtures; or
 - v. Retaining walls less than 1.2 m in height above finished grade;
 - vi. A structure which is not a building, other than a tennis court, swimming pool, a concrete or asphalt structure designed for the support of a recreational vehicle, a mobile home pad or a sign structure.

PURPOSE

4. This bylaw shall, despite any other provision it contains, be interpreted in accordance with this section.
 - a. This bylaw's purpose is to regulate construction in the City in the general public interest.
 - b. Activities carried out under this bylaw by or on behalf of City are solely to provide a limited and interim spot-checking function for health, safety, and the protection of persons and property.
 - c. This bylaw neither contemplates nor intends doing any of the following and this bylaw's purpose does not extend to any of the following:
 - i. protecting any owner, owner/builder, or constructor, from economic loss;
 - ii. the City or the Building Official assuming any responsibility for ensuring the compliance by any owner or any employees, constructors or designers retained by him or her, with the Building Code, the requirements of this bylaw or other applicable enactments respecting safety;
 - iii. warranting design or quality of work respecting a building, structure, or work, for which a permit is issued under this bylaw;
 - iv. warranting to any person that work done respecting a building, structure, or work, for which a permit is issued under this bylaw, complies with the Building Code, this bylaw, and other applicable codes, standards, and enactments;
 - v. warranting or assuring that work done under a permit issued by the City is free from defects, including latent defects.

PROHIBITIONS

5. No person shall:
 - a. start or continue constructing, altering, demolishing, reconstructing, relocating, removing or changing the occupancy of a building, structure, or work or install or alter plumbing systems without a valid permit from the Building Official,
 - b. continue, after the Building Official orders work to stop, constructing, altering, demolishing, reconstructing, relocating, or removing a building, structure, or work, without the Building Official's written permission,
 - c. submit false or misleading information in an application for a permit under this bylaw,
 - d. interfere with the entry of a Building Official or other authorized person on property in

administration of this bylaw,

- e. substantially vary, in constructing a building, structure, or work, for which a permit is issued, from the drawings or specifications, or supporting documents, for the building, structure, or work, without the Building Official's written permission,
- f. reverse, alter, deface, cover, remove, or tamper in any way, with a notice, permit, or certificate, posted on, or affixed to, a building or structure, or
- g. occupy or use a building or structure:
 - i. before the Building Official issues an occupancy permit for it,
 - ii. after a change in the building or structure's occupancy classification, until the Building Official issues an occupancy permit for it, or
 - iii. contrary to a permit issued, or notice given, by the Building Official.

BUILDING OFFICIAL

- 6. The Building Official is authorized to:
 - a. Administer this bylaw;
 - b. Prescribe the form of permits, permit applications, orders and notices except to the extent that they are specifically prescribed by this bylaw;
 - c. Keep records of permit applications received, permits issued, notices given, and orders, inspections, and tests made, and keep copies of documents connected with administering this bylaw; and
 - d. On request, determine whether a construction method or type, or material type used in constructing a building, structure, or work, substantially conforms to the Building Code's requirements;
 - e. Enter land, buildings, and premises, at any reasonable time, to administer this bylaw, but shall, if a residence is occupied, obtain the occupant's consent to enter it or give written notice to the occupant at least 24 hours before entering it and carry proper credentials identifying the Building Official as the Building Official;
 - f. Order correcting work done or being done contrary to the requirements of this or another City bylaw;
 - g. Revoke a building permit where there is a violation of:
 - i. any condition under which the permit was issued;

- ii. any provision of the Building Code or this bylaw.

Revocation shall be in writing and forwarded to the permit holder by registered mail. The revocation shall be deemed to be received by the permit holder three (3) days after mailing.

BUILDING PERMITS

- 7. a. The Building Official shall issue a permit if:
 - i. a completed application complying with this bylaw and including all supporting documents is submitted;
 - ii. the proposed work set out in the application substantially conforms with the requirements of the Building Code in respect of the health and safety aspects of the work, this bylaw and all other applicable bylaws and enactments;
 - iii. the owner pays the permit fee and file management fee prescribed by Schedule A;
 - iv. the owner pays all fees and charges and meets all requirements imposed by a statute or another bylaw; and
 - v. neither an enactment, nor a City regulation or bylaw authorizes withholding the permit.
- b. An applicant shall pay an additional permit fee prescribed by Section 5 of Schedule A if work for which this bylaw requires a permit is begun before a permit is issued.
- c. A permit may be renewed, once, and for the same period as the original permit, if renewal is applied for before the original permit expires and if construction is progressing in accordance with the plans submitted at a reasonable rate.
- d. The fee for renewal of a building permit shall be calculated on the rates set out as in Schedule A, based on the value of work outstanding at the time of renewal. The minimum permit fee shall be thirty dollars (\$30.00).
- e. Every building permit is issued upon the condition that the permit shall expire and the rights of the owner under the permit shall terminate if:
 - i. the work authorized by the permit is not commenced within six months from the date of issuance of the permit;
 - ii. the work, although commenced, is not continuously and actively carried out thereafter;

- iii. work is substantially discontinued for a period of six months; or
 - iv. the exterior finish of the structure is not completed within one year of the issuance of the permit.
- f. All building permits shall expire two years from the date of issuance.
- g. A Building Official may issue a permit for the construction of a portion of a building before the entire plans and specifications of the whole building have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the bylaw. The issuance of the permit, notwithstanding the requirements of this bylaw, applies to the remainder of the building, as if the permit had not been issued.
- h. Permits are required for retaining walls exceeding 1.2 m in height from average finished grade, and applications shall be accompanied by sealed copies of plans and reports, and Letters of Assurance prepared by the Registered Professional.
- i. An applicant for a building permit for a structure described in Section 7[h] shall submit a plan, drawn to scale, showing the structure in relation to parcel boundaries and watercourses on or adjacent to the parcel, and shall obtain a site inspection by the Building Official before commencing construction, but otherwise the plan and inspection requirements of this bylaw shall not apply.
- j. The permit fee for demolition of a building or structure is thirty dollars (\$30.00), payable prior to the issuance of a demolition permit.
- k. Where, due to non-compliance with the provisions of this bylaw, more than two inspections are necessary when one inspection is normally required, an inspection charge of thirty dollars (\$30.00) shall be payable in advance of the third inspection.
- l. When a building permit is outstanding with respect to a parcel of land and the registered ownership of the land is transferred, the new owner may obtain a revised building permit issued in the name of that owner, upon payment of a transfer fee of thirty dollars (\$30.00).
- m. A revised building permit issued under Section 7 (l) shall be deemed to have been issued on the date of the original issuance of the permit and to take effect from that date.
- n. Section 7 (l) does not apply when the building plans or the conditions of issuance for a building permit is proposed to be changed. A new building permit application shall be submitted, new permit fee paid, and a new building permit obtained.
- o. For the purposes of determining the building permit application fees, the value of construction shall be established on the basis of:

- i. a construction value per square metre prescribed by the Building Official, reviewed semi annually on January 2 and July 1 of each year;
 - ii. the most recent Marshall and Swift Valuation Services publication, with the current cost multipliers applicable to the City of Parksville; or
 - iii. the value established in a professional appraisal
- at the discretion of the Building Official.
- p. An applicant for a permit issued under this bylaw may obtain a refund of the permit fee when a permit is surrendered and cancelled before any construction begins, on the following basis:
 - i. The City shall refund seventy-five percent (75%) of the permit fee;
 - ii. No refund shall be made where construction or work has begun or an inspection has been made;
 - iii. No refund shall be made if the refundable amount is less than \$50.00.

BUILDING PERMIT CONDITIONS

- 8. a. A permit is required whenever work regulated under this bylaw is to be undertaken;
- b. Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings, or supporting documents, nor any inspections made by or on behalf of the City shall in any way relieve the owner from full and sole responsibility to perform the work in strict accordance with this Bylaw, the Building Code and / or other applicable enactments respecting safety;
- c. 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 and this bylaw or other applicable enactments respecting safety;
- d. Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the City constitute in any way a representation, warranty, assurance or statement that the Building Code, this bylaw or other applicable enactments respecting safety have been complied with;
- e. No person shall rely upon any permit as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms. The person to whom the building permit is issued is responsible for making such determination.

BUILDING PERMIT ADMINISTRATION

9. a. A permit application shall relate to one building, structure, or work.
- b. Permit applications, and the documents submitted, become the property of the City.

BUILDING PERMIT APPLICATIONS - GENERAL

10. a. A person shall apply for, and obtain, a permit before constructing, altering, moving, repairing, reconstructing or demolishing a sign structure, building, structure, pool, fireplace, or plumbing system.
- b. An application for a building permit shall:
 - i. be made and signed by the owner, or a signing officer if the owner is a corporation;
 - ii. be accompanied by the owner's signed acknowledgment of responsibility and undertakings, in the form of Schedule B;
 - iii. state the building or structure's intended use and, if the Building Official requires, provide a professionally prepared appraisal of the proposed building or structure's value;
 - iv. include, as exhibits, copies in duplicate of all items as noted in Schedule D.
- c. Drawings and specifications submitted with permit applications shall bear the name and business address of the designer of any building, structure, or works.
- d. An application shall include written documentation, where necessary, to illustrate all essential features of the design of the building or to establish compliance with the requirements of this bylaw.
- e. An application for a building permit for fire suppression sprinkler installation shall be made on the building permit application form as prescribed by the Building Official.
- f. Drawings for a fire suppression sprinkler system shall bear the seal of a Registered Professional and be accompanied by executed Letters of Assurance as provided in the Building Code.
- g. An application for installation of a cross connection to install under ground sprinklers for the purposes of irrigation shall be made on the building permit application form as prescribed by the Building Official.

- h. An application for a building permit will be cancelled if permit fees are not paid within sixty days from the date of approval of the application by the Building Official.
- i. A Building Official may issue a permit for the construction of a portion of a building before the entire plans and specifications of the whole building have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the bylaw. The issuance of the permit notwithstanding, the requirements of this bylaw apply to the remainder of the building, as if the permit had not been issued.
- j. If community sewer facilities are not available, the owner shall submit an approved sewage disposal permit from the Central Vancouver Island Regional Health Board as part of the application package.
- k. Where applicable and when an application is received for a building or structure that falls under the *Homeowner Protection Act*, the owner shall submit all documentation proving compliance with the *Homeowner Protection Act*.
- l. The application for a municipal access permit to the parcel shall be in the form as prescribed by the Building Official.

BUILDING PERMIT APPLICATIONS FOR STANDARD (PART 9) BUILDINGS

- 11. a. The Building Official shall require a foundation design including mobile home pads prepared by a registered professional in accordance with section 4.2 of the Building Code, accompanied by letters of assurance in the form of Schedule B-1 and B-2 as referred to in Section 2.6 of part 2 of the Building Code, signed by the registered professional.
- b. The requirements of 11 [a] may be waived by the building official in circumstances where the building official has required a professional engineer's report pursuant to section 699 [2] of the *Local Government Act* and the building permit is issued in accordance with sections 699 [5] and [6] of the *Local Government Act*.
- c. The requirements of 11 [a] may be waived by the Building Official if documentation, prepared and sealed by a registered professional, is provided assuring that the foundation design substantially complies with Section 9.4.4 of the Building Code and the foundation excavation substantially complies with sections 9.12 of part 9 of the Building Code.

BUILDING PERMIT APPLICATIONS FOR COMPLEX (PART 3) BUILDINGS

- 12. In addition to meeting the requirements of Section 10, an application for a permit respecting a complex (part 3) building shall be signed by the owner and the coordinating registered professional, and include:

- a. a letter of assurance in the form of Schedule A to the *British Columbia Building Code*, signed by the owner, or a signing officer if the owner is a corporation, and the coordinating registered professional; and
- b. letters of assurance in the form of Schedules B-1 and B-2 to the *British Columbia Building Code*, each signed by the owner and the registered professionals, required by the Building Code or Building Official to design and conduct field reviews of the building or structure's construction.

PROFESSIONAL PLAN CERTIFICATION

13.
 - a. The City and its Building Officials rely on the letters of assurance provided under this bylaw as certification that the designs to which the letters relate comply with the Building Code and other applicable codes and enactments relating to safety.
 - b. A building permit issued for a complex (part 3) building or a standard (part 9) building for which a Building Official requires professional design and letters of assurance shall notify the owner that the permit is issued in reliance on the registered professional's certifying that the design and plans submitted in support of the permit application comply with the Building Code and other applicable codes and enactments relating to safety.
 - c. The fee for a building permit referred to in Section 13 (b) shall be reduced by 5% of the fees, to a maximum of \$500.

PROFESSIONAL DESIGN AND FIELD REVIEW

14.
 - a. Where the Building Official considers that a project's size or complexity, or a site condition, warrants, the Building Official may require a registered professional's design and plan certification, and field review, supported by letters of assurance in the form of Schedules A, B-1, B-2, and C-A, or B-1, B-2, and C-B to the *British Columbia Building Code*.
 - b. An owner shall provide the City with letters of assurance in the form of Schedules C-A or C-B to the *British Columbia Building Code* before an occupancy permit is issued for:
 - i. complex (part 3) buildings, or
 - ii. standard (part 9) buildings where letters of assurance are required.
 - iii. factory built non-residential structures.
 - iv. sign structures.
 - v. retaining walls 1.2 m or higher.
 - vi. fire suppression sprinkler systems.
 - vii. mobile home pads.
 - c. When a registered professional provides letters of assurance in accordance with the Section 13 of this Bylaw, he or she shall also provide proof of professional liability

insurance to the City at the time of building permit application. The proof shall be in the form attached to this bylaw as Schedule E.

- d. Where applicable, letters of assurance shall be signed by the owner and the coordinating or registered professional.

OWNER'S RESPONSIBILITIES

- 15.
 - a. An owner shall ensure that all construction complies with the Building Code, this bylaw, and other applicable bylaws and enactments respecting safety.
 - b. Every owner to whom a permit is issued under this bylaw is responsible for the cost of repairing damage to the City property occurring in the course of the work authorized by the permit.
 - c. Before construction commences all owner(s) shall satisfy themselves that the building site is safe and will not be affected by flooding water caused by surface run-off or otherwise, or by other hazards;
 - d. The owner(s) to whom a permit is issued shall:
 - i. during construction, post in a conspicuous place, on the parcel, the street address of the building or structure to be constructed;
 - ii. before occupying a building, structure, or part of a building or structure, or after a change in the occupancy classification of a building, structure, or part of a building or structure, obtain an occupancy permit from the Building Official;
 - iii. before occupying the building or structure, permanently affix the street address to it, or post the street address at the entrance to the driveway serving the parcel.
 - e. An owner shall have completed by a British Columbia Land Surveyor, prior to the inspection described in Section 16 (d) (ii) a location certificate showing the location of the building or structure's foundation relative to parcel lines and no further inspections shall be conducted until the certificate is received and the siting is approved by the Building Official.

INSPECTIONS

- 16.
 - a. Where it has been requested that a registered professional provides letters of assurance, the City relies solely on the field reviews undertaken by the registered professional and the letters of assurance submitted under Section 13 as assurance that construction:
 - i. substantially conforms to the design and construction respecting safety; and

- ii. substantially complies with the Building Code, this bylaw, and other applicable codes, standards, and enactments respecting health and safety.

Although the Building Official may attend at a construction site from time to time to determine if field reviews are occurring by the registered professional.

- b. A building official may attend periodically at the site of construction of standard (part 9) buildings or structures to ascertain whether the health and safety aspects of the work are being carried out in substantial conformance with those portions of the Building Code, this bylaw and any other applicable enactment concerning safety.
- d. The owner shall notify the Building Official at least 24 hours before work is ready to be inspected and ensure that the Building Official inspects and accepts work at each of the following stages of construction of standard (part 9) buildings and in consecutive order and prior to concealing it:
 - i. Footing forms prior to concrete placement
 - ii. Foundation perimeter drain and rain water leader systems prior to backfilling
 - iii. Plumbing under slab prior to backfilling or covering
 - iv. Framing prior to the installation of insulation or interior or exterior finish
 - v. Rough plumbing prior to backfilling, covering or interior finish
 - vi. Insulation and vapour barrier prior to application of interior finish
 - vii. Fireplace and/or Chimney for a solid fuel burning appliance prior to installation of insulation
 - viii. Sanitary Sewer/Storm Sewer/Septic and Water Hookup
 - ix. Final – after the building is complete and ready for occupancy but prior to any occupancy
- e. No aspect of the work referred to in the inspection schedule outlined in Section 16 (d) shall be concealed until a Building Official has accepted it in writing.
- f. The requirements of the inspection schedule do not apply to any aspect of work that is the subject of a registered professional's letter of assurance regarding field reviews.
- g. At each required inspection, and forming part of each required inspection, the owner shall provide to the Building Official, the name and Parksville business license number of each person, business, contractor, sub-contractor, material supplier and any other entity that has performed a service under the permit for which the inspection is being provided.

OCCUPANCY PERMITS

17. a. No person shall occupy a building or structure, or part of a building or structure, until the Building Official issues an occupancy permit.
- b. An occupancy permit shall not be issued unless:
 - i. all required letters of assurance have been submitted, or
 - ii. all aspects of the work requiring inspection and acceptance under Section 16 have been inspected and accepted.
- c. A Building Official may issue an occupancy permit for part of a building or structure if the part is self-contained, supplied with fire suppression sprinklers, water and sanitary sewer services and storm drainage, and meets the requirements of Section 17(b).

SPRINKLER REGULATIONS

18. Without limiting the requirements of the Building Code, no person shall construct or alter a building or place a mobile home unless the building is equipped with a fire sprinkler system, installed and maintained to the standards set out in the Building Code and the applicable NFPA standard in force as of the date of the permit application, except that this requirement does not apply to:
 - i. two or fewer residential occupancies on a single parcel;
 - ii. three or more detached residential occupancies on a single parcel each of which is separated from the others by at least 40 metres;
 - iii. three or more detached residential occupancies on a single parcel each of which is less than 100 square metres in floor area;
 - iv. alterations to an existing building or structure where the value of construction does not exceed 50% of the assessed value of the building;
 - v. additions to an existing building that do not exceed 25% of the existing floor area of the building or 200 square metres, whichever is less, and for this purpose all additions undertaken pursuant to a building permit application made after April 30, 1995 shall be considered cumulatively;
 - vi. detached non-residential buildings with a floor area of 100 square metres or less;
 - vii. unoccupied mechanical buildings with a floor area of 300 square metres or less;
 - viii. car wash structures of non-combustible construction with a floor area of 300 square metres or less; and
 - ix. open-air storage sheds used for the storage of non-combustible materials or the parking of five or fewer motor vehicles.

MOVING AND REMOVING BUILDINGS AND STRUCTURES

19. a. Except as hereinafter provided, it shall be unlawful for any person to move a building into the City from any property outside of the City of Parksville.
- b. It shall be lawful for any person to move a new prefabricated or sectional building onto industrial, commercial or institutional lands within the City, provided that the structure complies with the Building Code, this bylaw, and all other applicable bylaws.
- c. It shall be lawful for any person to move a mobile home manufactured after January 1, 1980 into any mobile home park within the City that conforms with any applicable Mobile Home Park bylaw or regulation.
- d. Nothing in this section prohibits the moving of any principal building from one parcel to another within the City, provided that:
 - i. in every case the building complies with the building, zoning and official community plan bylaws of the City;
 - ii. the building being moved shall be assessed at 1.25 times the average assessed value of buildings on properties located within 100 m on the same frontage as the subject property;
 - iii. in the case of a mobile home, the structure has been manufactured after January 1, 1980;
 - iv. the owner has deposited with the City a one thousand dollar (\$1,000.00) deposit which will be returned following:
 - a) the completion of the exterior of the building as shown on the plans submitted with the applicable permits;
 - b) the issuance of an occupancy permit; and
 - c) inspection by the City to ensure all municipal services are connected and in satisfactory condition.
 - v. the owner has obtained a permit under Section 10.
- e. For the purpose of arriving at the assessment value referred to in Section 19(d), where vacant parcels are within 100 metres of the subject property, vacant parcels in residential zones shall be deemed to have constructed on them a single family dwelling with a minimum floor area equal to the average floor area of all single family dwellings located within the area prescribed in Section 19(d). The average floor area shall then be multiplied by the current construction cost for a single storey slab on grade dwelling as determined by the Building Official for the purposes of Section 7. o. (i).
- f. Notwithstanding Section 19 (a), the moving of an historical building is permitted onto Lot B, Block 564, Nanoose District, Plan 33339, 1245 East Island Highway, commonly known as "Craig Heritage Park".

- g. Notwithstanding Section 19 (a), nothing in this bylaw prohibits the School District from moving a portable building to property owned or leased by the School District and used as a school site.

DEMOLISHING BUILDINGS AND STRUCTURES

- 20. a. A person shall apply for, and obtain, a demolition permit before demolishing a building or structure.
- b. A demolition permit application shall be made on the application form prescribed by the Building Official.
- c. As a condition of issuing a demolition permit, an applicant shall provide security in the amount of \$1,000.00 by an irrevocable letter of credit or cash, deposited with the Director of Finance, to be used for a purpose referred to in section 694.1(3) of the *Local Government Act*.
- d. A security is not required if the demolition permit is issued in conjunction with a building permit for the parcel.

FIREPLACE AND CHIMNEY PERMITS

- 21. a. A person shall apply for, and obtain, a fireplace and chimney permit before constructing or installing a new fireplace, installing a new solid fuel-burning appliance, or constructing or installing a new chimney.
- b. A fireplace and chimney permit application shall be made on the application form prescribed by the Building Official.

POOLS

- 22. a. Every application for a building permit for a swimming pool, including hot tubs, shall be accompanied by a plan showing the location of the proposed pool and all water supply piping, waste piping, appurtenances, and all structural detail.
- b. Pool waste water shall be disposed of to the sanitary sewer as approved by the Building Official. The type of disposal shall be approved by the Building Official prior to the commencement of any work.
- c. Any structure designed or constructed as a swimming pool, hot tub, wading pool or pond, of a depth at any point in excess of 0.75 m., shall be surrounded by a fence a minimum of 1.5 m. in height, and the fence shall be constructed either on the parcel line or surrounding the pool or pond in such a manner as to render the pool or pond safe from unauthorized entry. All gates to a pool or pond shall be maintained and in good working order by the owner. All hot tub lids shall be fitted with a lockable lid.

EQUIVALENTS

- 23. a. The provisions of this bylaw are not intended to limit the appropriate use of materials, equipment or methods of construction not specifically authorized herein. An owner desirous of providing any equivalent material, equipment or method of construction not specifically authorized by this bylaw shall submit to the Building Official sufficient evidence to satisfy the Building Official that the proposed equivalent will provide the level of performance required by this bylaw.
- b. An application for an equivalent under the Building Code shall be in made by the owner(s).
- c. Approval must be received in writing from the Building Official for equivalency prior to the incorporation of a material or equivalent into the work, or before an equivalent method is used in the work.

CLIMATIC DATA

- 24. The climatic data for the design of buildings in the City of Parksville is that set out in Schedule C.

DISCLAIMER OF WARRANTY OR REPRESENTATION

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

OFFENCES AND PENALTIES

- 26. a. A person who violates a provision of this bylaw is guilty of an offence and liable on conviction to:
 - i. a fine not exceeding \$5 000.00 plus the cost of prosecution, or
 - ii. imprisonment for at most 6 months.
- b. Every person who fails to comply with any order or notice issued by a Building Official, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- c. A separate offence is considered to be committed on each day during which a violation continues.
- d. A Building Official may order the cessation of any work that is proceeding in contravention of the Building Code or of this bylaw by posting a "Stop Work Order" in the form prescribed by the Building Official on the parcel on which such work is undertaken.

- e. Every owner of a parcel on which a "Stop Work Order" has been posted, and every other person, shall cease all work thereon immediately (except as authorized in writing by the Building Official) and shall not do any work until the Stop Work Order has been rescinded or required permit has been issued by the City, and until all provisions of the Building Code and this bylaw have been fully complied with.
- f. 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 in the form prescribed by the Building Official on the affected part of the building or structure.
- g. The owner of a parcel 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 the Building Code and this bylaw have been substantially complied with and the Do Not Occupy notice has been rescinded in writing by the Building Official.

SEVERABILITY

- 27. If any section or lesser portion of this bylaw is held invalid by a court, the invalid portion shall be severed from this bylaw and shall not affect the validity of the remainder of this bylaw.

SCHEDULES

- 28. Schedules "A" through "E" shall form part of this bylaw.

REPEALS AND AMENDMENTS

- 29. City of Parksville Building Bylaw, 1995, No.1237 and all amendments thereto is hereby repealed.

FORCE AND EFFECT

- 30. This bylaw shall come into force and effect on December 31, 2003.

CITATION

- 31. This bylaw may be cited for all purposes as "Building Bylaw, 2003, No. 1387".

READ A FIRST TIME this 8th day of December 2003

READ A SECOND TIME this 8th day of December 2003

READ A THIRD TIME this 8th day of December 2003

ADOPTED this 15th day of December 2003

Original signed by Randy Longmuir
Mayor

Original Signed by Shirley Hine
Clerk

Consolidated under the provisions of the *Community Charter* to include Bylaw 1515. Printed under the authority of the Deputy Corporate Officer of the City of Parksville this 18th day of March, 2015.

Original signed by Amanda Weeks
Deputy Corporate Officer

CITY OF PARKSVILLE
BUILDING BYLAW, 2003, NO. 1387
LIST OF SCHEDULES

Bylaw 1515 adopted on March 16, 2015, repealed Schedule "A" in its entirety.

~~Schedule A — Permit Fees and Inspection Charges~~

Bylaw 1515 adopted on March 16, 2015, repealed Schedule "A" in its entirety and renamed Schedule "B" through "E" as Schedules "A" through "D".

Schedule A – Owner's Acknowledgement

Schedule B – Climatic Data

Schedule C – Building Permit Submission Requirements

Schedule D – Registered Professional's Proof of Insurance

Bylaw 1515 adopted on March 16, 2015, repealed Schedule "A" in its entirety.

~~SCHEDULE "A"~~

~~PERMIT FEES AND INSPECTION CHARGES~~

Bylaw 1515 adopted on March 16, 2015, repealed Schedule "A" in its entirety and renamed Schedule "B" through "E" as Schedules "A" through "D".

SCHEDULE "A"

ACKNOWLEDGEMENTS OF OWNER

I acknowledge that the owner of the land in respect of which this permit is issued is solely responsible for carrying out the work authorized by this permit in accordance with the Building Code and other applicable laws respecting safety, including the requirements of the Building Code in relation to soil conditions for building foundations, and that the owner is also solely responsible for determining whether the land may be subject to flooding or other natural hazard.

I acknowledge that the owner of the land is also solely responsible for determining whether the work authorized by this permit contravenes any covenant, easement, right of way, building scheme or other restriction affecting the building site, and whether the work requires the involvement of an architect under the *Architect's Act* or an engineer or geoscientist under the *Engineers and Geoscientists Act*.

I acknowledge that the City of Parksville provides a limited monitoring service in relation to building construction and does not, by accepting or reviewing plans, inspecting construction, monitoring the inspection of construction by others, or issuing building or occupancy permits, make any representation or give any assurance that the construction authorized by this permit complies in every or any respect with the Building Code or any other applicable laws respecting safety.

If the City of Parksville has so indicated on this permit, I acknowledge that the City has issued the permit in reliance on the certification of a registered professional, engaged by me to provide such a certification, that the plans for the work authorized by the permit comply with the Building Code and other applicable enactments, and that the fee for the permit has been accordingly reduced. I acknowledge that the City of Parksville, by issuing this permit or any occupancy permit, makes no representations to me or any other person as to any such compliance.

Name(s) of Registered Owner(s) (please print)

Signature(s) of Registered Owner(s) or
Authorized Signatory of Corporate Owner

Date of Acknowledgement

Bylaw 1515 adopted on March 16, 2015, repealed Schedule "A" in its entirety and renamed Schedule "B" through "E" as Schedules "A" through "D".

SCHEDULE "B"

CLIMATIC DATA

Climatic data for the design of buildings in the City of Parksville shall be:

Design Temperatures:

January 2.5% temperature – (- 7)° C

January 1% temperature – (- 9)°C

July 2.5% dry bulb temperature - 27° C

July 2.5% wet bulb temperature - 18° C

Precipitation - Rainfall:

day:

1 in 10 years - 168 mm

1 in 100 years - 264 mm

15 minutes:

1 in 10 years - 28 mm

1 in 100 years - 60 mm

Precipitation - Ground snow load:

snow component - 2.0 kPa

rain component - 0.4 kPa

Hourly Wind Pressures:

probability 1/10 - 0.46 kPa

probability 1/30 - 0.58 kPa

probability 1/100 - 0.72 kPa

Seismic Data:

acceleration-related seismic zone - $Z_a 4$

velocity-related seismic zone - $Z_v 4$

zonal velocity ratio - $\sqrt{0.20}$

Bylaw 1515 adopted on March 16, 2015, repealed Schedule "A" in its entirety and renamed Schedule "B" through "E" as Schedules "A" through "D".

SCHEDULE "C"

BUILDING PERMIT SUBMISSION REQUIREMENTS

The following items shall be received to form a complete Building Permit application:

1. A completed application form.
2. The signature of all registered owners or a signing officer if the company is a corporation.
3. A State of Title Certificate dated in the last 30 days. (Available from BC Online or lawyer, notary public office or any BC Access Centre.)
4. Copies of all encumbrances shown on the title (except those relating to assignment of rent, mortgages, rail or mineral rights). If you cannot find yours, copies are available from BC Online, lawyer or notary public office or any BC Access Centre or Land Title Office.
5. Homeowner Protection Office documentation, if applicable.
6. Proof of insurance in the form of a Schedule E signed and sealed by every registered professional working on the building or structure that is the subject of the application and providing letters of assurance for that building or structure.
7. Two sets of Scaled Site Plan[s] noting all of the following:
 - a. Address and Legal Description of the parcel.
 - b. North arrow, scale, and date of plan.
 - c. The site plan must reflect the actual shape and configuration of the parcel.
 - d. All parcel lines, rights of ways and easements with dimensions.
 - e. Location of road(s) as they relate to the parcel.
 - f. A cross section of existing and/or proposed access points (driveway) to site.
 - g. Water bodies, creeks, rivers, watercourses, wetlands, the ocean, or any other significant natural features.

- h. Location and dimensions of existing and proposed building(s) with setback dimensions from the building face to all parcel lines and features noted in 7[g].
 - i. Size of parcel in metric figures.
 - j. Site Coverage (show calculations*).
 - k. Total Floor Area (show calculations*).
 - l. Floor Space Ratio (show calculations*).
 - m. Building Height (indicate on the elevation plan or cross-section from finished grade).
 - n. Location, numbering and dimensions of all off-street parking.
 - o. Location, numbering and dimensions of all off-street loading (if applicable).
8. Construction Plans (Including: Floor Plan, Elevations, Foundation Plan and Cross Section). Two sets of scaled plans are required to be submitted and one set will be returned when the building permit is issued.

The following items are required to be on the construction plans:

- a. Dimensions of existing and proposed buildings.
 - b. Intended use of building(s) including use of existing building[s]
 - c. Height and horizontal dimensions of building(s)
 - d. Floor plans for each level showing proposed uses
 - e. Structural detail – actual to be built and shown in cross section
 - f. Type and location of the heating source
 - g. Any other information as set out in the City of Parksville Building Bylaw, 2003, No. 1387, as required by the Building Official.
 - h. Pre-Design Engineering Submission by a qualified Professional Engineer as per Section 2.0, Item 5.0, of the City's Engineering Standards and Specifications, where Works and Services are applicable at the building permit stage.
 - i. Where applicable, as determined by the Building Official, a plan showing the location and size of all water service line, building drain, storm sewer, sanitary sewer, trap, inspection piece, a sectional drawing showing the size and location of every soil or waste pipe, and vent pipe.
9. Site Plan and Construction Plan Standards
- a. Must be submitted on paper 28 cm x 43 cm [11 x 17] or larger.
 - b. Must be drawn to a scale not less than 1:100 [1/8" = 1'-0"]
 - c. Two sets must be submitted and one set will be returned when the building permit is issued.

10. Minor Addition Exemptions - The building official may waive the requirements for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing building or structure.

* The City of Parksville has created an Excel spreadsheet to assist you in calculating these figures. It is available via email from one of the Building Officials.

Bylaw 1515 adopted on March 16, 2015, repealed Schedule "A" in its entirety and renamed Schedule "B" through "E" as Schedules "A" through "D".

SCHEDULE "D"

REGISTERED PROFESSIONAL'S PROOF OF INSURANCE

City of Parksville
100 Jensen Avenue East
Parksville, BC V9P 2H3

ATTENTION: BUILDING OFFICIAL

SUBJECT: _____ **[civic address of project]**

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 the 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

[affix seal]

Name of Firm