

DISTRICT OF SQUAMISH

Bylaw No. 1822, 2004

A bylaw to regulate building construction and provide for the administration of the B.C. Building Code

As Amended by Bylaw 1933, 2012, 2126, 2279, 2309, 2587, 2684, 2896, 2937, 3020 and 3090.

THIS IS A CONSOLIDATED BYLAW PREPARED BY THE DISTRICT OF SQUAMISH FOR CONVENIENCE ONLY. THE CORPORATION DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BYLAW PROVISIONS.

WHEREAS the *Community Charter* authorizes the District, for the health, safety and protection of persons and property, to regulate, prohibit and impose requirements in relation to building and structures;

AND WHEREAS the Province of British Columbia has adopted a building code to govern standards in respect of the construction, alteration, repair and demolition of buildings in municipalities and regional districts in the Province;

AND WHEREAS it is deemed necessary to provide for the administration of the building code;

NOW THEREFORE THE COUNCIL OF THE DISTRICT OF SQUAMISH, in open meeting assembled, enacts as follows:

1.0 Title

- 1.1 This bylaw may be cited for all purposes as the “District of Squamish Building Bylaw No. 1822, 2004”.

Part 2: PURPOSE OF BYLAW (Amended as per Bylaw 2587, 2018)

- 2.1 Despite any other provision in this bylaw, this bylaw must be interpreted in accordance with this Part.
- 2.2 Every permit issued under this bylaw is issued expressly subject to the provisions of this Part.
- 2.3 This bylaw is enacted to regulate, prohibit and impose requirements in regard to *construction* in the District in the public interest.

2.4 The purpose of this bylaw does not extend to:

- (a) the protection of *owners* or *constructors* from economic loss;
- (b) the assumption by the District or any *building official* of any responsibility for ensuring the compliance by any *owner*, his or her representatives or any employees, *constructors* or *designers* retained by the *owner*, with the *building code*, the requirements of this bylaw, or other applicable enactments, codes or standards;
- (c) providing any person a warranty of design or workmanship with respect to any *building* or *structure* for which a *building permit* or *occupancy permit* is issued under this bylaw; or
- (d) providing a warranty or assurance that *construction* undertaken under *building permits* issued by the District is free from latent, or any, defects.

Part 3: SCOPE AND EXEMPTIONS (Amended as per Bylaw 2587, 2018)

Application

- 3.1 This bylaw applies to the geographical area of the District and to land, the surface of water, air space, *buildings* or *structures* in the District.
- 3.2 This bylaw applies to the design, construction or occupancy of new buildings or structures, and the alteration, reconstruction, demolition, removal, relocation or occupancy or change of use or occupancy of existing buildings and structures. The installation, alteration or connection of a plumbing system. The installation alteration or connection of a sprinkler system (Amended as per Bylaw 2896).
- 3.3 This bylaw does not apply to:
 - (a) except as set out in [*Retaining Walls*] of this bylaw, a fence permitted to be *constructed* under the District's Zoning Bylaw as amended from time to time;
 - (b) an accessory *building* with a floor area of less than 10 square metres (unless the *building* contains an *unsafe condition*, hazard or home occupation), a trellis, an arbour, a wall supporting soil that is less than 1.22 metres in height, or other similar landscape features, if the *building* or *structure* complies with the siting requirements of the Zoning Bylaw as amended from time to time;
 - (c) non-*structural* repair and maintenance of lawfully conforming and lawfully non-conforming *structures*; or

- (d) a *building* or *structure* commonly known as “Canadian Standards Association Z240 MH series, Z241 series or A277 series” within an established mobile home park, except for alterations or additions to these *buildings* or *structures*.

Limited Application to Existing Buildings

- 3.4 Except as provided in the *building code* or to the extent an *existing building* is under *construction* or does not have an *occupancy permit*, when an *existing building* has been *constructed* before the enactment of this bylaw, the enactment of this bylaw is not to be interpreted as requiring that the *building* must be *reconstructed* and *altered*, unless it is expressly so provided by this or another bylaw, regulation or statute as amended from time to time.
- 3.5 This bylaw applies if the whole or any part of an *existing building* is moved either within or into the District, including relocation relative to parcel lines created by subdivision or consolidation.
- (a) If an alteration is made to an existing building or plumbing system or fire suppression system, the alteration must comply with this bylaw and the building code (Amended as per Bylaw 2896).
- 3.6 If an *alteration* to an *existing building* is limited to small suites intended for a Group A, Division 2, D, E or F2 *occupancy* under the *building code* and if the *occupancy* load for the entire *building* or suite does not exceed 30 persons,
- (a) the *alteration* must comply with this bylaw; and
- (b) the suite area and its means of egress must be upgraded to a level consistent with this bylaw and the *building code*.

Energy Step Code Exemptions for Instream Development Permit Applications

- 3.7 Notwithstanding any provision of this Bylaw, when a Development Permit application for form and character of development or a Development Variance Permit application is submitted prior to July 1, 2018, the associated Building Permit application, if received and accepted by the District prior to January 1, 2019, is exempt from having to meet the Energy Step Code requirements of Part 17 of this Bylaw.

Part 4: PROHIBITIONS (Amended as per Bylaw 2587, 2018)

- 4.1 A person must not commence or continue any *construction*, *alteration*, *excavation*, *reconstruction*, *demolition*, *removal*, *relocation* or change the use or *occupancy* of any *building* or *structure*, including placement of foundation forms or other work related to construction:

- (a) except in conformity with the requirements of the *building code* and this bylaw; and
- (b) unless a *building official* has issued a valid and subsisting *permit* for the work under this bylaw.
- (c) Unless site conditions are generally conformance with applicable regulations related to safety (added by Bylaw 2896).

4.2 A person must not occupy or use any *building* or *structure*:

- (a) unless a valid and subsisting *occupancy permit* has been issued by a *building official* for the *building* or *structure*; or
- (b) contrary to the terms of any *permit* issued or any notice given by a *building official*.

4.3 A person must not *occupy* or *permit* the *occupancy* of any *building* or *structure* or part of any *building* or *structure* until the *building official* has issued an *occupancy permit* or a final inspection notice for it.

4.4 A person must not submit false or misleading information to a *building official* in relation to any *permit* application or construction undertaken pursuant to this bylaw.

4.5 Except in accordance with this bylaw, a person must not erase, alter or modify plans and supporting documents after the same have been reviewed by the *building official*, or plans and supporting documents which have been filed for reference with the *building official* after a *permit* has been issued.

4.6 A person must not, unless authorized in writing by a *building official*, reverse, alter, deface, cover, remove or in any way tamper with any notice, *permit* or certificate posted or affixed to a *building* or *structure* pursuant to this bylaw.

4.7 A person must not do any work that is substantially at variance with the *accepted* design or plans of a *building*, *structure* or other works for which a *permit* has been issued, unless that variance has been authorized in writing by a *building official*.

4.8 A person must not interfere with or obstruct the entry of a *building official* or other authorized official of the District on property in the administration of this bylaw.

4.9 A person must not repair a *building* or *structure* damaged by fire, decay, storm, earthquake or otherwise to an extent greater than 75% of its assessed value as of the date of damage above its *foundations* unless in every respect the entire *building* or *structure* is made to comply with the *building code*, subject to the provisions of this bylaw.

- 4.10 A person must not repair any portion of a *building* or *structure* damaged by fire, decay, storm or otherwise to an extent less than 75% of its assessed value as of the date of damage above its *foundations* unless in every respect the repair of the *building* or *structure* is made to comply with the *building code*, subject to the provisions of this bylaw.
- 4.11 A person must not *construct* on a *parcel* unless the civic address is conspicuously posted on the front of the premises or on a sign post so it may be easily read from the public highway from which it takes its address.
- 4.12 A person must not contravene an order of the *building official* made under Part 6.
- 4.13 A person must not change the use, *occupancy* or both of a *building* or *structure* or a part of a *building* or *structure* without first applying for and obtaining a *building permit* under this bylaw.

Part 5: PERMIT CONDITIONS (Amended as per Bylaw 2587, 2018)

- 5.1 A *permit* is required if work regulated under this bylaw is to be undertaken.
- 5.2 Neither the issuance of a *permit* under this bylaw, nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the District will in any way
- (a) relieve the *owner* (and if the *owner* is acting through a representative, the representative of the *owner*) from full and sole responsibility to perform the work in strict compliance with this bylaw, the *building code* and any other applicable enactments respecting safety or protection;
 - (b) constitute a representation, warranty, assurance or statement that the *building code*, this bylaw or any other applicable enactments respecting safety have been complied with; or
 - (c) constitute a representation or warranty that the *building or structure* meets any standard of materials or workmanship.
- 5.3 No person shall rely on any *permit* as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms.
- 5.4 It is the full and sole responsibility of the *owner* (and if the *owner* is acting through a representative, the representative of the *owner*) to carry out the work in respect of which the *permit* was issued in compliance with the *building code*, this bylaw and all other applicable codes, standards and enactments as amended from time to time.

Part 6: POWERS OF BUILDING OFFICIAL (Amended as per Bylaw 2587, 2018)

Administration

- 6.1 Words defining the authority of the *building official* are to be construed as internal administrative directions and not as creating a duty.
- 6.2 The *building official* may
- (a) administer this bylaw, but is not obligated to enforce or administer this bylaw;
 - (b) keep records of applications received, *permits*, notices and orders issued, inspections and tests made, and may retain copies of all papers and documents connected with the administration of this bylaw;
 - (c) establish or require an *owner* to establish whether a method or type of construction or material used in the construction of a *building* or *structure* complies with the requirements and provisions of this bylaw and the *building code*; and
 - (d) direct that tests of materials, equipment, devices, construction methods, structural assemblies or *foundations* be carried out, or that sufficient evidence or proof be submitted by the *owner*, at the *owner's* sole expense, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or *foundation* condition complies with this bylaw and the *building code*.
- 6.3 The *building official* may refuse to issue a *permit* if the proposed work will contravene the requirements of the *building code* or the provisions of this or any other bylaw of the District as amended from time to time, and must state the reason in writing.
- 6.4 The *building official* may revoke a *permit* if, in their opinion, the results of tests on materials, devices, construction methods, structural assemblies or *foundation* conditions contravene the *building code* or the provisions of this bylaw, or both, or if all *permits* required under this bylaw have not been obtained.

Rights of Entry

- 6.5 The *building official* may enter on property at any time to ascertain whether the requirements of this bylaw are being met.

- 6.6 The *building official* must ensure that any person entering on property is carrying credentials that identify them as the *chief building official's* authorized representative.
- 6.7 If a *building* that is permitted under the District's Zoning Bylaw, as amended from time to time, to be used for a *residential occupancy* is occupied, the *building official* must, prior to entering the residence,
- (a) obtain the prior consent of an occupant; or
 - (b) deliver to an occupant at least 24 hours' written notice of the proposed entry.

Powers

- 6.8 The *building official* may by notice in writing require
- (a) a person who contravenes any provision of this bylaw to comply with that provision within the time ordered;
 - (b) an *owner* to stop work on a *building* or *structure*, or any part of a *building* or *structure*, if the work is proceeding in contravention of this bylaw, the *building code*, or any other enactment of the District or other applicable enactments respecting safety as amended from time to time, or if there is deemed to be an *unsafe condition*, and may enter on property to affix or post a stop work order;
 - (c) an *owner* to remove any *building* or *structure*, or any part of a *building* or *structure*, *constructed* in contravention of a provision of this bylaw;
 - (d) an *owner* to have work inspected by the *building official* prior to covering;
 - (e) an *owner* to uncover any work that has been covered without inspection contrary to this bylaw or an order issued by the *building official*;
 - (f) a person to cease any *occupancy* in contravention of a provision of this bylaw;
 - (g) a person to cease any *occupancy* if any *unsafe condition* exists because of work being undertaken but not complete;
 - (h) an *owner* to correct any *unsafe condition*; and
 - (i) an *owner* to correct any work that contravenes this bylaw or the *building code*.
- 6.9 Every person served with an order under this Part must immediately comply with that order.

Part 7: OWNER'S RESPONSIBILITIES (Amended as per Bylaw 2587, 2018)

Application for Permit

7.1 Every *owner* must apply for and obtain a *permit*, prior to

- (a) *constructing*, repairing or *altering* a *building* or *structure*, including a pool or *retaining wall*;
- (b) moving a *building* or *structure* into or within the District;
- (c) demolishing a *building* or *structure*;
- (d) *occupying* a new *building* or *structure*;
- (e) installing or modifying a fire alarm system, sprinkler system,
- (f) if a *building* undergoes a change in use or *occupancy*, unless the works are the subject of another valid *building permit*.
- (g) Installing or altering a plumbing system of fire suppression system (added by Bylaw 2896)

Owner's Obligations

7.2 Every *owner* must:

- (a) comply with the *building code*, the requirements of this bylaw and the conditions of a *permit*, and must not omit to do any work required by the *building code*, this bylaw or the conditions of a *permit*; and
- (b) ensure that all *permits*, all plans and specifications and supporting documents on which a *permit* was based, all municipal inspection certificates, and all professional *field reviews* are available at the site of the work for inspection during working hours by the *building official*, and that all *permits* are posted conspicuously on the site during the entire execution of the work.

7.3 Every *owner*, or his or her *agent*, must carry out *construction* or have the *construction* carried out in accordance with the requirements of the *building code*, this bylaw and other bylaws of the District, as amended from time to time, and neither the issuance of a *permit* under this bylaw, the review of plans and supporting documents, nor inspections made by the *building official* or a *registered professional* relieve the *owner*, or his or her *agent*, from full and sole responsibility to perform the work in strict accordance with this bylaw, the *building code* and other enactments.

7.4 Every *owner* must allow the *building official* to enter any *building* or premises at any reasonable time to administer and enforce this bylaw. Every *owner* to whom a *permit* is issued must, during construction,

- (a) post the civic address on the property so that it may be easily read from the public highway from which the property takes its address; and
- (b) post the *permit* on the property so that it may be easily read from the public highway from which the property takes its address.

Damage to Municipal Works

7.5 Every *owner* to whom a *permit* is issued is responsible for the cost to repair any damage to municipal works or land that occurs during the work authorized by the *permit*.

Demolition

7.6 Prior to obtaining a *permit* to demolish a *building* or *structure*, the *owner* must

- (a) provide to the District a vacancy date;
- (b) pay capping and inspection chamber installation fees or deposit in lieu as set out in the District's bylaws governing waterworks and sewer as amended from time to time; and
- (c) ensure that all municipal services and other services are capped and terminated at the property line in a District standard inspection chamber and valve arrangement.

7.7 Every *owner* must ensure that, on completion of all demolition procedures, all debris and fill are cleared and the *site* is levelled or graded, or made safe if levelling and grading are not possible.

7.8 Hazardous materials assessment, complete with remediation procedures has been submitted (Amended as per Bylaw 2896).

Notice

7.9 Every *owner* must give written or online notice to the *building official* of any change in or termination of engagement of a *registered professional* during construction, within 24 hours of when the change or termination occurs.

7.10 If an *owner* terminates the engagement of a *registered professional*, the *owner* must terminate all work under a *building permit* until the *owner* has engaged a new *registered professional* and has delivered to the *chief building official* new letters of assurance.

- 7.11 Every *owner* must give at least 48 hours' online or written notice to the *building official*
- (a) of any scheduled inspections of a registered professional or representative;
 - (b) of intent to do work that is required or ordered to be inspected during *construction*;
 - (c) of intent to cover work that has been ordered to be inspected prior to covering; and
 - (d) when work has been completed so that a final inspection can be made.
- 7.12 Every *owner* must give notice in writing to the *building official* upon any change in ownership or change in the address of the *owner* which occurs prior to the issuance of an *occupancy permit*.
- 7.13 Every *owner* must give such other notice to the *building official* as may be required by the *building official* or by a provision of this bylaw.

Part 8: CONSTRUCTOR'S OBLIGATIONS (Amended as per Bylaw 2587, 2018)

- 8.1 Every *constructor* must ensure that all *construction* is done in compliance with all requirements of the *building code*, this bylaw and all other applicable enactments respecting safety.
- 8.2 Every *constructor* is responsible jointly and severally with the *owner* for all work undertaken.

Part 9: REGISTERED PROFESSIONAL'S RESPONSIBILITIES (Amended as per Bylaw 2587, 2018)

Professional Design and Field Review

- 9.1 Without limiting section 9.4, a *building official* may require a geotechnical engineer to determine bearing capacity for every parcel of land by providing design and plan certification and *field review* supported by letters of assurance in the form of Schedules A, B, C-A and C-B referred to in section 2.2.7 of Division C Part 2 of the *building code*, if the *building* is a *complex building*.
- 9.2 Prior to the preoccupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or a *simple building* in circumstances where letters of assurance have been required in

accordance with the requirements of this bylaw, the *owner* must provide the District with letters of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in section 2.2.7 of Division C Part 2 of the *building code*.

- 9.3 If a *registered professional* provides letters of assurance in accordance with the requirements of this bylaw, he or she must also provide proof of professional liability insurance.

Requirement for a Registered Professional

- 9.4 The *owner* must provide a *professional design* and a *field review* in respect of a *permit* application for

- (a) a *complex building*;
- (b) a *simple building constructed* on, or contiguous to, a *complex building*;
- (c) structural components of *buildings* that fall within the scope of Division B Part 4 or Part 9 of the *building code*;
- (d) except for garages, carports and garden structures located on land zoned for single family use, *foundation* and *excavation* components of new *simple buildings* and *additions to simple buildings*;
- (e) a *building* that is designed with common egress systems for the occupants and requires the use of *firewalls* or fire separations according to the *building code*;
- (f) a *building* or *structure* subject to section 9.1 in respect of which the *building official* determines that site conditions, size or complexity so warrant in the interests of safety of persons or protection of property;
- (g) the *building* envelope components of all *buildings* that fall under Division B Part 3 of the *building code*, all residential *buildings* that contain more than two dwellings, and all other *buildings* whose *building* envelopes do not comply with the prescriptive requirements of Division B Part 9 of the *building code*; and
- (h) any *building* or *structure* on a parcel if the *building official* believes that *building* or *structure* is or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche, and the requirement for a *professional design* and a *field review* is in addition to a requirement under the *Local Government Act* for a report certified by a professional engineer with experience in geotechnical engineering that the parcel may be used safely for the use intended and that the plans submitted

with the application comply with the relevant provisions of the *building code* and applicable bylaws of the District as amended from time to time.

- 9.5 *Building official* may require a professional certification of a component of construction to ensure compliance with the *building code*.
- 9.6 The *building official* may require the *registered professional* carrying out the *professional design* and *field review* of a *building* envelope to provide evidence that he or she has experience and expertise in respect of the *professional design* and *field review* of *building* envelopes.
- 9.7 A Registered Professional shall provide certified design and field review of the installation or modification of a fire sprinkler system, except for modifications to existing systems involving the relocation of no more than 12 sprinkler heads or addition of less than six sprinkler heads, in which case the requirement for professional design and field review may be waived by the Building Official (Amended as per Bylaw 2896).

Professional Plan Certification

- 9.8 The letters of assurance in the form of Schedules A and B as referred to in section 2.2.7 of Division C Part 2 of the *building code* are relied upon by the District and *its building officials* as certification that the design and plans to which the letters of assurance relate comply with the *building code* and other applicable enactments relating to protection.
- 9.9 A *building permit* issued for the construction of a *complex building*, or for the construction of a *simple building* for which a *building official* has required a *professional design* under this Part, and letters of assurance must be in the form of Schedules A and B referred to in section 2.2.7 of Division C Part 2 of the *building code*.
- 9.10 A *building permit* issued under section 9.8 of this bylaw must include a notice to the *owner* that the *building permit* is issued in reliance on the certification of the *registered professional* that the *professional design* and plans submitted in support of the application for the *building permit* comply with the *building code* and other applicable enactments relating to protection.
- 9.11 If a *building permit* is issued for a *complex building*, the *permit* fee is reduced as per the Fees & Charges Bylaw as amended from time to time.

Part 10: BUILDING PERMIT APPLICATION (Amended as per Bylaw 2587, 2018)

Requirements before Applying for a Building Permit

10.1 Prior to applying for a *building permit*, the *owner* must satisfy the following requirements or conditions:

- (a) a development permit application must be submitted if the building or structure is in an area designated by the District's official Community Plan as a development permit area (Amended as per Bylaw 2896);
- (b) the *owner* must ensure that the proposed *building* or *structure* complies with all bylaws of the District as amended from time to time, except to the extent a variance of a bylaw is authorized by a development *permit*, development variance *permit* or order of the Board of Variance;
- (c) the General Manager must have signed the subdivision plan that, once registered, would create the parcel on which the proposed *building* or *structure* will be *constructed*;
- (d) the *owner* must provide evidence to the *building official* showing that the person applying for the *building permit* is either the *owner* of the parcel that is the subject of the proposed *building permit*, or is the *agent* of the *owner*;
- (e) if the parcel that is the subject of the *building permit* application is not intended to be connected to the District's sewage disposal system, the *owner* must apply for and obtain approval from the applicable public authorities for an alternate *private sewage disposal system*; and
- (f) if the parcel that is the subject of the *building permit* application is not intended to be connected to the District's waterworks system, the *owner* must apply for and obtain approval from the applicable public authorities for an alternate water supply system.

Building Permit Applications for Complex Buildings

10.2 An application for a *building permit* with respect to a *complex building* must:

- (a) submit a building permit application signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (b) be accompanied by the *owner's* acknowledgement of responsibility and undertaking and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application including covenants, if more than 3 covenants on title a covenant summary must be provided;

- (d) include a *building code* compliance summary including the applicable edition of the *building code*, such as Division B Part 3 or Division B Part 9 designation, *major occupancy* classification(s) of the *building*, *building area* and *building height*, number of streets the *building* faces, accessible entrances, work areas, washrooms, firewalls and facilities;
- (e) include a copy of a survey plan prepared by a British Columbia land surveyor;
- (f) include a site plan prepared by a *registered professional* showing:
 - i. the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - ii. the legal description and civic address of the parcel;
 - iii. the location and dimensions of *existing* and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
 - iv. the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
 - v. setbacks to the natural boundary of any lake, swamp, pond, watercourse, or sensitive area;
 - vi. north arrow;
 - vii. location of an approved *existing* or proposed private or other alternative sewage disposal or water supply system;
 - viii. zoning compliance summary;
 - ix. the location, dimensions and gradient of parking and parking access;
 - x. proposed and *existing* setbacks to property lines;
 - xi. natural and finished grade at *building* corners and significant breaks in the building plan and proposed grade around the business faces in order to ascertain *foundation* height;
 - xii. first storey floor elevation;
 - xiii. location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;

- xiv. line of upper floors;
- xv. location and elevation of curbs, sidewalks, manholes, and service poles;
- xvi. location of *existing* and proposed service connections;
- xvii. location of top bank and water courses;
- xviii. access routes for fire-fighting;
- xix. accessible paths of travel from the street to the *building*;
- xx. geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the District's land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation,
- xxi. Storm water management plan

except that the *building official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building* or *structure*;

- (g) include floor plans showing the dimensions and uses and *occupancy classification* of all areas, including: 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; fire separations; plumbing fixtures; structural elements; and stair and corridor dimensions;
- (h) include a cross-section through the *building* or *structure* in sufficient detail and locations to illustrate *foundations*, drainage, ceiling heights and constructions systems;
- (i) include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, natural and finished grade, spatial separations, ridge height and building height as per the District's Zoning Bylaw as amended from time to time;
- (j) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *building code*;

- (k) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal *permits*, highway access *permits* and ministry of health approvals;
- (l) include a letter of assurance in the form of Schedule A referred to in section 2.2.7 of Division C Part 2 of the *building code*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*;
- (m) include letters of assurance in the form of Schedule B referred to in section 2.2.7 of Division C Part 2 of the *building code*, each signed by such *registered professionals* as the *building official* or *building code* may require to prepare the design for and conduct *field reviews* of the construction of the *building* or *structure*;
- (n) include two sets of drawings at a suitable scale of the design prepared by each *registered professional* containing the information set out in (g) to (j) of this section and one digital copy; and
- (o) include illustration of any slopes on the subject parcel that exceed 30%.

10.3 In addition to the requirements of section 10.2 of this bylaw, a *building official* may require the following to be submitted with a *permit* application for the construction of a *complex building* if the complexity of the proposed *building* or *structure* or siting circumstances warrant

- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the District's subdivision and development servicing bylaw as amended from time to time;
- (b) a section through the site showing grades, *buildings*, *structures*, parking areas and driveways; and
- (c) any other information required by the *building official* or the *building code* to establish substantial compliance with this bylaw, the *building code* and other bylaws and enactments relating to the *building* or *structure* as amended from time to time.

Building Permit Applications for Simple Buildings

10.4 An application for a *building permit* with respect to a *simple building* must

- (a) be submitted with a Building Permit application and signed by the *owner*, or a signing officer if the *owner* is a corporation;

- (b) be accompanied by the *owner's* acknowledgment of responsibility and undertaking and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application including covenants, if more than 3 covenants include a covenant summary;
- (d) include a copy of a survey plan prepared by a British Columbia land surveyor except that the *building official* may waive the requirement for a survey plan, in whole or in part, where conditions warrant;
- (e) include a site plan showing
 - i. the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - ii. the legal description and civic address of the parcel;
 - iii. the location and dimensions of *existing* and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
 - iv. the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
 - v. setbacks to the natural boundary of any lake, swamp, pond or watercourse;
 - vi. north arrow;
 - vii. location of an approved *existing* or proposed alternative private or other sewage disposal or water supply system;
 - viii. the location, dimensions and gradient of parking and parking access;
 - ix. proposed and *existing* setbacks to property lines;
 - x. natural and finished grade at *building* corners and datum determination points as defined in the Zoning Bylaw as amended from time to time;
 - xi. main floor elevation;

- xii. location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
- xiii. line of upper floors;
- xiv. location and elevation of curbs, sidewalks, manholes and service poles;
- xv. location of *existing* and proposed service connections;
- xvi. location of top bank and water courses; and
- xvii. the geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the District's land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation,
- xviii. storm water management plan

except that for a *simple building* the *building official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building* or *structure*;

- (f) include floor plans showing the dimensions and uses of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
- (g) include a cross-section through the *building* or *structure* illustrating *foundations*, drainage, ceiling heights and construction systems;
- (h) include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, the *building height* base line, the maximum *building height* line, ridge height, spatial separations and natural and finished grade;
- (i) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *building code*;
- (j) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal *permits*, highway access *permits* and ministry of health approvals;

- (k) except for garages, carports and garden structures located on land zoned for single family use, include a *foundation* and *excavation* design prepared by a *registered professional* in accordance with section 4.2 of Division B Part 4 of the *building code*, accompanied by letters of assurance in the form of Schedule B referred to in section 2.2.7 of Division C Part 2 of the *building code*, signed by the *registered professional*;
- (l) include a geotechnical report if the *building official* determines that the site conditions so warrant; and
- (m) include two sets of drawings and one digital copy at a suitable scale of design.

Survey Required for Building Permit Application

10.5 Without limiting sections 10.2(e) or 10.4(d) of this Part, the *building official* may in writing require an *owner* to submit an up-to-date plan of survey prepared by a registered British Columbia land surveyor which contains sufficient information respecting the site and location of any *building* to

- (a) establish, before *construction* begins, that all the provisions of this bylaw in relation to this information will be complied with;
- (b) verify, on completion of the *construction*, that all provisions of this and other applicable bylaw have been complied with;
- (c) in relation to an *existing building*, substantiate its location, size, including appurtenances whether above, at or below ground level, relative to the site or its relationship to neighbouring grades; and
- (d) in relation to *construction* of a new *building*, or *addition* to an *existing building*, prior to and after the placement of concrete for *foundations* and footings, show the *elevation* at proposed top of concrete on all *building* elevations and at all significant changes of elevation to substantiate its size, location and elevation,

and every person served with a written requirement under this section must comply with the requirement.

Building Permit Fee

10.6 In addition to applicable fees and charges required under other bylaws, a permit fee, calculated in accordance with the Fees & Charges Bylaw as amended from time to time, shall be paid in full prior to issuance of any permit under this bylaw.

- 10.7 An application made for a building permit shall be accompanied by the appropriate plan-processing fee as set out in the Fees & Charges Bylaw as amended from time to time.
- a) An application shall be cancelled and the plan-processing fee forfeited if the permit fee is not paid within 60 calendar days of the date of written notification to the *owner* that the permit is issued.
 - b) When an application is cancelled the plans and related documents submitted with the application may be destroyed.
- 10.8 Where, due to non-compliance with this bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in the Fees & Charges Bylaw, as amended from time to time, shall be paid prior to additional inspections being performed.

Expiration of Application for a Permit

- 10.9 A complete application accepted by the District shall expire and the application process shall terminate upon (Amended as per Bylaw 2896):
- (a) 90 days after the building official requests supplementary information required to continue processing the application and all of the requested information is not provided by the applicant (unless the building official at their discretion extends the 90 days in writing);
 - (b) 90 days after the building official requests necessary revisions required to continue processing the application and all of the requested revision information is are not provided by the applicant (unless the building official at their discretion extends the 90 days in writing); or
 - (c) 90 days after the building official notifies the applicant that the permit is ready for issuance.
- 10.10 If:
- (a) a completed application in compliance with this bylaw, including all required supporting documentation, has been submitted;
 - (b) the *owner* has paid all applicable fees set out in the Fees & Charges bylaw as amended from time to time;

- (c) the *owner* or his or her representative has paid all charges, outstanding municipal fines, and met all requirements imposed by any other statute or bylaw as amended from time to time;
- (d) the *owner* has retained a professional engineer or geoscientist if required under this bylaw or by the provisions of the *Engineers and Geoscientists Act*;
- (e) the *owner* has retained an architect if required by the provisions of the *Architects Act*; and
- (f) no covenant, agreement, resolution or regulation of the District requires or authorizes the *permit* to be withheld,

the *building official* must issue the *permit*, for which the application is made, and the date of approval is deemed to be the date the District notifies the *owner* that the *permit* is ready to be picked up by the *owner*. The date of issuance is deemed to be the date that the permit is paid for and received by the owner (amended as per Bylaw 2896).

Compliance with the *Homeowner Protection Act and Regulations*

10.11 If the application is in respect of a *building* that includes, or will include, a *residential occupancy*, the *building permit* must not be issued unless the *owner* provides evidence under the *Homeowner Protection Act and Regulations*, that the proposed *building*:

- (a) is covered by home warranty insurance; and
- (b) the *constructor* is a licensed “residential builder” or “owner builder” as defined in that Act.

10.12 Section 10.11 of this Part does not apply if the *owner* is not required to be licensed and to obtain home warranty insurance in accordance with the *Homeowner Protection Act and Regulations*.

10.13 Every *permit* is issued subject to the *owner* and *constructor* maintaining compliance with the *Homeowner Protection Act and Regulations* and negotiations under it during the term of the permit.

Partial Construction

10.14 If a site has been *excavated* under a *building permit* for *excavation* issued under this bylaw and a *building permit* is not subsequently issued or a subsisting *building permit* has expired, but without the construction of the *building* or *structure* for which the *building permit* was issued having commenced, the *owner* must fill in the *excavation* to restore the original gradients of the site within 60 days of being served notice by the District to do so.

- 10.15 If a *building permit* has expired and partial construction has progressed, with no extension requested of the *building official*, permanent type fencing with privacy screen complying with the District's Zoning Bylaw as amended from time to time, must be erected around the *building* site for protection to the public.

Conditions of a Building Permit

- 10.16 A *building permit* or an application for a *building permit* that is in process may not be transferred or assigned until the *owner* has notified the *building official* in writing and the *building official* has authorized the transfer or assignment in writing. The transfer or assignment of a *building permit* is not an extension of a *building permit*.
- 10.17 The review of plans and supporting documents and issuance of a *building permit* do not prevent the *building official* from subsequently requiring the correction of errors in the plans and supporting documents, or from prohibiting work from being carried on pursuant to the *permit* or from prohibiting occupancy of a *building* where the plans, the supporting documents, the work or the *occupancy* are in violation of this or another bylaw as amended from time to time.
- 10.18 The *building official* may refuse to issue a *permit* when the *owner* of the property has been notified of a violation of this bylaw about the construction of another *building* or *structure* by the *owner* of that property.

Inspections

- 10.19 If a *registered professional* provides letters of assurance in accordance with this Part, the District will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw as assurance that the construction substantially conforms to the design, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety or *protection*.
- 10.20 A *building official* may attend the site from time to time during the course of construction to ascertain that the *field reviews* are taking place and to monitor the *field reviews* undertaken by the *registered professionals*.
- 10.21 A *building official* may attend periodically at the site of the construction of *simple buildings* or *structures* to ascertain whether the work is being carried out in substantial conformance with the *building code*, this bylaw and any other applicable enactments concerning safety.

10.22 For all work in respect of *simple buildings* the *owner* must give at least 48 hours' notice to the District when requesting an inspection and must obtain an inspection and receive a *building official's* written acceptance of the following aspects of the work prior to concealing them:

- (a) after demolition, the grading of and removal of debris from the site;
- (b) *foundation* and footing forms, before concrete is poured;
- (c) installation of plumbing located below the finished slab level;
- (d) the preparation of ground, including ground cover when required, perimeter insulation on inside of concrete *foundation* walls and reinforcing steel;
- (e) after installation of hydronic heating pipes and below slab insulation;
- (f) installation of rough-in plumbing before it is covered;
- (g) installation of *building* services before being covered;
- (h) framing and sheathing prior to the installation of insulation, interior finishes, sheathing paper or exterior finishes which would conceal such work;
- (i) insulation and vapour barrier;
- (j) *construction* of an exterior deck if the deck serves as a roof;
- (k) on-site *constructed* tubs or showers and tub or shower trap tests;
- (l) the *health and safety aspects of the work* when the *building* or *structure* is substantially complete, ready for *occupancy* but prior to *occupancy*.

10.23 A *building official* will only carry out an inspection under section 10.22:

- (a) if the *owner* or the *owner's agent* has requested the inspection in accordance with this bylaw.

10.24 Despite the requirement for the *building official's* acceptance of the work, if a *registered professional* provides letters of assurance, the District will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw as assurance that the aspects of the construction referenced by those letters of assurance substantially conform to the *design*, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety.

- 10.25 No person may conceal any aspect of the work referred to in section 10.22 of this bylaw until a *building official* has *accepted* it in writing.
- 10.26 For work in respect of *complex buildings*, the *owner* must:
- (a) give at least 48 hours' written notice to the District when requesting a preconstruction meeting with the *building official* prior to the start of construction, and the *owner* or his or her representative must ensure that the *coordinating registered professional*, the *constructor*, as well as representatives of major trades, are in attendance;
 - (b) give at least 48 hours' written notice to the District when requesting a pre-occupancy coordinated site review coordinated by the *coordinating registered professional* or other *registered professional* to have the *owner*, the *constructor* and the *registered professionals* demonstrate to the *building official* and Fire Services the compliance with *the health and safety aspects of the work*, the coordination and integration of the fire and life safety system, applicable District requirements and other enactments respecting safety; and
 - (c) cause the *coordinating registered professional*, at least 48 hours prior to the pre-occupancy coordinated site review coordinated by the *coordinating registered professional*, to deliver to the *building official* the Confirmation of Required Documentation, complete with all documentation in a hard covered three ring binder and in digital pdf format on a memory stick.

Stop Work Order

- 10.27 The building official may direct the immediate suspension or correction of all or a portion of the construction on a building or structure by attaching a stop work order notice on the premises whenever it is found that the work is not being performed in accordance with the requirements of the building code, any applicable bylaw of the District, as amended from time to time, or the provisions of the Homeowner Protection Act and regulations or if there are outstanding fees and or charges payable to the District by the owner (amended by Bylaw 2896).
- 10.28 The *coordinating registered professional* may request, in writing, that the *building official* order the immediate suspension or correction of all or a portion of the construction on a *building* or *structure* by attaching a stop work order notice on the premises. The *building official* must consider such a request and, if not acted upon, must respond, in writing, to the *coordinating registered professional* and give reasons.

10.29 If a *registered professional's* services are terminated, the *owner* must immediately stop any work that is subject to his or her *design* or *field review* and the *building official* is deemed to have issued a stop work.

10.30 The *owner* must immediately, after the posting of a notice, secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of every statute, regulation or order of the Province or of a provincial agency and of every applicable bylaw of the District as amended from time to time.

10.31 No work other than the required remedial measures may be carried out on the parcel affected by the notice until the stop work order notice has been removed by the *building official*.

10.32 The notice must remain posted on the premises until that which is contrary to the enactments has been remedied and notice has been rescinded in writing by the *building official*.

Do Not Occupy Notice

10.33 If a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of this bylaw, a *building official* may post a Do Not Occupy Notice on the affected part of the *building* or *structure*.

10.34 If a notice is posted, the *owner* of a parcel on which a Do Not Occupy Notice has been posted, and every other person, must cease *occupancy* of the *building* or *structure* immediately and 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 a *building official*.

Permit Expiration

10.35 Every *permit* is issued on the condition that the *permit* expires and the rights of the *owner* under the *permit* terminate if

- (a) the work authorized by the *permit* is not commenced within 180 days from the date of issuance of the *permit*;
- (b) work is discontinued for a period of 180 days; or
- (c) the work is not completed within three years of the date of issuance of the *permit*.

Permit Extension

10.36 A *building official* may extend the permit once up to 180 days if construction has not been commenced or has been discontinued due to adverse weather, strikes, material or labour shortages, other similar hardship beyond the owner's control, or if the size and complexity of the construction warrants, if (amended by Bylaw 2896)

- (a) application for the extension is made in writing to the building official; and
- (b) the non-refundable fee has been paid. These fees may be reduced based on a limited scope of construction work remaining and a limited amount of work required of District staff, and then only with the agreement of both the relevant Director and General Manager.

Building Permit Revocation

10.37 The *building official* may revoke a *building permit* if there is a violation of

- (a) a condition under which the *permit* was issued; or
 - (b) a requirement of the *building code* or of this or another bylaw of the District,
- such *permit* revocation must be in writing and sent to the *permit* holder.

Building Permit Cancellation

10.38 A *building permit*, or a *building permit* application, may be cancelled by the *owner*, or his or her *agent*, on delivery of written notification of the cancellation to the *building official*.

10.39 On receipt of the written cancellation notice, the *building official* must mark on the application, and a *permit* if applicable, the date of cancellation and the word "cancelled".

10.40 If the *owner*, or his or her *agent*, submits changes to an application after a *permit* has been issued and the changes, in the opinion of the *building official*, substantially alter the scope of the work, design or intent of the application in respect of which the *permit* was issued, the *building official* may cancel or amend the *permit* and mark on the *permit* the date of cancellation or amendment and the word "cancelled" or "amended".

Occupancy Permit

10.41 No person may occupy a *building* or *structure* or part of a *building* or *structure* until a final report authorizing *occupancy* has been issued by a *building official*.

10.42 A final report authorizing *occupancy* and *occupancy permit* will not be issued unless:

- (a) A pre-occupancy meeting with a *building official* has taken place;

- (b) all letters of assurance and field reviews have been submitted when required in accordance with this bylaw;
- (c) all aspects of the work requiring inspection and acceptance pursuant to this bylaw have both been inspected and *accepted* or the inspections and acceptance are not required in accordance with this bylaw;
- (d) the *owner* has provided to the District a *building* survey prepared by a British Columbia Land Surveyor showing the *building height* determined in accordance with the District's land use regulations, unless waived by a *building official*;
- (e) all other documentation required under applicable enactments in relation to gas and electrical matters has been delivered to the District; and
- (f) the *owner* has delivered to the District as-built drawings of the *building* or *structure* and works and *services* in digital format as required by the District.

10.43 When a *registered professional* provides letters of assurance in accordance with this bylaw, the District will rely solely on the letters of assurance when issuing a final report authorizing *occupancy* as assurance that the items identified on the letters of assurance substantially comply with the *building code*, this bylaw and other applicable enactments respecting safety.

10.44 A *building official* may issue a final report authorizing *occupancy* for part of a *building* or *structure* when the part of the *building* or *structure* is self-contained and provided with essential services and the requirements set out in section 10.42 of this Part have been met with respect to it.

10.45 A *building official* may issue an *occupancy permit* for partial *occupancy* of a portion of a *building* or *structure* under construction when that portion of the *building* or *structure* is self-contained and provided with essential services respecting life, *health and safety*.

Sanitary Facilities (Amended as per Bylaw 2896)

10.46 During the time a building permit has been issued and remains valid under this bylaw, the owner must provide on the parcel of land in respect of which the permit has been issued, sanitary facilities for the disposal of human waste from individual persons who enter on the parcel in relation to the work referred to in the permit. These facilities must be accessible and unlocked while work is being carried out and must be provided, at all times the facility is required under this bylaw, with toilet paper, a locking door for privacy, and ventilation, and must be kept in sanitary condition without leaking beyond the facility and without overflowing within the

facility. Such facilities must be located so as not to create a nuisance to neighbouring parcels or highways.

Part 11: RETAINING WALLS (Amended as per Bylaw 2587, 2018)

- 11.1 No person may construct, or structurally repair, a *retaining wall* over 1.22 meters without a *building permit*.
- 11.2 A *registered professional* shall undertake the design and conduct *field reviews* of the construction of a retaining structure 1.22 meters or more in height. Sealed copies of the design plan and *field review* reports prepared by the *registered professional* for all retaining structures 1.22 meters or more in height shall be submitted to a *building official* prior to acceptance of the works.
- 11.3 Except as certified by a professional engineer with expertise in geotechnical engineering registered in the province of British Columbia, fill material placed on a parcel, unless restrained by permitted *retaining walls*, must not have a surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally.

Part 12: SITE GRADING AND DRAINAGE (Amended as per Bylaw 2587, 2018)

- 12.1 The *owner* of land on which a *building* or *structure* is being constructed must control site drainage such that other sites are not impacted and in particular:
 - a) each lot must be graded to drain into a municipal drainage system or a natural watercourse without draining onto adjacent lots;
 - b) areas adjacent to *buildings* shall be graded away from the foundations to prevent flooding;
 - c) lots lower than adjacent roadways must be provided with storm water management facilities to direct storm runoff to a drainage system approved by a *building official*; and
 - d) in the case of storm runoff not directed to a municipal drainage system, storm runoff may occur to a natural watercourse by means of sheet flow only, and not by means of swales or pipes or any other artificial means.

Part 13: BUILDING MOVE (Amended as per Bylaw 2587, 2018)

- 13.1 No person may move a *building* or *structure* into or within the District:

- (a) except where certified by a *registered professional* that the *building* or *structure*, including its *foundation*, will substantially comply with the current version of the *building code*; and
- (b) a *building permit* has been issued for the *building*.

Part 14: NUMBERING OF BUILDINGS (Amended as per Bylaw 2587, 2018)

- 14.1 Immediately upon issuance of a *building permit* governing the *construction*, *alteration* or repair of a *building*, or prior to and during the *occupancy* of a *building*, the *owner* or occupant must display the address number assigned to it by the District:
 - (a) on or over the entrance to the *building* or where landscaping or *structures* obscure the visibility of a *building* entrance from the street, on the *building* property within sight of the street; and
 - (b) until such time as the *building* is removed from the site or has been demolished.
- 14.2 The District's Director of Engineering may renumber or alter the assigned numbers in respect of any *building* on any parcel, including those already in existence or numbered.
- 14.3 The *owner* or occupier must post the number or numbers in the form of a permit placard on the site immediately after obtaining the *building permit* and keep the numbers posted in a conspicuous location at all times during construction.
- 14.4 Without limiting sections 14.1 through 14.3 of this Part, on issuance of an *occupancy permit*, the *owner* or occupier of the parcel must affix the numbers permanently in a conspicuous place on the *building* such that the number is visible from an adjacent highway that is not a lane.

Part 15: POOLS (Amended as per Bylaw 2587, 2018)

Swimming Pool Permit and Fencing

- 15.1 Unless it is a product intended to be set up and taken down seasonally a person must not construct, or structurally repair, a swimming pool without a valid building permit (Amended as per Bylaw 2986).
- 15.2 A swimming *pool*, including a spa or hot tub must be enclosed within a fence constructed without footholds or grips that children may use to climb into the

enclosed area, having a minimum height of 1.22 metres and no openings greater than 100 mm at their least dimension.

- 15.3 Pool plumbing shall be so arranged that pool water cannot enter any water supply line and, once having been drained from the pool, cannot be returned to the pool without filtering, and so that sewage from any sanitary sewer or sewage disposal system cannot enter the pool or the pool filtering system. Pool wastewater shall be drained to a sanitary sewer system.
- 15.4 In addition to information otherwise required by this bylaw, an applicant for a permit to construct a pool shall provide a scaled plan showing the location, enclosure details, depth and dimensions of the pool and its structural details, and all water supply piping, waste piping and appurtenances.

Pool Gate

- 15.5 Access through a fence enclosing a swimming pool, spa or hot tub must be only through a self-closing and self-latching gate designed and constructed or installed so as to cause the gate to return to a closed position when not in use and secured by a latch located on the swimming pool, spa or hot tub side of the gate.

Spa or Hot Tub Lid

- 15.6 In lieu of a fence, a spa or hot tub may be covered with a locking cover, which would prevent unauthorized access to the water.

Maintenance

- 15.7 A person may not use or *occupy* a swimming *pool*, including a spa or hot tub unless the *owner* or *occupier* of property on or in which a *pool*, spa or hot tub is located maintains every fence or cover required under sections 15.2 to 15.6 of this Part 15 in good order. Without limitation, maintains and repairs in good order at all times all sagging gates, loose parts, torn mesh, missing materials, worn latches, locks or broken or binding members.

Leaks or Other Failures

- 15.8 A person may not obtain a valid and subsisting *building permit* for or use or *occupy* a swimming *pool* without first delivering to the *building official* at the time of the *building permit* application an opinion of a *registered professional* that the *design* of the *pool* will not cause or result in leaks or other failures of the *pool*.

Part 16: FIRE SUPPRESSION SYSTEMS (Amended as per Bylaw 2587, 2018)

- 16.1 *Fire suppression systems* must be installed in all two family dwellings, townhouse dwellings and apartment dwellings, as defined in the Zoning Bylaw of the District as amended from time to time, for which a building permit application is made after the date of enactment of this bylaw.
- 16.2 *Fire suppression systems* must be installed in all two family dwellings, townhouse dwellings and apartment dwellings, as defined in the Zoning Bylaw of the District as amended from time to time, where all additions, repairs or structural alterations made or proposed to be made in any period of 24 consecutive months after the date of enactment of this bylaw add 50 square meters or more to the floor area of any individual dwelling unit within the building existing on the date on which the building permit application is made.
- 16.3 *Fire suppression systems* must be installed in all detached portable classrooms and auto body shops in which spray coating operations are conducted, for which a building permit application is made after the date of enactment of this bylaw.
- 16.4 *Fire suppression systems* must be installed in all single family dwellings for which a building permit application is made after the date of enactment of this bylaw, where an adequate water supply for firefighting as referenced by the Fire Underwriters Survey Guide, "Water Supply for Public Fire Protection", or National Fire Protection Association 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting" is not available, and the Fire Chief requires such installation.
- 16.5 A registered professional shall prepare the design of every *fire suppression system*, including modifications to existing systems, except for:
 - a) modifications to existing systems involving the relocation or addition of less than six sprinkler heads, in which case the requirement for *professional design* and *field review* may be waived by the *Chief Building Official*.
- 16.6 All *fire suppression systems* shall be installed in accordance with the National Fire Protection Association standards, the *Building Code* and any other applicable enactment by a person who possesses a British Columbia tradesman's qualification certification as a plumber or certified sprinkler installer.
- 16.7 Where *residential occupancies* occur in combination with other *occupancies*, and the *Building Code* does not require the *building* to be equipped with a *fire suppression system*, only the residential portions of the *building* must comply with this Part 16.

Part 17: ENERGY AND ZERO CARBON STEP CODE (BYLAW 3090,2024)

- 17.1 In relation to the conservation of energy and the reduction of greenhouse gas emissions, the District may reference and implement, in whole or in part, the Energy And Zero Carbon Step Code.
- 17.2 When an application is also subject to a restrictive Section 219 No-Gas Covenant registered on the title of the subject property, no additional assessments under the Zero Carbon Step Code are required for those portions of the building that are subject to the Covenant.
- 17.3 **Energy Step Code Requirements:**
- a) Any residential building regulated by Part 9 of the Building Code and over 1,000 square feet in gross floor area containing only two principal dwellings (with or without a Secondary Suite) or one principal dwelling (with or without a Secondary Suite) must be designed and constructed to meet the minimum performance requirements specified in Step 4 of the Energy Step Code.
 - b) Any residential building regulated by Part 9 of the Building Code containing three principal dwellings or more must be designed and constructed to meet the minimum performance requirements specified in Step 3 of the Energy Step Code
 - c) Any residential building regulated by Part 3 of the Building Code must be designed and constructed to meet the minimum performance requirements specified in Step 3 of the Energy Step Code.
 - d) Any commercial buildings regulated by Part 3 and/or Part 9 of the Building Code must be designed and constructed to meet the performance requirements specified in Step 2 of the Energy Step Code.
- 17.4 **Zero Carbon Step Code Requirements:**
- a) Any residential or commercial building regulated under Part 9 and/or Part 3 of the Building Code must be constructed to meet the minimum performance requirements specified in Step 4 of the Zero Carbon Step Code.

Part 18: CERTIFIED PROFESSIONAL PROGRAM (Added by Bylaw 2896)

- 18.1 The Chief Building Official may accept a building permit application under the Certified Professional Program, provided that:

- a) the Building documents and plans have been reviewed by the Certified Professional for compliance with requirements of Division A, Division B, Parts 1 and 3 and Division C of the Building Code, relevant bylaws and other applicable enactments, and
- b) the Building Permit application has been prepared in accordance with the Certified Professional Program Manual and includes all required Letters of Assurance, any required confirmations with respect to the development, and certification of the Building Code, coordination.

18.2 A Certified Professional providing the Building Official with Letters of Assurance, must also provide proof of insurance in an amount and form satisfactory to the Building Official.

18.3 The Chief Building Official may refuse to accept a building permit application or refuse to issue a building permit under the Certified Professional Program, provided that Certified Professional:

- a) is no longer licensed as a Registered Professional in the Province of British Columbia,
- b) submits any required documentation, which is in any way inaccurate or misleading,
- c) fails to disclose in a timely manner to the Building Official any significant variation or change to the design or Construction of a Building, or
- d) fails to satisfactorily perform any duties or obligations required by this Bylaw or other applicable enactments.

18.4 A Certified Professional must, in respect of the development for which a Building Permit was issued under the Certified Professional Program and in addition to any other applicable responsibilities:

- a) review, in advance of any tenant improvement Building Permit application, any tenant improvement work constructed prior to substantial completion of the shell of the Building,

- b) review for adequacy and acceptability, any report concerning testing and Field Reviews related to the development and maintain a detailed record of such reports and, if requested, make these available to the Building Official,
- c) advise the Building Official promptly, in writing, if any matter of design, Construction or Field Review does not meet the requirements of the Building Code, this Bylaw and/or other applicable enactments, and
- d) at least once every 30 days from the date of issuance of a Building Permit, submit to the Building Official a written progress report together with copies of the Field Review reports from each Registered Professional involved in the development.

18.5 The Building Official may post a Stop Work notice or revoke a Building Permit under the Certified Professional Program in any of the following circumstances:

- a) if the Certified Professional ceases to be retained by the Owner, resigns or is otherwise unable or unwilling to carry out Field Reviews or other duties related to the development for which a Building Permit was issued under the Certified Professional Program;
- b) pursuant to paragraph (a), under such circumstances the Certified Professional must promptly notify the Building Official in writing of the date upon which they will cease to be involved;
- c) if the Certified Professional is no longer licensed as a Registered Professional in the Province of British Columbia;
- d) if the Certified Professional fails to perform any of their duties or obligations under this Bylaw; or
- e) if a document required by this Bylaw or under the Certified Professional Program is not delivered by the Certified Professional within the time frame specified in this Bylaw.

18.6 Where a Building Permit is revoked pursuant to Section 13.5, only work necessary, as authorized by the Building Official to remove any hazards or to mitigate Damage arising from exposure to the elements, must be undertaken

on the development unless otherwise specifically authorized by the Building Official.

18.7 Work on the development must not resume until the Building Official has received written notice from a Certified Professional that the Certified Professional

- a) has been retained by the Owner for the continuation of Construction of the Building,
- b) has reviewed the Building and certifies that the Building, as constructed up to that point, substantially complies with the Building Code, this Bylaw and other applicable enactments, and has been constructed in accordance with the approved plans, and
- c) will carry out the duties of the Certified Professional that are required in order to bring the Building to completion and to certify substantial compliance with the Building Code, this Bylaw and other applicable enactments and that Construction will be in accordance with the previously approved plans.

18.8 Nothing herein contained must in any way relieve the Owner, or the Certified Professional of record for the development, from full responsibility for ensuring that the Building or Structure is in substantial compliance with the Building Code, this Bylaw and other applicable enactments.

18.9 Where the Building Official accepts a Building Permit application and Letters of Assurance from a Certified Professional for a development, the Building Official will rely on the certifications issued by the Certified Professional and other Registered Professionals, that the drawings will meet the requirements of the Building Code.

Part 19: EQUIVALENTS (Amended as per Bylaw 2587, 2018)

- 19.1 The provisions of this bylaw are not intended to limit the appropriate use of materials, equipment or methods of construction. An *owner* who wants to use an equivalent material, equipment, or method of construction not specifically described

in this bylaw or the *Building Code* shall submit to a *building official* sufficient evidence to demonstrate that the proposed equivalent will provide the level of performance required by this bylaw and the *Building Code*.

- 19.2 The evidence shall be in the form of a report from an engineer, architect or other certified code specialist, and in addition to the information and arguments presented to support the equivalency proposal, shall state:
- a) The name of the *owner*, and the name and address of the construction project;
 - b) The background of the individual or firm proposing the equivalency and their qualifications and experience in the field;
 - c) The sections of this bylaw or the *Building Code* for which the equivalency is sought;
 - d) That the author of this report is a qualified professional registered to practice in British Columbia and is providing a Schedule B and Letters of Assurance to the *Building Code* in respect of the design of the *building* or *structure*, and will provide the Schedule C-B on completion of the work.
- 19.3 Equivalency reports are to be accompanied by the fee for their review as set out in the Fees & Charges Bylaw as amended from time to time.

Part 20: OFFENCES VIOLATIONS (Amended as per Bylaw 2587, 2018)

- 20.1 Without limiting Part 4 of this bylaw, every person who:
- (a) violates a provision of this bylaw;
 - (b) *permits*, suffers or allows any act to be done in violation of any provision of this bylaw; and
 - (c) neglects to do anything required to be done under any provision of this bylaw,
- commits an offence and on summary conviction by a court of competent jurisdiction, the person is subject to a fine of not more than \$10,000.00, in addition to the costs of prosecution. Each day during which a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.
- 20.2 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.

- 20.3 Every person who commences work requiring a *building permit* without first obtaining such a *permit* must, if a Stop Work notice is issued and remains outstanding for 30 days' pay an additional charge as per Fees & Charges Bylaw as amended from time to time.

Deemed Offence

- 20.4 An owner is deemed to be liable under this bylaw in respect of any construction on the parcel the owner owns and any change in the use, occupancy or both of a building or structure or part of a building or structure on that parcel and each calendar day that the non-compliance exists or continues shall be deemed to constitute a separate offense. (As amended by Bylaw 2896)
- 20.5 No person is deemed liable under section 20.4 of this Part who establishes, on a balance of probabilities, that the construction or change of use or *occupancy* occurred before he or she became the *owner* of the parcel.
- 20.6 Nothing in section 20.6 of this Part affects:
- (a) the District's right to require and the *owner's* obligation to obtain a *permit*; and
 - (b) the obligation of the *owner* to comply with this bylaw.

Part 21: INTERPRETATION DEFINITIONS (Amended as per Bylaw 2587, 2018)

- 21.1 In this bylaw:

accepted means reviewed by the *building official* under the applicable provisions of the *building code* and this bylaw;

addition means an *alteration* to any building which will increase the total aggregate floor area or the *building height* (in storeys), and includes the provision of two or more separate *buildings* with openings between each other for intercommunication;

agent includes a firm, corporation or other person representing the *owner*, by written designation or contract, and includes a hired tradesperson or *constructor* who may be granted a *permit* for work within the limitations of his or her licence;

alternative solution means an alternative solution authorized under the *building code*;

alteration means a change, repair or modification of the *construction* or arrangement of or use of any *building* or *structure*, or to an *occupancy* regulated by this bylaw;

Architects Act means the *Architects Act* RSBC 1996, c. 17;

building code means the *British Columbia Building Code* as adopted by the Minister responsible under provincial legislation, as amended or re-enacted from time to time;

building official includes a *chief building official*, *building* inspector, or plan checker designated or appointed by the District;

chief building official means the person designated in or appointed to that position by the District, and any person named by the Council to act in place of the *chief building official*;

complex building means a *building* categorized as a Part 3 *building* under the *building code*.

coordinating registered professional means a *registered professional* retained pursuant to the *building code* to coordinate all design work and field reviews of the *registered professionals* required for a development;

construct includes build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, *excavate* or shore;

constructor means a person carrying out *construction*;

Engineers and Geoscientists Act means the *Engineers and Geoscientists Act* RSBC 1996, c. 116;

existing, in respect of a *building*, means that portion of a *building constructed* prior to the submission of a *permit* application required under this bylaw;

foundation means a system or arrangement of *foundation* units through which the loads from a *building* are transferred directly to supporting soil or rock;

health and safety aspects of the work means design and construction regulated by Parts 3, 4, 7, 8, 9 and 10, of the *building code*;

owner means the registered *owner* in fee simple, or an *agent* duly authorized by the *owner* in writing;

permit means permission or authorization in writing by the *building official* to perform work regulated by this bylaw and, in the case of *occupancy permit*, to occupy a *building* or part of a *building*;

pool means a *structure* or *constructed* depression used or intended to be used for swimming, bathing, wading or diving which is designed to contain water and has a depth, at any point, exceeding 0.6 m, including an in-ground *pool* and excludes hot tubs (amended by Bylaw 2896);

professional design means the plans and supporting documents bearing the date, seal or stamp, and signature of a *registered professional*;

project means any construction operation;

simple building means a *building* categorized as a Part 9 *building* under the *building code*.

structure means a *construction* or portion of *construction*, of any kind, whether fixed to, supported by or sunk into land or water, except landscaping, fences, paving and retaining *structures* less than 1.22 meters in height;

temporary building includes a sales office, construction office or a *structure* in which tools are stored during construction of a *building* or other *structure*;

value of the work means means the fair market value of the work proposed to be undertaken, and includes, without limitation, materials whether donated or purchased, labor whether contracted, volunteered or provided by the owner, design, consulting services, construction management services, construction insurance and contractors profit and overhead.

Value of the work is based upon current estimated appraised value of proposed construction or land improvements which may be calculated using the current edition of the Marshall & Swift (swift estimator) appraisal software and the current version of the Altus Group Canadian Cost Guide or, where such publications are not applicable or where the Owner disputes the estimate established thereunder, they shall at their sole cost retain a Registered Appraiser, with such Registered Appraiser to be to the satisfaction of the Authority Having Jurisdiction to determine the market value for the purpose of calculating permit fees (amended by Bylaw 2986).

In this bylaw the following words and terms have the meanings

(a) set out in section 1.4.1.2 of the *building code* as of the date of the adoption of this bylaw: *assembly occupancy, building, building area, building height, business and personal services occupancy, care occupancy, constructor, coordinating registered professional, designer, detention occupancy, excavation, field review, firewall, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, medium hazard industrial occupancy, mercantile occupancy, occupancy, private sewage disposal system, registered professional, residential occupancy, retaining wall* and *unsafe condition*;

(b) subject to this bylaw, set out in the Schedule to the *Community Charter*: *assessed value, highway, land, occupier, parcel, public authority, service and soil*; and

(c) subject to this bylaw, set out in section 29 of the *Interpretation Act*: *may, must, obligation, person, property, writing, written* and *year*.

21.2 Every reference to this bylaw in this or another bylaw of the District is a reference to this bylaw as amended to the date of the reference.

21.3 Every reference to:

(a) the *building code* is a reference to the current edition; and

(b) a section of the *building code* is a reference to the applicable successor sections,

as the code or section may be amended or re-enacted from time to time.

21.4 Definitions of words and phrases used in this bylaw that are not included in the definitions in this Part have the meanings commonly assigned to them in the context in which they are used in this bylaw, considering the specialized use of terms with the various trades and professions to which the terminology applies.

Appendices

21.5 Forms 1 and 2 are attached to and form part of this bylaw.

Severability

21.6 If a section, subsection, paragraph, subparagraph or phrase of this bylaw is for any reason declared invalid by a court of competent jurisdiction, the decision will not affect the validity of the remaining portions of this bylaw.

Parts 21-33 (Deleted as per bylaw 2587, 2018)

READ A FIRST TIME this 16th day of November, 2004.

READ A SECOND TIME this 16th day of November, 2004.

READ A THIRD TIME this 26th day of July, 2005.

ADOPTED this 2nd day of August, 2005.

Mayor

Clerk

DISTRICT OF SQUAMISH
BUILDING BYLAW 1822, 2004

Appendix "A" – Schedule of Fees

Deleted Appendix "A" per Fees and Charges Bylaw No. 2012, 2007.

District of Squamish Building Bylaw No. 1822, 2004

Form 1

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.

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 District of Squamish 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 District of Squamish has so indicated on this permit, I acknowledge that the District 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 District of Squamish, by issuing this permit or any occupancy permit, makes no representations to me or any other person as to any such compliance.

Name of Registered Owner (please print)

Signature of Registered Owner or
Authorized Signatory of Corporate Owner

Date of Acknowledgement

District of Squamish Building Bylaw No. 1822, 2004

Form 2

Registered Professional's Proof of Insurance

District of Squamish
Box 310
Squamish B.C. V0N 3G0
Attention: Chief Building Inspector

Re: _____ **[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 amount of at least One Million Dollars (\$1,000,000.00), 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 Chief Building Inspector 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

SCHEDULE B
MUNICIPAL TICKET INFORMATION DESIGNATIONS

[Table]

Deleted **Schedule B** as per Municipal Ticket Information Bylaw No. 2309, 2014