

CITY OF GREENWOOD
BYLAW #707

BUILDING BYLAW

A BYLAW TO IMPLEMENT BUILDING REGULATIONS.

WHEREAS under the provisions of Sections 692 to 699 of the *Municipal Act R.S.B.C., 1997, c. 323*, and the regulations thereunder Council may by bylaw implement building regulations;

NOW THEREFORE, the Council of the Corporation of the City of Greenwood, in open meeting assembled, ENACTS AS FOLLOWS:

Citation

1. This bylaw may be cited as "City of Greenwood Building Bylaw #707, 1997".

Definitions

2. In this bylaw, unless the context otherwise requires;
 - (a) "Agent" includes a person, firm, or corporation representing the owner, by designation or contract, and interalia includes a hired tradesman and contractor who may be granted permits for work within the limitations of his license,
 - (b) "Authority having Jurisdiction" means the municipal council and the agent thereof that have authority over the subject that is regulated,
 - (c) "Building" means any structure used or intended for supporting or sheltering any use or occupancy,
 - (d) "Building Code" means the British Columbia Building Code and the Building Regulations of British Columbia made pursuant to the *Municipal Act*,
 - (e) "Building Inspector" means the person or persons appointed from time to time by the Council as Building Inspector and includes deputy and assistant Building Inspector,

- (f) "Construction" means erection, repair, alteration, enlargement, addition, demolition, removal and excavation,
- (g) "Owner" means any person, firm or corporation controlling the property under construction,
- (h) "Mobile Home" means a transportable, factory built, trailer designed and approved by C.M.H.C. to provide year round living accommodation for one family and capable of being connected to service utilities, transported on its own wheels and chassis, capable of being supported on wheels, jacks, posts, piers, or by permanent foundation, and is a minimum of 3.6 meters (12 feet) in width and a maximum 4.5 meters (14.7 feet) in width and contains a minimum gross floor area of 50 square meters (538.2 square feet),
- (i) "Mobile Home Double Wide" means a mobile home which is greater than 4.5 meters (14.7 feet) in width and which consists of two sections, separately towable, but designed to be joined together into one integral unit,
- (j) "Modular Home" means construction in which the superstructure of a building is fabricated fully in a factory, transported to the site and connected together to form a complete building,
- (k) "Permit" means a permit issued pursuant to the provisions of this bylaw by the authority having jurisdiction.

Severability

- 3. If any section, subsection, sentence, clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Bylaw.

Prohibitions

- 4.
 - (1) No person shall commence or continue any work related to building unless he has a valid and subsisting permit issued by the authority having jurisdiction.
 - (2) No person shall occupy or use any building or part thereof contrary to the terms of any permit, notice or certificate given by the authority having jurisdiction.
 - (3) No person shall occupy any building or part thereof before final inspection.
 - (4) No person shall, unless authorized by the authority having jurisdiction, alter, deface, cover, remove or in any way tamper with any notice or certificate posted upon or affixed to any building pursuant to any provisions of the Bylaw.
 - (5) No person shall do nay work that is at variance with the description, plans

and specifications for the building, structure, work or thing which a permit has been issued, unless approved by the authority having jurisdiction.

- (6) No person shall interfere with or obstruct the entry of the authority having jurisdiction acting in the conduct of administration and enforcement of the Bylaw.

Duties

5. The authority having jurisdiction shall;

- (a) administer this Bylaw,
- (b) keep records of any application received, permits and orders issued, inspections and tests made, and shall retain copies of all papers and documents connected with the administration of this Bylaw,
- (c) establish whether or not any method or type of construction or material used in the construction of any building conforms with the requirements and provisions of the Building Code,
- (d) issue occupancy permits as set out in "Appendix "B" or issue final inspection reports in lieu of when he is satisfied construction is in substantial compliance with this Bylaw.

Powers

6. The authority having jurisdiction may;

- (a) ensure that employees or persons charged with administration of this Bylaw carry proper identification,
- (b) enter at all reasonable times, upon any property subject to the regulations of the Council, in order to ascertain whether such regulations or directions are being obeyed,
- (c) direct that tests of materials, devices, construction methods, structural assemblies or foundation conditions be made, or sufficient evidence or proof be submitted, at the expense of the owner, where such evidence or proof is necessary to determine whether the material, devices, and construction of foundation meets the requirements of this Bylaw. The records of such tests shall be kept available for inspection during the construction of the building.
- (d) direct written notice, or by attaching a placard to the premises, the correction of any condition, where in the opinion of the authority having jurisdiction, such condition violates the provisions of this Bylaw, order the cessation of work that is proceeding in contravention of this Bylaw. Any person who fails to obey a Stop Work Order is causing an offense in contravention of this Bylaw.

Permits

7. **Where;**

- (1)
 - (a) an application has been made, and
 - (b) the proposed work set out in the application conforms with this Bylaw and all other applicable Bylaws of the authority having jurisdiction and further, does not contravene any Provincial or Federal Statute, or regulation, and
 - (c) the applicant for a permit has paid the fee prescribed and as set out in "Appendix "A" attached hereto;the authority having jurisdiction may issue the permit for which the application is made.

- (2) Every permit is issued upon the condition that;
 - (a) the work is to be started within six months from the date of issuing the permit;
 - (b) the work is not to be discontinued or suspended for a period of more than one year;
 - (c) the permit shall lapse in the event that either of the conditions in (a) or (b) above are not met;
 - (d) the additional fee as set out in "Appendix "A", shall be paid if the permit is renewed.

- (3) The application referred to in Subsection 7 shall;
 - (a) be made in the form prescribed by the authority having jurisdiction;
 - (b) be signed by the owner;
 - (c) state the intended use of the building;
 - (d) include as exhibits, copies in duplicate of the specifications and scale drawings of the building with respect to which work is to be carried out, showing;
 - (i) dimensions of the building,
 - (ii) the proposed use of each room or floor area,
 - (iii) the dimensions and the legal description of the land on which the building is situated or is to be situated,
 - (iv) the grades and elevations of the streets, and sewers abutting the land referred to in clause 3, when required by the authority having jurisdiction,
 - (v) the position, height and horizontal dimensions of all buildings on the land referred to in clause 3,
 - (vi) a survey of the building site by a British Columbia Land Surveyor, when required by the authority having jurisdiction,
 - (vii) the technical information specified in other parts of this

Bylaw required to be included on the drawings relating to those parts,

- (viii) such other information as is necessary to illustrate all essential features of the design of the building,
- (ix) plot plan showing location of all buildings and their distances from all property lines, other buildings, any water courses or lakes, location of septic tanks and tile field, and location of highway road access.

- (4) When required by the authority having jurisdiction, the application shall also be accompanied by;
 - (a) a plan that shows the locations and sizes of every building drain and of every trap or inspection piece that is on a building drain, and of every soil or waste pipe, trap and vent pipe,
 - (b) the plans and specifications shall be submitted in the form and quantities required by the authority having jurisdiction and shall have this information available for examination and bear the name and address of the designer,
 - (c) contain any and all other information necessary to establish compliance with this Bylaw.

- (5) (a) Every application submitted for a permit to erect a building subject to the provisions of the British Columbia Building Code, and where the building construction is for greater than four units shall conform to the following before a permit is issued:
 - (i) all drawings for the project shall bear the seal and signature of a member of the Architectural Institute of BC and/or Association of Professional Engineers of BC;
 - (ii) the individual drawings shall have the professional seal affixed thereto and shall be qualified as to architectural, structural, civil, mechanical and electrical, so that it is clearly understood which professional disciplines have properly designed and detailed;
 - (iii) a letter shall be provided to the authority having jurisdiction prior to issuing a building permit, certifying that members of the appropriate professional disciplines have been retained to provide professional services during construction;
 - (iv) during construction, copies of inspection reports prepared by the Professional Engineer and/or Architect shall be sent to the authority having jurisdiction if requested.
- (b) The authority having jurisdiction may require of any plans submitted, regardless of building code classifications as to use and occupancy, the seal and signature of a member of the Architectural Institute of BC or the Association of Professional

Engineers of BC before they are accepted for a building permit, if;

- (i) the site conditions require special foundation design, drainage design or other engineering considerations;
- (ii) the proposed building is not of standard wood frame construction;
- (iii) the proposed building or structure is of a category requiring professional design, such as reinforced concrete and masonry, structural steel, heavy timber, tilt up or other special construction.

- (6) The authority having jurisdiction may revoke a permit and issue a "stop work order" where there has been a violation of:
- (a) any condition under which the permit is issued;
 - (b) any provision of the Building Code;
 - (c) any breach of this Bylaw or other applicable Bylaws of the authority having jurisdiction.

The revocation and "stop work order" shall be in writing and shall be transmitted to the holder of the permit by registered mail and shall be deemed to have been received by the permit holder three (3) days after posting.

- (7) The authority having jurisdiction may issue a permit for the construction of a phase of a building before the plans and specifications for 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.
- (8) It shall be unlawful for any permit holder under this Bylaw, to depart from the plans and specifications without the approval of the authority having jurisdiction, who may require the submission of the amended plans and specifications showing such departure. The approval of the authority having jurisdiction must also be obtained for any addition to or replacement of, any plumbing in the case of the alteration or repair of any existing building.
- (9) The authority having jurisdiction may issue a permit for the erection or placement of a temporary building, structure or shelter, and such permit shall specify when the temporary building, structure or shelter shall be removed. The application for such permit shall contain the information required by this Bylaw or such additional information as required by the authority having jurisdiction.

- (10) Where a building permit has been issued for a single family residence, the owner may apply for a permit to occupy the building prior to completion of construction, which permit may be withheld until the building or part thereof complies with this Bylaw and with the health and safety requirements of the Bylaws of the authority having jurisdiction or the provisions of any Provincial or Federal statutes.

Responsibility of the Owner:

8. (a) Neither the granting of a permit nor the approval of the drawings and specifications nor inspections made by the authority having jurisdiction during the erection of the building shall in any way relieve the owner from full responsibility for carrying out the work in accordance with the requirements of this Bylaw, the application for permit, the plans, specifications and materials filed therewith and in accordance with good and proper building practice.
- (b) The issuance of a building permit does not in any way relieve the owner from the responsibility of determining that the building site is safe and will not be affected from flooding water (caused by surface run-off or otherwise).
- (c) The owner shall determine, before construction commences and incorporate within the building plans submitted, the property climatic information for building design as included in "Climatic Information for Building Design" as contained in the "British Columbia Building Code".
- (d) Any owner of property for which a permit is issued shall be responsible for the cost of repair of any damage to municipal property that occurs as a result of the work covered by the permit.

Duties of the Owner

9. Every owner shall:
 - (a) permit the authority having jurisdiction to enter any building or premises at any reasonable time for the purpose of administering this Bylaw;
 - (b) obtain where applicable from the authority having jurisdiction, permits relating to demolition, excavation, building, repair of buildings, zoning, change in classification of occupancy, sewers, water, plumbing, signs, canopies, awnings, marquees, blasting, street occupancy, electricity, buildings to be moved, and all other permits required in connection with the proposed work prior to the commencement of such work;
 - (c) in all cases where it is proposed to conduct the waste from plumbing

- fixtures, trade waste or surface or roof water to a public sewer, ascertain such public sewer is at a sufficient depth and of a capacity to receive such discharge and also to arrange the plumbing to suit the location of the connection provided for the lot by the owner of the sewer facility having jurisdiction;
- (d) where the sanitary sewer facilities are not available, no permit shall be issued until a sewage disposal permit has been granted by the Ministry of Health Inspector;
 - (e) where it is desired to connect a building or storm sewer with any building or storm sewer extension, furnish such information as the authority having jurisdiction may require to show that the proposed sewers will be laid at such depth and in such a position as to connect the property with the building or storm sewer extension;
 - (f) obtain where applicable, highway or street access permit to the property;
 - (g) determine Agricultural Land Reserve limitations and Provincial Flood Plain Restrictions;
 - (h) give at least 72 hours notice to the authority having jurisdiction and request his inspection of the work;
 - (i) after the forms for footings and foundations are complete, but prior to placing of any concrete therein;
 - (ii) after removal of form-work from a concrete foundation and installation of perimeter drain tiles and damp-proofing, but prior to back-filling against foundation;
 - (iii) when framing and sheathing of the building are complete including fire-stopping, bracing, chimney, duct work, plumbing, but before any insulation, lathe or other interior or exterior finish is applied which would conceal such work;
 - (iv) before a building drain, sanitary or storm sewer is covered, and if any part of a plumbing system is covered before it is inspected it shall be uncovered if the authority having jurisdiction so directs, and when considered necessary, underground building drains, branches, storm drains, and sewers shall be re-tested after the completion of all back-filling and grading by heavy equipment;
 - (v) after the building or portion thereof is complete and ready for occupancy, but before occupancy takes place of the whole or a portion of the building.

Documents on Site

10. The owner or applicant to whom a permit is issued shall, during construction, keep:
- (a) posted in a conspicuous place on the property in respect of which the permit is issued, the building permit or copy in lieu thereof, and;
 - (b) a copy of the drawings and specifications on the property in respect of which the permit was issued.

Equivalents:

11. 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 an equivalent material, equipment or methods of construction not specifically authorized herein must present to the authority having jurisdiction sufficient evidence to satisfy the authority having jurisdiction that the proposed equivalent will provide the level of performance required by this Bylaw.

Moving Permits

12. Moving buildings:
 - (a) the moving of any building into or within the Municipality requires a permit to do so;
 - (b) on receipt of an application to move, the building shall be inspected to ensure it will comply with all applicable codes and Bylaws. No moving permit shall be issued where a building, in its new location, because of age and/or appearance, may downgrade surrounding property values.

Climatic Data:

13. Climatic data used for the design of buildings in the Municipality referring to Design Temperatures, degree days below 18 C (65 F), maximum 15 minute rainfall, maximum one day rainfall, annual total precipitation, maximum snow load on the ground, wind pressures and seismic zone, shall be as found in Climatic Information for Building Design in the "British Columbia Building Code".

Right of Appeal:

14. Appeals to any decision made pursuant to this Bylaw shall be governed under the provisions of Section 693 of the *Municipal Act*.

Penalty:

15. (a) Any person who violates the provisions of this Bylaw or the Building & Plumbing Code is liable on summary conviction, to a penalty not exceeding One Thousand (\$1,000.00) Dollars and also to the costs of prosecution.

- (b) Each day during which such violation is continued shall be deemed to constitute a new and separate violation, except where the court otherwise orders.

Appendix:

16. Appendix "A" is attached to and will form part of this Bylaw.

Appendix "B" is attached to and will form part of this Bylaw.

Repeal:

17. Bylaw No. 638, 1993 being the City of Greenwood Building Bylaw is now repealed.

Read a FIRST time this 22nd day of September, 1997.

Read a SECOND time this 22nd day of September, 1997.

Read a THIRD time this 22nd day of September, 1997

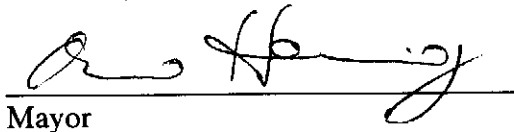
**Certified a True
Copy of the Building
Bylaw #707, 1997 as
at Third Reading**

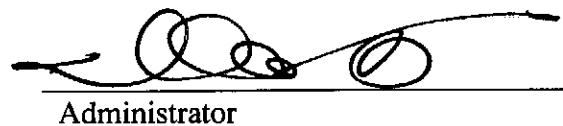


Administrator

RECONSIDERED, PASSED AND FINALLY ADOPTED this 14 day of

October, 1997.



Mayor

Administrator

Certified a true copy of Bylaw #707
as adopted by resolution # 496-97
on the 14 day of October, 1997



Administrator

THE CORPORATION OF THE CITY OF GREENWOOD

APPENDIX "A"

TO BYLAW NO. 707

SCHEDULE OF PERMIT FEES

A. Building Permit Fees:

The fees payable for a permit for construction, reconstruction, addition, extension, alteration and repair of any building or any other work requiring a permit and not specifically listed here shall be as follows:

\$1,000.00 or less	\$ 20.00
For each additional \$1,000.00 or part thereof up to \$50,000.00	\$ 4.00
For each additional \$1,000.00 or part thereof by which the cost exceeds \$50,000.00 up to \$100,000.00	\$ 3.00
For each additional \$1,000.00 or part thereof by which the cost exceeds \$100,000.00	\$ 2.00
Minimum fee	\$ 20.00
Re-inspection fee	\$ 20.00

B. Related Building Permit Fees:

1) Separate chimney/fireplace construction	\$ 20.00
2) Demolition permit	\$ 25.00
3) Moving permit	\$ 25.00
4) Temporary building permit	\$ 20.00
5) Single-wide or double-wide mobile home placement in mobile home subdivision	*\$ 25.00
6) Building permit renewal	(min) \$ 20.00
7) Minimum inspection fee (For insurance purposes)	\$ 25.00

* Plus construction values of new work on-site such as:
foundations, basements, additions and plumbing.

C. Plumbing Permit Fees:

1)	First fixture	\$ 5.00
2)	Each additional fixture up to 10	\$ 2.50
3)	Each additional fixture thereafter	\$ 2.00
4)	Minimum fee	\$ 10.00

* Declared or assessed values as determined by the authority having jurisdiction.*

THE CORPORATION OF THE CITY OF GREENWOOD
APPENDIX "B"
TO BYLAW NO. 707
CERTIFICATION OF OCCUPANCY OF A BUILDING

ISSUED PURSUANT TO SECTION 5(d) OF BYALW NO. 707

APPLICANT/OWNER: _____

ADDRESS OF BUILDING: _____

LEGAL DESCRIPTION: _____

APPROVED OCCUPANCY: _____

THE BUILDING CONSTRUCTED AND UNDER AUTHORITY OF BUILDING PERMIT NO. _____ MAY NOW BE OCCUPIED. IT IS UNLAWFUL TO CHANGE THE CLASS OF OCCUPANCY OF ANY BUILDING OR PART THEREOF WITHOUR FIRST OBTAINING AN OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR.

THIS PERMIT MUST BE AFFIXED TO A CONSPICUOUS AND PERMANENT PLACE IN THE SIAD BUILDING AND SHALL NOT BE REMOVED.

Chief Building Inspector

Name: _____ Date: _____