



CONSOLIDATED

**FRASER VALLEY REGIONAL DISTRICT
BUILDING BYLAW NO. 1188, 2013**

**RECORD OF AMENDMENTS TO
BYLAW NO. 1188**

BYLAW	SUMMARY	DATE AUTHORIZED
1188, 2013	Base Bylaw	2013 01 30
1355, 2015	Replaces: S. 5.1; 5.3.1 (b); 23 Deletes Appendix B, C, and D	2015 12 16
1428, 2017	Replaces: 3 Definitions; S. 5.3.1(b); 6.2; 9.1.1; 9.1.2; 10.1.1; 10.1.2; 10.4.5; 11.3; 12.2.1; 15.2; 18.1; 18.3; 18.4; 20.1 to 20.3; 21.1; 23; Schedule A Adds: definition of Plumbing Code; new S. 12.2.2; 12.5; new 21.2 Amends: S. 3.2.2; 3.2.3; 4.2 to 4.4; 5.4; 9.3.1; 12.3.1; 18; 18.2; 21 Deletes: Forms A to F	2017 05 25

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**FRASER VALLEY REGIONAL DISTRICT
BYLAW NO. 1188, 2013**

[BL 1428] A bylaw for Regulation of Construction within the Fraser Valley Regional District

WHEREAS Section 694(1) of the *Local Government Act* authorizes the Board of Directors of the Fraser Valley Regional District, for the health, safety and protection of persons and property to regulate the construction, alteration, repair, or demolition of buildings and structures by bylaw;

AND WHEREAS the Province of British Columbia has adopted a Building Code and Plumbing Code [BL 1428] 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 and Plumbing Code [BL 1428];

NOW THEREFORE the Board of Directors of Fraser Valley Regional District, in open meeting assembled, enacts as follows:

1. TITLE

This bylaw may be cited for all purposes as the Fraser Valley Regional District Building Bylaw No. 1188, 2013.

2. DEFINITIONS

In this bylaw:

The following words and terms have the meanings set out in the British Columbia Building Code: ***assembly occupancy, building, building area, building height, business and personal services occupancy, care occupancy, detention occupancy, treatment occupancy, constructor, coordinating registered professional, designer, field review, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, occupancy, registered professional, registered professional of record and residential occupancy.***

Agent means a person, authorized in writing by the **owner** to represent the **owner** and includes a person, firm or corporations.

[BL 1428] **Building Code** means the *British Columbia Building Code* as adopted by the Minister pursuant to the *Community Charter*, as amended or re-enacted from time to time.

Building Official includes building officials designated or appointed by the Board of Directors of Fraser Valley Regional District.

Complex Building means:

- (a) all **buildings** used for **major occupancies** classified as
 - (i) **assembly occupancies,**
 - (ii) **care, detention or treatment occupancies,**
 - (iii) **high hazard industrial occupancies,** and
- (b) all **buildings** exceeding 600 square metres in **building area** or exceeding three storeys in **building height** used for **major occupancies** classified as
 - (i) **residential occupancies,**
 - (ii) **business and personal services occupancies,**
 - (iii) **mercantile occupancies, or**
 - (iv) **medium and low hazard industrial occupancies.**

Construction includes reconstruction, installation, replacement, erection, repair, alteration, enlargement, placement, addition, demolition, removal and excavation.

[BL 1428] **Health and safety aspects of the work** means design and construction regulated by Division B, Part 4, Part 4, and sections 9.4, 9.8, 9.9, 9.10, 9.12, 9.14, 9.15, 9.17, 9.18, 9.19, 9.20, 9.23, 9.24, 9.31, 9.32, 9.34 and 9.37 of Part 9 of the **Building Code**

[BL 1428] **Owner** means the person or persons or body registered as being the owner of a property with the Land Title Division of the Land Title and Survey Authority of British Columbia or a lease with Cultus Lake Park, and/or the owner of the **building** or **structure**.

[BL 1428] **Plumbing Code** means the *British Columbia Building Code* as adopted by the Minister pursuant to the *Community Charter*, as amended or re-enacted from time to time.

Regional District means Fraser Valley Regional District as incorporated under Letters Patent dated December 12, 1995 or the geographical area within its boundaries, as the context requires.

Standard Building means a **building** of three storeys or less in **building height**, having a **building area** not exceeding 600 square metres and used for **major occupancies** classified as

- (a) **residential occupancies,**
- (b) **business and personal services occupancies,**
- (c) **mercantile occupancies, or**
- (d) **medium and low hazard industrial occupancies.**

Structure means a **construction** or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping and paving.

Value of construction means the greater of the construction value as calculated under Appendix A to this bylaw or a verified contract price for the completion of the **construction** and, in any event, as determined by the **building official**.

3. PURPOSE OF BYLAW

3.1 The bylaw shall, notwithstanding any other provision herein, be interpreted in accordance with this section.

3.2 This bylaw has been enacted for the purpose of regulating **construction** within the Electoral Areas of the **Regional District** in the general public interest. The activities undertaken by or on behalf of the **Regional District** pursuant to this bylaw are for the sole purpose of providing a limited and interim spot checking function for reasons of health, safety and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of this bylaw extend

3.2.1 to the protection of **owners**, owner/builders or **constructors** from economic loss;

3.2.2 to the assumption by the **Regional District** or any **building official** of any responsibility or ensuring the compliance by any **owner**, his or her representatives or any employees, **constructors** or **designers** retained by him or her, with the **Building Code** and/or **Plumbing Code** [BL 1428], the requirements of this bylaw or other applicable enactments respecting health or safety;

3.2.3 to providing any person a warranty of design or workmanship with respect to any **building or structure** for which a building permit or inspections [BL 1428] is issued under this bylaw;

3.2.4 to providing a warranty or assurance that **construction** undertaken pursuant to building permits issued by the **Regional District** is free from latent, or any defects.

4. PERMIT CONDITIONS

4.1 A permit is required whenever work regulated under this bylaw is to be undertaken.

4.2 Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or supporting documents, nor any inspections made by or on behalf of the **Regional District** shall in any way relieve the **owner** and/or his or her representatives from full and sole responsibility to perform the work in strict accordance with this bylaw, the **Building Code** and/or **Plumbing Code** [BL 1428] and/or other applicable enactments respecting health or safety.

4.3 It shall be the full and sole responsibility of the **owner** and (where the **owner** is acting through an agent) the agent to carry out the work in respect of which the permit was issued in compliance with this bylaw, the **Building Code** and/or **Plumbing Code** [BL 1428] and/or other applicable enactments respecting health or safety.

- 4.4 Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the **Regional District** constitute in any way a representation, warranty, assurance or statement that the **Building Code** and/or **Plumbing Code** [BL 1428], this bylaw or other applicable enactments respecting health or safety have been complied with.
- 4.5 No person shall rely upon any permit as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms. The person to whom the building permit is issued and his or her representative(s) are responsible for making such determination.

5. **SCOPE AND EXCLUSIONS**

5.1 **Area of Application**

[BL 1355] This bylaw applies to the design, **construction** and **occupancy** of new **buildings** and **structures**, and the alteration, reconstruction, demolition, removal, relocation and **occupancy** of existing **buildings** and **structures** within the Fraser Valley Regional District Building Inspection Extended Service Area as established by *Fraser Valley Regional District Building Inspection Extended Service Area Merger Bylaw No. 0081, 1996*, and amendments thereto.

5.2 **Work for which a building permit is required**

Subject to section 5.1, every owner of real property or his or her agent, in an area of the **Regional District** which is accessible by a highway maintained by the Ministry of Transportation and Infrastructure, shall obtain from the **building official** a building permit before commencing any **construction**, works, or change in occupancy as described below:

- (a) the placing on any land of any manufactured or factory-built home or of any housing component or modular structure;
- (b) the erection of any permanent sign with any overall dimension, including the supporting structure, exceeding 1.8 metres (6 feet) in any direction;
- (c) installation or alteration of fencing around a swimming pool as required under section 19.2 of this bylaw;
- (d) the installation or alteration of any plumbing works or services;
- (e) any change in occupancy, as defined in the current edition of the British Columbia Building Code, of a building or part thereof;
- (f) installation of solid fuel or oil burning appliances or chimneys;
- (g) all other construction of or to a structure if the value of construction is \$2,000 or more;

- (h) removal or demolition of any structure for **construction** of which a building permit would be required pursuant to this bylaw; or
- (j) installation, repair or alteration of gasoline or oil underground pipes and fittings, tanks or pumps.

5.3 **General exemptions from the requirement to obtain a building permit**

5.3.1 Notwithstanding section 5.2, a building permit is not required in an area of the **Regional District** which:

- (a) lies within Electoral Area A which Electoral Area is defined in the Letters Patent for the Regional District dated December 12, 1995, and is accessible by a highway maintained by the Ministry of Transportation and Infrastructure, but lies outside the boundary of the Boston Bar and North Bend Fire Protection Local Service Area; or
- (b) [BL 1428] is not accessible by a Highway monitored by the Ministry of Transportation and Infrastructure or a Municipality; however, all lands in Electoral Area H which are separately administered by the Cultus Lake Park Board under the Cultus Lake Park Act, S.B.C 1932, c63 are not exempt.

5.3.2 Where the real property is located in the areas described in section 5.3(1), an owner of real property or his or her agent may obtain from the **building official** a building permit to undertake any **construction** or works described in paragraphs 5.2(a) through (j) provided an application for such a permit is submitted to the **building official** in accordance with section 10 of this bylaw.

5.4 **Specific construction which does not require a building permit**

Notwithstanding section 5.2, a building permit is not required where the proposed **construction** consists of:

- (a) a new single storey detached accessory [BL 1428] building or structure which is not intended to be used for any "**residential occupancy**" and which has a floor area not exceeding 20 square metres (215 square feet);
- (b) an addition to an existing single storey detached accessory [BL 1428] building or structure which is not intended to be used for any "**residential occupancy**" and which results in a total floor area not exceeding 20 square metres (215 square feet) after the addition is constructed;
- (c) a new deck or an addition to an existing deck where the total area of the deck does not exceed 20 square metres (215 square feet) after the new **construction** [BL 1428];
- (d) a new building or structure or an addition to an existing building or structure which is intended to be used as a farm building of "low human occupancy" as defined in the National Farm Building Code of Canada and where the total floor area after the new **construction** or addition does not exceed 30 square metres (323 square feet);

- (e) re-covering existing roofs;
- (f) re-siding existing exterior walls;
- (g) repainting;
- (h) replacing existing bathroom, kitchen or laundry fixtures and fittings;
- (j) recovering existing floors;
- (k) replacing windows and doors in existing openings;
- (l) installation or replacement of gas or electric powered space or water heating fixtures or appliances;
- (m) installation of a well;
- (n) replacement or repair of existing sewage disposal facilities;
- (p) temporary "for sale" signs and election signs;
- (q) [BL 1428] a retaining wall, not associated with the protection of a building or structure, less than 1.2 metres (47 inches) above finished grade measured at any point within 1.2 metres (47 inches) from the face of the wall or structure;
- (r) fences up to a maximum of 2.4 metres (8 feet) high measured on any face except fences required around swimming pools pursuant to section 19.2 of this bylaw.

6. **PROHIBITIONS**

- 6.1 No person shall commence or continue any **construction**, alteration, reconstruction, demolition, removal, relocation or change the **occupancy** of any **building** or **structure**, including excavation or other work related to **construction** until a **building official** has issued a valid and subsisting permit for the work unless such work is specifically exempted from the requirement for a building permit pursuant to section 5 of this bylaw.
- 6.2 [BL 1428] No person shall occupy or use any **building** or **structure** unless final inspection is completed or written permission has been issued by a **building official** for the **building** or **structure**, or contrary to the terms of any permit issued or any notice given by a **building official**.
- 6.3 No person shall knowingly submit false or misleading information to a **building official** in relation to any permit application or **construction** undertaken pursuant to this bylaw.
- 6.4 No person shall, 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 upon or affixed to a **building** or **structure** pursuant to this bylaw.
- 6.5 No person shall 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 accepted in writing by a **building official**.

6.6 No person shall obstruct the entry of a **building official** or other authorized official of the **Regional District** on property in the administration of this bylaw.

7. BUILDING OFFICIALS

7.1 Each **building official** shall

7.1.1 administer this bylaw;

7.1.2 keep records of permit applications, permits, notices and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of this bylaw;

7.1.3 establish, if requested to do so, whether the methods or types of **construction** and types of materials used in the **construction** of a **building** or **structure** for which a permit is sought under this bylaw substantially conform to the requirements of the **Building Code**.

7.2 A **building official**

7.2.1 may enter any land, **building, structure**, or premises at any reasonable time for the purpose of ascertaining that the terms of this bylaw are being observed;

7.2.2 where any residence is occupied, shall obtain the consent of the occupant or provide written notice to the occupant 24 hours in advance of entry to the residence; and

7.2.3 shall carry proper credentials confirming his or her status as a **building official**.

7.3 A **building official** may order the correction of any work that is being or has been done in contravention of this bylaw.

8. APPLICATIONS

8.1 Every person shall apply for and obtain

8.1.1 a building permit before constructing, repairing or altering a **building** or **structure** unless such work is exempted pursuant to section 5 of this bylaw;

8.1.2 a demolition permit before demolishing a **building** or **structure**;

8.1.3 a solid fuel/oil burning appliance permit prior to the construction of a masonry fireplace or the installation of a solid fuel or oil burning appliance or chimney unless the works are encompassed by a valid building permit.

- 8.2 An application for a demolition permit shall be made in the form attached as Form B to this bylaw.
- 8.3 An application for a solid fuel/oil burning appliance permit shall be made in the form attached as Form C to this bylaw.
- 8.4 All plans submitted with permit applications shall bear the name and address of the **designer** of the **building** or **structure**.
- 8.5 Each **building** or **structure** to be constructed on a site requires a separate building permit and shall be assessed a separate building permit fee based on the **value of construction** of that **building** or **structure** as determined in accordance with Appendix A to this bylaw.

9. **APPLICATIONS FOR COMPLEX BUILDINGS**

- 9.1 An application for a building permit with respect to a **complex building** shall
- 9.1.1 [BL 1428] be made as detailed in Section 20, signed by the **owner**, or a signing officer if the **owner** is a corporation, and accompanied by a Plan Review Fee as required in Appendix A;
- 9.1.2 [BL 1428] be accompanied by the **owner's** acknowledgement of responsibility and undertakings, made in the form prescribed by the **Regional District**, and signed by the **owner** or a signing officer if the **owner** is a corporation;
- 9.1.3 be accompanied by a site plan prepared by a British Columbia Land Surveyor showing:
- 9.1.3.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
- 9.1.3.2 the legal description and civic address of the parcel;
- 9.1.3.3 the location and dimensions of all statutory rights of way, easements and setback requirements;
- 9.1.3.4 the location and dimensions of all existing and proposed **buildings** or **structures** on the parcel;
- 9.1.3.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where the land use regulations of the **Regional District** establish siting requirements related to flooding;
- 9.1.3.6 the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a **building** or **structure** where the land use regulations

of the **Regional District** establish siting requirements related to minimum floor elevation; and

9.1.3.7 the location, dimension and gradient of parking and driveway access.

9.1.4 be accompanied by floor plans showing the dimensions and uses of all areas; the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions.

9.1.5 be accompanied by a cross sectional drawing through the **building** or **structure** illustrating foundations, drainage, ceiling heights and construction systems.

9.1.6 be accompanied by elevation drawings of all sides of the **building** or **structure** showing finish details, roof slopes, windows, doors and finished grade'

9.1.7 be accompanied by 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**;

9.1.8 be accompanied by copies of approvals or documentation required under any enactment relating to health or safety, including, without limitation, sewage disposal, highway access, Fraser Health Authority approval and Homeowner Protection Office documentation;

9.1.9 be accompanied by a letter of assurance in the form of Schedule A as referred to in the current edition of the **Building Code**, signed by the **owner**, or a signing officer of the **owner** if the **owner** is a corporation, and the **coordinating registered professional**;

9.1.10 be accompanied by letters of assurance in the form of Schedule B as referred to in the current edition of the **Building Code**, each signed by such **registered professionals of record** 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**;

9.1.11 be accompanied by three sets of drawings at a suitable scale of the design prepared by each **registered professional** and including the information set out in sections 9.1.5 – 9.1.8 of this bylaw.

9.2 The **building official** may waive the requirements for a site plan, in whole or in part, where the information required can be readily ascertained by other means by the **building official**.

9.3 In addition to the requirements of section 9.1, the following may be required by a **building official** to be submitted with a building permit application for the

construction of a **complex building** where the complexity of the proposed **building** or **structure** or siting circumstances warrant

- 9.3.1 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 Fraser Valley Regional District Subdivision and Development Servicing Bylaw [BL 1428], as amended or re-enacted from time to time.
- 9.3.2 a section through the site showing grades, **buildings, structures**, parking areas and driveways;
- 9.3.3 any other information required by the **building official** or the **Building Code** to establish substantial compliance with this bylaw, the **Building Code**, any other bylaws and enactments relating to the **building** or **structure**, the *Riparian Areas Regulation* and any covenant registered on the title of the property pursuant to section 219 of the *Land Title Act* or section 56 of the *Community Charter*.

10. **APPLICATIONS FOR STANDARD BUILDINGS**

- 10.1 An application for a building permit with respect to a **standard building** shall;
 - 10.1.1 [BL 1428] be made as detailed in Section 20, signed by the **owner**, or a signing officer if the **owner** is a corporation; and accompanied by a Plan Review Fee as required in Appendix A;
 - 10.1.2 [BL 1428] be accompanied by the **owner's** acknowledgement of responsibility and undertakings, made in the form prescribed by the **Regional District** and signed by the **owner** or a signing officer if the owner is a corporation;
 - 10.1.3 be accompanied by a site plan prepared by a British Columbia Land Surveyor showing:
 - (a) the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (b) the legal description and civic address of the parcel;
 - (c) the location and dimensions of all statutory rights of way, easements and setback requirements;
 - (d) the location and dimensions of all existing and proposed **buildings** or **structures** on the parcel;
 - (e) setbacks to the natural boundary of any lake, swamp, pond or watercourse where the **Regional District** land use regulations establish siting requirements related to flooding;

- (f) the existing and finished ground levels to an established datum or adjacent to the site and the geodetic elevation of the underside of the floor system of a **building** or **structure** where the **Regional District** land use regulations establish siting requirements related to minimum floor elevation; and
- (g) the location, dimension and gradient of parking and driveway access;
- 10.1.4 be accompanied by floor plans showing the dimensions and uses of all areas; the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling construction and finishes; plumbing fixtures; structural elements; and stair dimensions;
- 10.1.5 be accompanied by a cross sectional drawing through the **building** or **structure** illustrating foundations, drainage, ceiling heights and construction systems;
- 10.1.6 be accompanied by elevation drawings of all sides of the **building** or **structure** showing finish details, roof slopes, windows, doors and finished grade;
- 10.1.7 be accompanied by 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**;
- 10.1.8 be accompanied by copies of approvals and documentation required under any enactment relating to health or safety, including, without limitation, sewage disposal, highway access, Fraser Health Authority approval and Homeowner protection Office;
- 10.1.9 be accompanied by a foundation design prepared by a **registered professional** in accordance with Part 4 of the **Building Code**, accompanied by letters of assurance in the form of Schedule B as referred to in the current edition of the **Building Code**, signed by the **registered professional**;
- 10.1.10 be accompanied by three sets of drawings at a suitable scale of the design including the information set out in sections 10.1.4 to 10.1.9 of this bylaw.
- 10.2 The requirements of section 10.1.9 may be waived by a **building official** if
- (a) documentation, prepared and sealed by a **registered professional**, is provided assuring that the foundation design and foundation excavation substantially comply with Part 9 the **Building Code**; or
- (b) the **building official** is otherwise satisfied that the foundation design and foundation substantially comply with Part 9 of the **Building Code**.
- 10.3 The **building official** may waive the requirements for a site plan, in whole or in part, where the information required can be readily ascertained by other means by the **building official**.

10.4 In addition to the requirements of section 10.1, the following may be required by a **building official** to be submitted with a building permit application for the construction of a **standard building** where the project involves two or more buildings, which in the aggregate total more than 1000 square meters, or two or more buildings that will contain four or more dwelling units, or otherwise where the complexity of the proposed **building** or **structure** or siting circumstances warrant:

- 10.4.1 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 **Regional District** subdivision servicing bylaw;
- 10.4.2 a section through the site showing grades, **buildings, structures**, parking areas and driveways;
- 10.4.3 a roof plan and roof height calculations;
- 10.4.4 structural, electrical, mechanical or fire suppression drawings prepared and sealed by a **registered professional**;
- 10.4.5 [BL 1428] sealed letters of undertaking, signed by the **registered professional**;
- 10.4.6 any other information required by the **building official** or the **Building Code** to establish substantial compliance with this bylaw, the **Building Code**, any other bylaws and enactments relating to the **building** or **structure**, the *Riparian Areas Regulation* and any covenant registered on the title of the property pursuant to section 219 of the *Land Title Act* or section 56 of the *Community Charter*.

11. **PROFESSIONAL PLAN CERTIFICATION**

11.1 The letters of assurance in the form of Schedules B referred to in the current edition of the **Building Code** and provided pursuant to sections 9.1.10, 10.1.9, 10.2.5, and 15.1 of this bylaw are relied upon by the **Regional 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 health or safety.

11.2 A building permit issued for the construction of a **complex building**, or for a **standard building** for which a **building official** required professional design pursuant to section 10.2.4 and letters of assurance pursuant to section 10.2.5 of this bylaw shall include a notice to the **owner** that the building permit is issued in reliance upon the certification of the **registered professionals** that the design and plans submitted in support of the application for the building permit comply with the **Building Code** and other applicable enactments relating to health or safety.

- 11.3 [BL 1428] When a building permit is issued in accordance with Section 11.2 of this bylaw, the plan review fee payable shall be reduced by 50% pursuant to Appendix A to this bylaw.

12. FEES AND CHARGES

- 12.1 In addition to applicable fees and charges required under other bylaws, a permit fee, calculated in accordance with Appendix A to this bylaw, shall be paid in full prior to issuance of any permit under this bylaw.
- 12.2 An application made for a building permit shall be accompanied by the appropriate non-refundable deposit as set out in Appendix A to this bylaw.
- 12.2.1 [BL 1428] The non-refundable plan review fee shall be credited against the building permit fee when the permit is issued.
- 12.2.2 [BL 1428] An application that remains dormant with no further submissions to the **Regional District** by the applicant for a period of two (2) years shall be cancelled and the application fee forfeited.
- 12.2.3 An application shall be cancelled and the non-refundable deposit forfeited if the building permit has not been issued and the permit fee paid with 180 days of the date of written notification to the **owner** that the permit is ready to be issued.
- 12.2.4 When an application is cancelled the plans and related documents submitted with the application may be destroyed.
- 12.3 The **owner** may obtain a refund of 50% of the permit fees set out in Appendix A to this bylaw when a permit is surrendered and cancelled before any **construction** begins, provided:
- 12.3.1 the refund shall not include any part of the plan review fee [BL 1428] paid pursuant to section 12.2 of this bylaw; and
- 12.3.2 no refund shall be made where **construction** has begun.
- 12.4 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 Appendix A to this bylaw shall be paid prior to additional inspections being performed.
- 12.5 [BL 1428] The fee for removing a notice that has been placed on the title to land in accordance with Section 57 of the *Community Charter* as amended or re-enacted from time to time, shall be \$500.00 (five hundred dollars).

13. BUILDING PERMITS

13.1 When:

- 13.1.1 a completed application including all required supporting documentation has been submitted;
 - 13.1.2 the proposed work set out in the application substantially conforms with the **Building Code**, this bylaw and all other applicable bylaws and enactments;
 - 13.1.3 the **owner** or his or her agent has paid all applicable fees set out in section 12.1 of this bylaw;
 - 13.1.4 the **owner** or his or her agent has paid all charges and met all requirements imposed by any other enactment or bylaw;
 - 13.1.5 no enactment, covenant, agreement, or regulation in favour of, or any regulation of the **Regional District** authorizes the permit to be withheld;
 - 13.1.6 the **owner** has retained a professional engineer or geoscientist if required by the provisions of the *Engineers and Geoscientists Act*;
 - 13.1.7 the **owner** has retained an architect if required by the provisions of the *Architects Act*;
 - 13.1.8 the requirements of the *Homeowner Protection Act* have been fulfilled;
 - 13.1.9 the requirements of the current *Sewerage System Regulations* have been fulfilled;
 - 13.1.10 the requirements of the *Transportation Act* have been fulfilled;
- a **building official** shall issue the permit for which the application is made.

13.2 Every permit is issued upon the condition that the permit shall expire and the rights of the **owner** under the permit shall terminate if:

- 13.2.1 the work authorized by the permit is not commenced within 6 months from the date of issuance of the permit; or
- 13.2.2 in any event, 24 months after the date of issuance of the building permit.

13.3 At the request of an **owner**, a **building official** may extend the period of time set out under sections 13.2.1 where **construction** has not been commenced or where **construction** has been discontinued due to adverse weather, strikes, material or labour shortages, or similar hardship beyond the **owner's** control.

14. DISCLAIMER OF WARRANTY OR REPRESENTATION

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

15. PROFESSIONAL DESIGN AND FIELD REVIEW

15.1 When a **building official** considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a **registered professional** provide design and plan certification and **field review** by means of letters of assurance in the form of Schedules B and C referred to in the current edition of the **Building Code**.

15.2 [BL 1428] Prior to the completion of Final Inspection or other written means of assurance to the **Building Official**, where a Schedule B has not been submitted for a **complex building**, or **standard building** in circumstances where letters of assurance have been required in accordance with Sections 10.1.9, 10.2, 10.4 or 15.1 of this bylaw, the **owner** shall provide the **Regional District** with letters of assurance in the form of Schedule C, as is appropriate, referred to in the current edition of the **Building Code**.

16. RESPONSIBILITIES OF THE OWNER

16.1 Every **owner** shall ensure that all **construction** complies with the **Building Code**, this bylaw and other applicable enactments.

16.2 Every **owner** to whom a permit is issued shall be responsible for the cost of repair of any damage to **Regional District** works that occurs in the course of the work authorized by the permit.

16.3 Every **owner** to whom a permit is issued shall, during **construction**:

16.3.1 post and maintain the permit number card in a conspicuous place on the property in respect of which the permit was issued;

16.3.2 keep a copy of the accepted designs, plans and specifications on the property;
and

16.3.3 post the civic address on the property in a location visible from any adjoining streets.

17. INSPECTIONS

- 17.1 When a **registered professional** provides letters of assurance in accordance with sections 9.1.10, 10.1.9, 10.2.5, 15.1 or 15.2 of this bylaw, the **Regional District** will rely solely on **field reviews** undertaken by the **registered professional** and the letters of assurance submitted pursuant to section 15.2 of this bylaw as assurance that the **construction** substantially conforms to the design and that the **construction** substantially complies with the **Building Code**, this bylaw and other applicable enactments respecting health or safety.
- 17.2 Notwithstanding section 17.1 of this bylaw, 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**.
- 17.3 A **building official** may attend periodically at the site of the **construction** of **standard buildings** or **structures** to ascertain whether the **health and safety aspects of the work** are being carried out in substantial conformance with those portions of the **Building Code**, this bylaw and any other applicable enactment concerning health and safety.
- 17.4 The owner or his or her representative shall give notice of at least one full business day to the **building official** when requesting an inspection and shall obtain an inspection and receive a **building official's** acceptance of the aspects of the work prior to concealing that work.
- 17.5 No aspect of the work referred in section 17.4 of this bylaw shall be concealed until a **building official** has accepted it in writing.
- 17.6 The requirements of section 17.4 of this bylaw do not apply to any aspect of the work that is the subject of a **registered professional's** letter of assurance provided as a requirement of this bylaw.
- 17.7 Notwithstanding 17.6, the owner or his or her representative shall give at least 24 hours notice to the **Regional District** before covering up or concealing any aspect of the work that is the subject of a **registered professional's** letter of assurance provided as a requirement of this bylaw.

18. FINAL INSPECTION [BL 1428]

- 18.1 No person shall occupy a **building** or **structure** or part of a **building** or **structure** before a **building official** has:
- (a) [BL 1428] completed a final inspection with no deficiencies, or
 - (b) [BL 1428] given written permission for provisional or conditional use if all **construction** authorized by the building permit is not complete.

- 18.2 A Final Inspection shall not be complete unless [BL 1428]:
- (a) all letters of assurance required by this bylaw have been submitted.
 - (b) all aspects of the work requiring inspection and acceptance pursuant to section 17.4 of this bylaw have both been inspected and accepted or the inspections and acceptance are not required in accordance with section 17.5 of this bylaw.
- 18.3 [BL 1428] A **building official** may refuse to complete a permit or give written permission for provisional or conditional use if the **building** or **structure**, or part thereof if he/she is aware:
- (a) of a contravention of the health and safety requirements of the **Building Code**, this bylaw, or any other bylaw of the **Regional District** or any statute;
 - (b) of a contravention of a covenant registered against the property at issue pursuant to section 219 of the *Land Title Act* or section 56 of the *Community Charter*; or
 - (c) that the work has not been completed in substantial conformity with the plans and specifications forming part of the building permit application."

19. **SPECIAL PROVISIONS**

19.1 Retaining Structures

A **registered professional** shall undertake the design and conduct **field reviews** of the **construction** of a retaining structure greater than 1.2 meters in height. Sealed copies of the design plan and **field review** reports prepared by the **registered professional** for all retaining structures greater than 1.2 meters in height shall be submitted to a **building official** prior to acceptance of the works.

19.2 Fences around swimming pools

Swimming pools shall be enclosed within a fence. The fence shall be not less than 1.1 metres (3 feet 6 inches) in height with no openings greater than 10 cm (4 inches) in their least dimension. Access through the fence enclosing the swimming pool shall be by means of a self-closing gate only. The gate and fence shall be designed so as to cause the gate to return to a locked position when not in use. The gate shall be secured by a spring lock which can be opened on the swimming pool side only. For the purpose of this section "swimming pool" shall include any constructed or prefabricated pool used or intended to be used for swimming, bathing or wading, having a surface area greater than 13.9 m² (150 sq. ft.) and a depth greater than 0.46 metres (18 inches). Pools extending 1.1 metres above grade with all access ladders or steps capable of being removed or secured to restrict access shall be considered to comply with this section. A solid wall of a building can form part of the required fence only if that portion of the wall contains no openings.

20. PERMIT FORMS

- 20.1 [BL 1428] Every application for a permit shall be in writing and shall contain:
- a) A completed application form in the form prescribed by the Regional District along with any supplementary information required by the Regional District; and,
 - b) An application fee as set out in Appendix A to this bylaw.

21. OFFENCES AND PENALTIES [BL 1428]

- 21.1 [BL 1428] Every person who contravenes any provision of this bylaw commits an offence punishable on summary conviction and shall be liable to a fine of not more than \$10,000.00 (ten thousand dollars) in addition to the cost of prosecution, or to imprisonment for not more than six months, or both.
- 21.2 [BL 1428] Every contravention of this bylaw that continues for more than one (1) day constitutes a separate offence for each day that it continues.
- 21.3 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.
- 21.4 A **building official** may order the cessation of any work that is proceeding in contravention of the **Building Code** or this bylaw by posting a Stop Work notice in the form of Form G to this bylaw.
- 21.5 The **owner** of property on which a Stop Work notice has been posted, and every other person, shall cease all **construction** work immediately and shall not do any work until all applicable provisions of this bylaw have been substantially complied with and the Stop Work notice has been rescinded in writing by a **building official**.
- 21.6 Where a person occupies a **building** or **structure** or part of a **building** or **structure** in contravention of section 6.2 of this bylaw a **building official** may post a No Occupancy notice in the form of Form H to this bylaw on the affected part of the **building** or **structure**.
- 21.7 The **owner** of property on which a No Occupancy notice has been posted and every person, shall cease **occupancy** of the **building** or **structure** immediately and shall refrain from further **occupancy** until all applicable provisions of the **Building Code** and this bylaw have been substantially complied with and the No Occupancy notice has been rescinded in writing by a **building official**.

22. SEVERABILITY

- 22.1 The provisions of this bylaw are severable and the invalidity of any part of this bylaw shall not affect the validity of the remainder of this bylaw.

23. APPENDICES AND FORMS

[BL 1428] Appendix A and Forms G and H attached to this bylaw form a part of this bylaw.

24. REPEAL

Fraser Valley Regional District Building Bylaw 0034, 1996 and all amendments thereto are hereby repealed.

25. READINGS AND ADOPTION

READ A FIRST TIME THIS 30th day of January, 2013

READ A SECOND TIME THIS 30th day of January, 2013

READ A THIRD TIME THIS 30th day of January, 2013

ADOPTED THIS 30th day of January, 2013

NOT FOR LEGAL USE

**APPENDIX A TO FRASER VALLEY REGIONAL DISTRICT
BUILDING BYLAW NO. 1428, 2017**

BUILDING PERMIT FEES [BL 1428]

1	Non-refundable portion and minimum fee for any building permit application (except for work identified in sections 11, 13 and 16 of this schedule).	\$150
2	Moving a building within the Regional District	\$330
3	Moving a building into the Regional District from outside the Regional District	\$330
4	Moving buildings: Refundable security deposit to ensure the clean-up of both the former site and exterior finish of foundation at new site	\$1,000
5	Plan Review Fee: Non-refundable once a site inspection is undertaken. - Projects using a Registered Professional	\$1.00 per \$1,000 of value to a maximum of \$500 - 50% reduction of Plan Review Fee above
6	Inspection Fee: For work, the value of construction of which is determined in accordance with this bylaw to be: - up to and including \$1,000,000	\$150 plus 1% of value of construction, subtracting the Plan Review Fee
7	Inspection Fee: For work, the value of construction of which is determined in accordance with this bylaw to be: - more than \$1,000,000	\$10,150 plus 0.75% of the value of construction in excess of \$1,000,000, subtracting the Plan Review Fee
8	Where no changes are proposed in design or siting, for a re-application for a building permit which has lapsed	\$150 or 10% of the original building permit fee, whichever is greater
9	Building requiring specialized technical knowledge (includes Commercial, Industrial, Institutional and Multiple Family Dwelling)	All applicable fees listed in this Appendix A and in addition all consultants' professional fees incurred by the Regional District
10	For permit to install plumbing: - for any number of fixtures up to ten - for each additional fixture in excess of ten	\$175 \$7
11	For permit to install a chimney to serve a solid fuel or oil burning appliance	\$110
12	For permit to install a fireplace (including masonry or factory-built chimney)	\$220

13	For permit to install a solid fuel or oil burning appliance	\$110
14	For permit to place a mobile home (CSA Z240 standard) – not in a mobile home park	\$330
15	For permit to place a mobile home in a mobile home park	\$220
16	For permit to erect fencing around a swimming pool in accordance with section 19.2	\$100
17	For recall fee (when inspector is called to site prematurely)	\$110
18	Demolishing a structure	\$150
19	Valuation per square foot of new construction for permit purposes shall be calculated as follows: <u>TYPE OF CONSTRUCTION</u> Dwellings: - first floor and unfinished basement \$95 - first storey with no basement \$81 - each additional storey \$60 - to finish basement \$25 For factory built homes (built to Canadian Standards Association Standard A277) Above rates multiplied by 0.8 Garages and accessory residential buildings \$36 Decks – open with no roof \$26 Carports and covered decks \$30 Apartments and Condominiums: - parking garages or basements beneath \$40 - first floor, with no basement \$75 - each additional floor \$75 Farm buildings – each storey \$18 Pole buildings \$12 Assembly, commercial, industrial, institutional and all other construction not identified above \$60 or verified contract price, whichever is greater	

20	For a permit where the property is not accessible by a highway maintained by the Ministry of Transportation and Infrastructure and where the owner requests a permit [as per Section 5.3.2]	All applicable fees listed in this Appendix A and in addition all costs of travel and costs of time to travel between the proposed construction site and the nearest access to a highway maintained by the Ministry of Transportation and Infrastructure.
21	For obtaining property title search from Land Title Office (per title)	\$20
22	Where work has started before the building official has issued a Building Permit in accordance with this bylaw	Double all applicable fees listed in this Appendix A
23	Where a woodstove is being replaced under the British Columbia provincial Woodstove Exchange Program, fees listed in 1, 11, 12, 13 may be refunded if all Woodstove Exchange Program conditions have been met	
24	The fee for removing a notice that has been placed on the title to land in accordance with Section 57 of the <i>Community Charter</i> as amended or re-enacted from time to time	\$500

[BL 1355] Deleted Appendices B,C and D – maps of excluded areas

NOT FOR LEGAL USE

**FORM G TO FRASER VALLEY REGIONAL DISTRICT BUILDING
BYLAW NO. 1188, 2013**

Forms A-F Deleted [BL 1428]

**FRASER VALLEY REGIONAL DISTRICT
BUILDING DEPARTMENT**

STOP WORK

LOCATION:.....
Works:.....

This WORK is an infraction of the Building Bylaw and must **not continue until this**
notice has been rescinded by the Building Inspector.

..... **BUILDING INSPECTOR**
Date

**THIS CARD MUST NOT BE REMOVED WITHOUT
THE AUTHORIZATION OF THE BUILDING
INSPECTOR**

Phone: 604 702-5000 Toll Free: 1-800-528-0061
45950 Cheam Avenue, Chilliwack, B.C., V2P 1N6

NOT

**FORM H TO FRASER VALLEY REGIONAL DISTRICT
BUILDING BYLAW NO. 1188, 2013**

**FRASER VALLEY REGIONAL DISTRICT
BUILDING DEPARTMENT**

NO OCCUPANCY

LOCATION;.....

Works:.....

The OCCUPANCY of the above described premises is hereby **prohibited under the provisions of the Building Bylaw**. Any person occupying these premises is **subject to the penalties of the Bylaw** until this notice has been rescinded by the Building Inspector.

Date..... **BUILDING INSPECTOR**

**THIS CARD MUST NOT BE REMOVED WITHOUT
THE AUTHORIZATION OF THE BUILDING
INSPECTOR**

Phone: 604 702-5000 Toll Free: 1-800-528-0061
45950 Cheam Avenue, Chilliwack, B.C., V2P 1N6

NOTICE