A BYLAW OF THE CITY OF CAMPBELL RIVER TO PROVIDE FOR THE ADMINISTRATION OF THE BUILDING CODE.

WHEREAS section 694 (1) of the Local Government Act authorizes the City of Campbell River, 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 to govern standards in respect of the construction, alteration, repair and demolition of buildings in municipalities and regional City's in the Province;

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

NOW THEREFORE the Council of the City of Campbell River, in open meeting assembled, enacts as follows:

1.0 Title

This Bylaw may be cited for all purposes as the "Building Bylaw No. 3060, 2003".

2.0 Definitions

2.1 In this Bylaw:

The following words and terms have the meanings set out in section 1.1.3.2 of the British Columbia Building Code 1998: assembly occupancy, building, building area, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, field review, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, non-combustible construction, occupancy, owner, registered professional, and residential occupancy.

"Building Code" means the current provincial building code established under section 692 of the Local Government Act and any other building regulation made by the Minister under that section.

"Building Official" means the person employed or contracted by the City to administer this Bylaw.

"City" means the City of Campbell River.

"Complex (Part 3) Building" means:

a. all buildings used for major occupancies classified as:

   (i) assembly occupancies,
   (ii) care or detention occupancies,
   (iii) high hazard industrial occupancies; and
b. all buildings exceeding 600 square meters 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,
   (iv) medium and low hazard industrial occupancies.


“Highway” means the road right of way and includes municipal boulevards and street trees.

"Standard (Part 9) Building" means a building of three storeys or less in building height, having a building area not exceeding 600 square meters 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, fences, paving and retaining structures less than 1.5 meters in height.

"Value" means the fair market value of the work proposed to be undertaken, including materials and labour.

3.0 Purpose of Bylaw

3.1 This 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 City in the general public interest. The activities undertaken by or on behalf of the City pursuant to this Bylaw are for the sole purpose of providing a limited and interim spot checking function for reason of health, safety and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of this Bylaw extend:
   a. to the protection of owners, owner/builders or constructors from economic loss;
   b. to the assumption by the City or a Building Official of any responsibility for 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, the requirements of this Bylaw or other applicable enactments respecting safety;
   c. to 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;
   d. to providing a warranty or assurance that construction undertaken pursuant to building permits issued by the City is free from latent, or any defects.
   e. to providing to any person a warranty that construction is in compliance with the Building Code, this Bylaw or any other enactment with respect to a building
or structure for which a building permit or occupancy permit is issued under this Bylaw.

4.0 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 specifications or supporting documents, nor any inspections made by or on behalf of the City shall in any way relieve the owner or his or her representatives from full and sole responsibility to perform the work in strict accordance with the Building Code, the requirements of this Bylaw or other applicable enactments respecting safety.

4.3 It shall be the full and sole responsibility of the owner (and where the owner is acting through a representative, the representative) to carry out the work in respect of which the permit was issued in compliance with the Building Code, this Bylaw and other applicable enactments respecting 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 City constitute in any way a representation, warranty, assurance or statement that the Building Code, this Bylaw or other applicable enactments respecting safety have been complied with.

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 representatives are responsible for making such determination.

5.0 Scope and Exemptions

5.1 This Bylaw applies to the design, construction and occupancy of new buildings and structures, and the alteration, reconstruction, demolition, removal, relocation, change of occupancy and occupancy of existing buildings and structures.

5.2 This Bylaw does not apply:

a. to buildings or structures exempted by Part 1 of the Building Code except as expressly provided herein;

b. to retaining structures less than 1.5 meters in height;

c. to the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, when such repairs do not involve or require the replacement or rearrangement of valves, pipes, fixtures or hot water tanks.

6.0 Prohibitions

Amd Bylaw 3420 Jun/10, Amd Bylaw 3464 Oct/11

6.1 No person shall commence or continue any construction, alteration, placement, reconstruction, demolition, removal or relocation or change the occupancy of any building or structure, or other work related to construction, unless a Building Official has issued a valid and subsisting permit for the work.

6.2 No person shall 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.

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 City on property in the administration of this Bylaw.

7.0 Building Officials

7.1 A Building Official may:

a. administer this Bylaw;

b. 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 or microfilm copies of such documents;

c. 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;

d. determine that building site conditions do not permit effective use of solar hot water heating, for the purposes of s. 3(2) of the Solar Hot Water Ready Regulation.

7.2 A Building Official:

a. may enter any land, building, structure or premises at all reasonable times to ascertain whether the requirements of this Bylaw are being met and its regulations are being observed;

b. 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; and

c. 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.

7.4 If the cessation of work has been ordered under section 32.3 of this Bylaw, a Building Official may authorize the work to continue when the contravention has been corrected.

8.0 Applications

8.1 Unless exempted by section 5.2 of this Bylaw, a person shall apply for and obtain:

a. a building permit before constructing, repairing or altering a building or structure;

b. a moving permit before moving a building or structure;

c. a demolition permit before demolishing a building or structure;

d. a fireplace and chimney permit prior to the construction of a masonry fireplace or the installation of a wood burning appliance or chimney unless the works are included in a valid and subsisting building permit.

8.2 An application for a permit required under this Bylaw shall be made in the form provided by the Building Official.
8.3 All plans submitted with permit applications shall bear the name and address of the designer of the building or structure.

8.4 Each building or structure to be constructed on a site requires a separate building permit and shall be assessed a separate building permit fee calculated as prescribed in Schedule "A" to this Bylaw.

9.0 Applications for Complex Buildings

Amd Bylaw 3420 Jun/10, Amd Bylaw 3464 Oct/11

9.1 An application for a building permit with respect to a complex building shall:

a. be made in the form provided by the Building Official, signed by the owner, or a signing officer if the owner is a corporation, and the coordinating registered professional;

b. be accompanied by the owner's acknowledgment of responsibility and undertakings under this Bylaw made in the form provided by the Building Official, signed by the owner, or a signing officer if the owner is a corporation;

c. include a copy of a title search made within fourteen (14) days of the date of the application;

d. include a proposed site plan prepared by a British Columbia Land Surveyor 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 all statutory rights of way, easements and setback requirements;

(iv) the location and dimensions of all existing and proposed buildings or structures on the parcel;

(v) setbacks to the natural boundary of any lake, swamp, pond or watercourse where the City's land use regulations establish siting requirements related to flooding;

(vi) 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; however, the Building Official may waive this requirement for houses no more than one floor in height.

(vii) the location, dimension and gradient of parking and driveway access;

(viii) The Building Official may waive the requirements for a proposed site plan, in whole or in part, where the permit sought is for the repair or alteration of an existing building or structure or addition, or for properties over 4047 square meters (one acre) in size.

e. include 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.

f. include a cross section through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;
g. include elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;

h. include:
   (a) a plan that shows the location and size of every building drain and every trap and inspection piece that is on a building drain; and
   (b) a sectional drawing that shows the size and location of every soil or waste pipe, trap and vent pipe;

all to be submitted in the form and quantities required by the Building Official, and containing complete design and calculation criteria;

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 approval;

k. include a letter of assurance in the form of Schedule "A" as referred to in Division C, Part 2 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.

l. include letters of assurance in the form of Schedule "B" referred to in 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;

m. include two 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.e.-9.1.i of this Bylaw;

n. state the intended use or uses of and the Value of each building or structure.

o. include copies of all covenants or right of ways registered on title.

9.2 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:

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 City's subdivision servicing bylaw;

b. a section through the site showing grades, buildings, structures, parking areas and driveways;

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.

10.0 Applications for Standard Buildings

Amd Bylaw 3420 Jun/10, Bylaw 3464 Oct/11

10.1 An application for a building permit with respect to a Standard Building shall:

a. be made in the form provided by the Building Official, 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 undertakings made in the form provided by the City, signed by the owner or a signing officer if the owner is a corporation;

c. include a copy of a title search made within fourteen (14) days of the date of the application;

d. include a proposed site plan prepared by a British Columbia Land Surveyor 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 all statutory rights of way, easements and setback requirements;

   (iv) the location and dimensions of all existing and proposed buildings or structures on the parcel, except the Building Official may accept a non-BCLS prepared site survey for properties over 4047 square meters (one acre) in size or buildings shown on a proposed site plan as being at least 5 feet away from all required setbacks if he/she believes the site plan is not necessary to ensure compliance with setbacks and the lot lines are not irregular and if ground elevation data is not needed;

   (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse where the City’s land use regulations establish siting requirements related to flooding;

   (vi) 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 City’s land use regulations establish siting requirements related to minimum floor elevation;

   (vii) the location, dimension and gradient of parking and driveway access;

   (viii) The Building Official may waive the requirements for a proposed site plan, in whole or in part, where the permit sought is for the repair or alteration of an existing building or structure.

e. include 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.

f. include a cross section through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;

g. include elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;

h. include:

   (i) a plan that shows the location and size of every building drain and every trap and inspection piece that is on a building drain;

   (ii) a sectional drawing that shows the size and location of every soil or waste pipe, trap and vent pipe; and
(iii) a schematic showing the provisions for future solar domestic hot water system installation.

all to be submitted in the form and quantities required by the Building Official, and containing complete design and calculation criteria;

Bylaw 3575 Mar/15 section (i) added

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;

(i) Insulated assemblies must be pre-designed as required by the BC 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 approval;

k. include a foundation design prepared by a registered professional in accordance with section 4.2 of Part 4 of the Building Code, accompanied by letters of assurance in the form of Schedule "B" referred to in Division C, Part 2 of the Building Code signed by the registered professional, unless:

(i) the requirements of section 10.1.k are waived by a Building Official because the Building Official required a professional engineer's report pursuant to section 699(2) of the Local Government Act and the building permit is issued in accordance with sections 699(5) and (6) of the Local Government Act, or

(ii) documentation, prepared and sealed by a registered professional, is provided certifying that the foundation design substantially complies with section 9.4.4 of Part 9 of the Building Code and the foundation excavation substantially complies with section 9.12 of Part 9 of the Building Code.

(iii) the foundation is for a non-residential building less than 47 square meters (500 square feet) in size if, in the opinion of the Building Official, the ground conditions are sufficient to support the building.

l. include two copies of specifications and two sets of drawings at a suitable scale of the design including the information set out in sections 10.1.e – 10.1.i and 10.1.k of this Bylaw.

m. state the intended use or uses and the Value of each building or structure.

10.2 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:

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 City's subdivision servicing bylaw;

b. a section through the site showing grades, buildings, structures, parking areas and driveways;

c. a roof plan and roof height calculations;

d. structural, electrical, mechanical, plumbing or fire suppression drawings prepared and sealed by a registered professional;
e. letters of assurance in the form of Schedule "B" referred to in Division C Part 2 of the Building Code signed by the registered professional;

f. 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.

11.0 Professional Plan Certification

Amd Bylaw 3420 Jun/10, Amd Bylaw 3464 Oct/11

11.1 The letters of assurance in the form of Schedules B-1 and B-2 referred to in Division C, Part 2 of the Building Code and provided pursuant to sections 9.1.k, 10.1.k, 10.2.e and 15.1 of this Bylaw are relied upon by the City 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 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.d and letters of assurance pursuant to section 10.2.e of this Bylaw, shall be in the form provided by the City.

11.3 A building permit issued pursuant to section 11.2 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 and safety.

Bylaw 3575 Mar/15

11.4 When the Building Official considers that due to the complexity of a building, that a registered professional is required to coordinate 2 or more professional design certifications, the building permit fees will be reduced by 20%.

12.0 Fees and Charges

Amd Bylaw 3420 Jun/10, Amd Bylaw 3464 Oct/11

12.1 In addition to applicable fees and charges required under other bylaws, a permit fee, prescribed and calculated in accordance with Schedule "A" to this Bylaw, shall be paid in full prior to the issuance of any permit under this Bylaw.

12.2 The applicable plan review fee prescribed in Schedule "A" shall accompany an application made for a building permit to this Bylaw.

a. The plan review fee is non-refundable and shall be credited against the building permit fee when the building permit is issued.

b. An application shall be cancelled and the plan review fee forfeited if the building permit has not been issued and if the permit fee is not paid within 180 days of the date of written notification to the owner that the permit is ready to be issued.

c. 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 the permit fees prescribed in Schedule "A" to this Bylaw when a permit is surrendered and cancelled before any construction begins, but the refund shall not include the plan review fee paid pursuant to section 12.2 of this Bylaw.

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, the re-inspection charge prescribed in Schedule "A" to this Bylaw shall be paid prior to additional inspections being performed.

12.5 The fees prescribed in Schedule “A” shall be increased by 50% for residential dwellings where the builder is not licenced by the Home Owner Protection Office.

13.0 Building Permits

13.1 When:
   a. a completed application, including all required supporting documentation, has been submitted;
   b. the proposed work set out in the application substantially conforms to the Building Code, this Bylaw and all other applicable bylaws and enactments respecting safety;
   c. the owner or his or her representative has paid all applicable fees prescribed under section 12.1 of this Bylaw;
   d. the owner or the owner’s representative has paid all charges and met all requirements imposed by any other enactment or bylaw;
   e. no enactment, covenant, agreement, or regulation favouring or enacted by the City authorizes the permit to be withheld or prevents it from being issued; and
   f. the owner has retained a professional engineer or geoscientist if required by the Engineers and Geoscientists Act;

   a Building Official shall issue the permit for which the application is made.

13.2 When 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 the evidence required by section 30(1) of the Homeowner Protection Act, S.B.C. 1998, c. 31, and amendments thereto.

13.3 Except as otherwise provided in section 25.3, every permit is issued upon the condition that the permit shall expire and the rights of the owner under the permit shall terminate if:
   a. the work authorized by the permit is not commenced within 6 months from the date of issuance of the permit;
   b. work is discontinued for a period of more than 1 year; or
   c. the exterior finish of the building is not completed within 18 months from the date of issuance of the permit.

13.4 A Building Official may issue a foundation permit prior to the issuance of a building permit.

13.5 A Building Official may issue a building permit for a portion of a building or structure before the design, plans and specifications for the entire building or structure have been accepted, provided sufficient information has been provided to the City to demonstrate to the Building Official that the portion authorized to be constructed substantially complies with the Building Code, and with this and other applicable bylaws, and provided the permit fee applicable to that portion of the building or structure has been paid. The issuance of the permit notwithstanding, the requirements of this Bylaw apply to the remainder of the building or structure as if the permit for the portion of the building or structure had not been issued.

13.6 When a site has been excavated under an foundation permit issued pursuant to section 13.4 of this Bylaw and a building permit is not subsequently issued or a subsisting building permit has expired in accordance with the requirements of section 13.2, but
without the construction of the building or structure for which the building permit was
issued having commenced, the owner shall fill in the excavation to restore the original
gradients of the site within 60 days of being served notice by the City to do so.

14.0 **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 this Bylaw have
been complied with or that the building or structure meets any standard of materials or
workmanship.

14.2 No person shall rely on the issuance of a permit under this Bylaw, the review or
acceptance of the design, drawings, plans or specifications nor any inspection made by
a Building Official as establishing compliance with the Building Code or this Bylaw or any
standard of construction, materials or workmanship.

15.0 **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 to provide design and plan certification and field review by means of letters
of assurance in the form of Schedules "B" and "C-B" referred to in Division C of Part 2 of
the Building Code.

15.2 Prior to the issuance of an occupancy permit for a Complex Building, or a Standard
Building in circumstances where letters of assurance have been required in accordance
with sections 10.1.k, 10.2.e or 15.1 of this Bylaw, the owner shall provide the City with
letters of assurance in the form of Schedules "C-A" or "C-B", as is appropriate, referred
to in Division C of Part 2 of the Building Code.

15.3 When a registered professional provides letters of assurance in accordance with
sections 9.1.k, 10.1.k, 10.2.e, 15.1 or 15.2 of this Bylaw, he or she shall also provide
proof of professional liability insurance to the Building Official in the form provided by the
Building Official.

16.0 **Responsibilities of the Owner**

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

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

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

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

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

17.0 **Inspections**

17.1 When a registered professional provides letters of assurance in accordance with
sections 9.1.k, 10.1.k, 10.2.e or 15.1 of this Bylaw, the City 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 certification 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.
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 In addition to the inspections required under section 17.4, a Building Official may attend 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 safety.

17.4 The owner, or the owner's representative, shall give at least 24 hours notice to the City when requesting an inspection and shall obtain an inspection and receive a Building Official's acceptance of the following aspects of the work prior to concealing them:

a. installation of perimeter drains and rain water leaders, and damp-proofing prior to backfilling;

b. the preparation of ground, including ground cover, when required, prior to the placing of a concrete slab;

c. rough in of factory built chimneys and fireplaces and solid fuel burning appliances;

d. Air Barrier;

e. the framing and sheathing;

f. duct work, roughed-in plumbing or gas venting;

g. insulation and vapour barrier after exterior siding is substantially complete or otherwise protected to the satisfaction of the Building Official;

h. when the building or structure is substantially complete and ready for occupancy, but before occupancy takes place of the whole or part of the building or structure.

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 Prior to the framing and sheathing inspection, an actual site survey completed by a BCLS must be submitted for review.

17.7 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 in accordance with sections 9.1.k, 10.1.k, 10.2.e, 15.1 or 15.2 of this Bylaw.

18.0 Occupancy Permits

18.1 No person shall occupy a building or structure or part of a building or structure or change the class of occupancy of a building or structure until an occupancy permit has been issued in the form provided by the City.

18.2 An occupancy permit shall not be issued unless:

a. all letters of assurance have been submitted when required in accordance with sections 9.1.k, 10.1.k, 10.2.e, 15.1 and 15.2 of this Bylaw; and

b. all aspects of the work requiring inspection and an acceptance pursuant to section 17.4 of this Bylaw have been inspected and accepted.

18.3 A Building Official may issue an occupancy permit for part of a building or structure when that part of the building or structure is self-contained, is provided with essential services and meets the requirements set out in section 18.2 of this Bylaw.
19.0 Retaining Structures

A registered professional shall undertake the design and conduct field reviews of the construction of a retaining structure greater than 1.5 meters in height. Sealed copies of the design plan and field review reports prepared by the registered professional for all retaining structures greater than 1.5 meters in height shall be submitted to a Building Official prior to acceptance of the works by the Building Official. The registered professional shall ensure that any drainage changes resulting from the structure shall not adversely impact adjacent and downstream properties or municipal infrastructure or right of ways.

20.0 Bonding Against Damage to Highway

20.1 Where an owner will, in the course of construction of the building for which a permit is issued:
   a. be excavating upon the property;
   b. be bringing heavy equipment onto the site from the adjacent roadway; or
   c. be transporting materials from or to the site across a curb or ditch where no
      boulevard crossing has been constructed;

   the owner must deposit with the City a sum of money sufficient to pay for the costs of repairing any damage likely to be done to the adjacent highway, or public utilities located in or on the adjacent highway, during the course of construction.

20.2 The sum of money required by subsection 20.1 herein shall be as specified in Schedule "B" to this Bylaw, and shall be deposited with the City in the form of cash, certified cheque or Irrevocable Letter of Credit in the City's standard format from a Chartered Bank of Canada, prior to the issuance of the building permit.

20.3 Where it is deemed necessary by the General Manager, Operations (or his delegate) or a Building Official to sweep the streets due to construction activities undertaken in connection with or under a building permit, there shall be deducted from the monies on deposit the fee for the sweeping of streets as set out in Schedule "B" to this Bylaw.

20.4 Where a highway, or a public utility on or adjacent to a highway, has been damaged by any work undertaken in connection with or under a building permit, and where the owner fails to clean up or repair the highway or public utility, or cause the highway or public utility to be cleaned up or repaired in a manner satisfactory to the General Manager, Operations (or his delegate) within fourteen (14) days of being notified to do so by the General Manager, Operations (or his delegate) or Building Official, then the City or its authorized agents shall carry out such repairs or clean up as is deemed necessary by the General Manager, Operations (or his delegate) and may use the security provided by the owner under section 20.2 to pay the costs of such repairs or clean up.

20.5 Should there be an insufficiency of monies on deposit with the City, then the owner shall be liable for payment, and shall pay forthwith, upon invoice, the balance that is required by the City to carry out or cause to be carried out, the necessary repairs, clean-up or highway reconstruction, together with an administration charge of twenty-five ($25.00) dollars.

20.6 Sections 20.1 to 20.5 inclusive shall not apply to property that is not serviced by underground municipal utilities or a paved road.
21.0 Driveway Access

21.1 No person shall construct any driveway or other access to any building from any street without a permit from the City Official approving the location and grade of the driveway or other access.

21.2 No person may install a culvert unless a permit has been obtained under this Bylaw for that purpose. No permit for the installation of any culvert shall be issued unless the location, size, line grade, length and type of pipe is approved by the City Official. The culvert shall be bedded upon acceptable bedding material and backfilled with approved pit run gravel or better. The minimum length for a driveway culvert shall be six (6) metres.

22.0 Modular Homes

22.1 General

a. Except as provided in section 22.1.b, all modular homes and components that are moved to a parcel within the City shall be certified, at the time of manufacture, by the Canadian Standards Association as complying with CAN/CSA-A277 "Procedures for Certification of Factory Built Housing".

b. A modular home which does not comply with 22.1.a may be moved to a parcel within the City if it complies with those portions of the Building Code with respect to:
   (i) structural requirements for specified loads and effects;
   (ii) electrical systems;
   (iii) plumbing systems;
   (iv) gas and heating systems;
   (v) resistance to forced entry;
   (vi) bedroom windows; and
   (vii) smoke alarms.

22.2 Proof of Compliance

Before occupancy of a modular home which does not comply with section 22.1.a is moved to a parcel within the City, the owner shall submit evidence in writing from a registered professional demonstrating compliance with section 22.1.b.

22.3 Installation

a. Where a modular home is designed to be supported by perimeter foundation walls, the installation shall conform to the requirements of the Building Code, and shall be undertaken in compliance with the requirements of Part 10 of that Bylaw.

b. Where a modular home is designed to be supported by longitudinal floor beams, the installation shall conform to:
   (i) the manufacturer’s installation instructions; or
   (ii) CSA Z240.10.1, "Site Preparation, Foundation and Anchorage of Mobile Homes".
23.0 Mobile Homes

23.1 General
a. Except as provided in section 23.1.b of this Bylaw, all mobile homes and their components that are moved to a parcel within the City shall be certified by the Canadian Standards Association, at the time of manufacture, as complying with CAN/CSA-Z240 MH "Mobile Homes".

b. A mobile home which does not comply with section 23.1.a of this Bylaw may be moved to a parcel within the City if it complies with those portions of CAN/CSA-Z240 MH "Mobile Homes" with respect to:
   (i) structural requirements for specified loads and effects;
   (ii) electrical systems;
   (iii) plumbing systems;
   (iv) gas and heating systems;
   (v) resistance to forced entry;
   (vi) bedroom windows, and
   (vii) smoke alarms.

23.2 Proof of Compliance
Before occupancy of a modular home which does not comply with section 23.1.a of this Bylaw is moved to a parcel within the City, the owner shall submit evidence in writing from a registered professional for the purpose demonstrating compliance with section 23.1.b.

23.3 Installation
The installation of a mobile home on any parcel within the City shall conform to:
   a. the manufacturer's installation instructions; or
   b. CSA, Z240.10.1, "Site Preparation, Foundation and Anchorage of Mobile Homes".

24.0 Park Model Trailers

24.1 General
All park model trailers and components that are placed on a parcel within the City shall be certified, at the time of manufacture, by the Canadian Standards Association as complying with CAN/CSA Z241, 10.1 "Site Preparation, Foundation and Anchorage of Mobile Homes".

24.2 Installation
The installation of park model trailers shall conform to:
   a. the manufacturer's installation instructions; or
   b. CSA Z240, 10.1, "Site Preparation, Foundation and Anchorage of Mobile Homes".
25.0 Moving Buildings

25.1 No person shall move a building or structure into the City, or from place to place within the City, unless he has a valid and subsisting permit issued by the Building Official. The fees for such a permit shall be as prescribed and set forth in Appendix "A" attached hereto.

25.2 The Building Official shall not issue a permit as required in subsection 25.1 unless there has been produced a certificate, signed by a registered professional, certifying that the building or structure substantially conforms to the health and safety aspects of the Building Code (as defined in Part 22.0 of this Bylaw) in all respects.

25.3 No building or structure may be relocated within the City unless it meets the following conditions:
   a. it has a value when completed of not less than 100% of the average of all buildings within a 50 metre radius of the lot on which it is to be located;
   b. it must be placed on a permanent foundation within three (3) months from the date of issuing the permit;
   c. all construction must be completed within twelve (12) months of issuing the permit;
   d. the owner must provide cash or letter of credit equivalent to 125% of the value of the work performed as a guarantee that the building exterior is completed within twelve (12) months of issuing the permit.

26.0 Underground Electrical Services

26.1 Where electrical services are to be upgraded, no building permit shall be issued for new buildings or renovations of commercial, industrial and multi family buildings in the following areas unless all overhead services are directed underground:
   a. Downtown Business Improvement Area, except those properties where the electrical service is from a lane.
   b. Willow Point Business Improvement Area.
   c. Highway 19 from the southern municipal boundary to Orange Point Road, except those properties where the electrical service is from a side road or lane.
   d. Inland Island Highway.
   e. All arterial and connector roads as defined in the Municipal Specifications in Subdivision Bylaw No. 1340, as amended from time to time.

27.0 Floating Buildings and Structures

27.1 All floating buildings and structures shall be subject to the following requirements:
   a. all structural elements shall be designed and certified by a structural Engineer;
   b. the sprinkler provisions of sections 28.1, 28.2, 28.3.e and 28.4.b, and 28.4.c shall apply;
   c. the health and safety aspects of the work shall comply with the Building and Plumbing Codes;
   d. public washroom facilities connecting to a public sewer system or sewer discharge otherwise approved by the Province shall be provided within floating buildings or shall be constructed on land.
28.0 Fire Limit Areas

28.1 For the purposes of regulating construction of certain buildings for precautions against fire, those areas of the City of Campbell River located in the following zones:

- Lake Shore two zone (LS-2);
- Residential five zone (R-5);
- Residential infill one zone (Ri-1);
- Residential infill two zone (Ri-2);
- Residential infill three zone (Ri-3);
- Residential multiple one zone (RM-1);
- Residential multiple two zone (RM-2);
- Residential multiple three zone (RM-3);
- Residential multiple four zone (RM-4);
- Rural one zone (RU-1);
- Rural two zone (RU-2);
- Rural recreation one zone (RR-1);
- Commercial one zone (C-1);
- Commercial two zone (C-2);
- Commercial three zone (C-3);
- Commercial four zone (C-4);
- Commercial five zone (C-5);
- Commercial six zone (C-6);
- Industrial one zone (I-1);
- Industrial two zone (I-2);
- Industrial three zone (I-3);
- Airport one zone (A-1);
- Airport two zone (A-2);
- Public assembly one zone (PA-1);
- Comprehensive development one zone (CD-1);
- Comprehensive development two zone (CD-2);
- Comprehensive development three zone (CD-3);
- Comprehensive development four zone (CD-4);

established in the City of Campbell River Zoning Bylaw 2700, 1998, as amended or replaced, are established as Fire Limit Areas.

28.2 Except as provided otherwise in this Bylaw, where an owner of land within a Fire Limit Area constructs a building or an addition to a building or alters a building for change of use; the owner must install a fire sprinkler system throughout the entire building. A building permit will not be issued for such construction unless the applicant for the building permit submits written confirmation from a registered professional that the required sprinkler and fire flow requirements are provided for in the design.
The sprinkler system must be installed and maintained to standards as set out in the British Columbia Building Code or to the required standards of the National Fire Protection Association (NFPA) current as of the date of the Permit. The provision of sections 9.1.k, 10.2.e and 15.1 of this Bylaw apply to the installation of a fire sprinkler system, where such installation is required under this section.

28.3 Unless required otherwise by the Building Code, the requirements of section 28.2 shall not apply:

a. where the construction falls within the scope of Part 9 of the BC Building Code and the building contains no more than two residential units; or
b. where there is new construction of a complex building not exceeding 1200 m² total floor area and the building contains no more than two residential units; or
c. where there is construction of an addition to an existing building and the new combined floor area does not exceed 1200 m²; or
d. where there is a renovation or alteration and it will result in not more than two residential units in the building; or
e. to the construction of a floating building in which 40% of the perimeter of the structure is open to the outdoors and in which provisions are made for escape of gases at the roof and fire fighting access along the walls; or
f. to the construction of a complex building of non-combustible construction that is intended for a low hazard use, where:

(i) a registered professional has certified that the design and installation of the fire protection or suppression systems and equipment in that building provide fire protection that is equivalent to or better protection than had a sprinkler system been installed, given the low hazard use of that building, and

(ii) the owner grants to the City a covenant pursuant to section 219 of the Land Title Act under which the owner agrees:

(a) to use the building only for a low hazard use;
(b) to install a sprinkler system throughout the entire building, in accordance with the requirements of this Bylaw, before using the building for other than a low hazard use;
(c) to indemnify and save harmless the City against any claims for economic loss, personal injury or property damage arising out of or connected with any breach or non-observance of the terms of the covenant by the owner.

28.4 Variances to 28.3.b, c and e may be granted by the Fire Chief as follows:

a. Sections 28.3.b and c may be varied to 1500 m² or the requirements of the Building Code, whichever is more restrictive, based on the following criteria:

(i) the building is within a 1 ½ kilometer radius of #1 Fire Station; and
(ii) building wall, roof and floor assemblies have a fire resistance rating or 45 minutes or more; and
(iii) a fire department lock box is installed providing access to all areas of the building; and
(iv) monitored early detection alarm systems are provided; or
other fire suppression systems are provided that afford equivalent or better protection, to the satisfaction of the Fire Chief, than had a sprinkler system been installed.

b. Section 27.1.b may be varied for floating buildings with a floor area not greater than 24 m², not used for Industrial or Residential occupancy, based on the following criteria:
   (i) spatial separation of at least 5 metres from other combustible structures or access routes (i.e. foot ramps) is provided; and
   (ii) early fire detection and water standpipes systems for firefighting are provided.

c. Floating buildings and structures, used as covered storage for boats, may be equipped with a NFPA 13 Dry Deluge Sprinkler System (DDSS) employing water supply from fire department connection only and the DDSS need not include any detection system or automatic valve components. The fire department connection supplying the DDSS shall be located at least 15 metres from the protected structure or where distance is limited, to the satisfaction of the Fire Chief.

28.5 Reconsideration by Council

a. an applicant may have a decision of the Fire Chief in relation to a variance reconsidered by Council under section 28.5.d by submitting a written request for reconsideration to the City Clerk, within thirty days after the decision is delivered to or made available to the applicant.

b. The request for reconsideration must include the following:
   (i) the applicant’s address for receiving correspondence related to the request for reconsideration;
   (ii) a copy of the written decision;
   (iii) reasons why the applicant wishes the decision to be reconsidered by Council;
   (iv) the decision which the applicant requests be made by Council;
   (v) reasons in support of the decision requested from Council; and
   (vi) a copy of any documents which support the applicant’s request for reconsideration by Council.

c. At the reconsideration of a decision, the applicant is entitled to be heard by the Council in person or by a representative.

d. The Council may, following completion of its reconsideration, do one or more of the following:
   (i) confirm all or part of the delegate’s decision;
   (ii) set aside all or part of the delegate’s decision;
   (iii) amend the delegate’s decision or make a new decision.

e. The Council may adjourn reconsideration under this section.

28.6 Notice of Reconsideration

The City Clerk must, upon receiving an application for reconsideration:

a. place the request for reconsideration on the agenda for a regular meeting of Council to be held at least two weeks after the date on which the request for reconsideration is delivered to the City Clerk;
b. notify the applicant of the date for reconsideration by regular mail sent to the applicant’s address provided under Section 28.5.b;

c. if the Fire Chief provided notice to any person other than the applicant regarding the initial application for a variance, in addition to the notice requirements under Section 28.6.b, similar notice must be given of the reconsideration.

29.0 Plumbing Permits - Qualification of Application

29.1 No permit for the installation, repair or replacement of plumbing in any building shall be issued unless the applicant:

a. possesses a British Columbia tradesman's qualification certificate as a plumber; or

b. is the registered owner and occupier of the single family dwelling in which the plumbing is to be installed, repaired or replaced, provided that the Building Official has been provided with proof that the owner is able to satisfactorily complete the proposed work.

30.0 Permits, Applications and Forms

30.1 A Building Official may from time to time prescribe the form of application, permit, stop work notice, do not occupy notice, and other forms required for the purpose of administering this Bylaw.

31.0 Cancellation of Permit

31.1 A Building Official may revoke a permit issued under this Bylaw where:

a. the application for the permit contained false or misleading information;

b. there is a contravention of a provision of this Bylaw or the Building Code.

31.2 The revocation of a permit must be in writing and delivered to the owner in person or by registered mail.

31.3 An owner may, within 14 days of delivery of the notice of revocation, apply to the City Council for a reconsideration of the decision of the Building Official to revoke the owner's permit.

32.0 Penalties and Enforcement

32.1 Every person who contravenes any provision of this Bylaw commits an offense punishable on summary conviction and shall be liable to a fine of not more than Ten Thousand ($10,000.00) Dollars or to imprisonment for not more than six months.

32.2 A person who fails to comply with an order or notice issued by a Building Official or who allows a violation of this Bylaw to continue, despite that order or notice, commits an offence.

32.3 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 on the site of the work.

32.4 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.

32.5 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 Do Not Occupy notice on the affected part of the building or structure.
32.6  The owner of property on which a Do Not Occupy notice has been posted, and every person, shall cease occupancy of the building or structure immediately and shall refrain from further occupancy until all applicable provisions of the Building Code and this Bylaw have been substantially complied with and the Do Not Occupy notice has been rescinded in writing by a Building Official.

32.7  Every person who commences work requiring a building permit without first obtaining such a permit shall, pay an additional charge equal to double of the building permit fee prior to obtaining the required building permit.

33.0  **Severability**

33.1  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.

34.0  **Schedules and Appendices**

34.1  Schedule "A" attached to this Bylaw forms a part of and is enforceable in the same manner as this Bylaw.

35.0  **Transitional**

35.1  The provisions of this Bylaw apply to every building permit for which an application is received after the date of adoption of this Bylaw.

35.2  The provisions of City of Campbell River Building Bylaw No. 597,1974 shall continue to apply to all building permits issued and building permit applications made before the adoption of this Bylaw and in respect of which:

   a.  the permit has not been cancelled; or
   b.  an occupancy permit for the work authorized by the permit has not been issued.

36.0  **Repeal Bylaw**

36.1  Except to the extent provided in section 35.2, City of Campbell River Building Bylaw No. 597, 1974, and any amendments thereto, is hereby repealed in its entirety.

Read a first time on the 10th day of November 2003.
Read a second time on the 10th day of November 2003.
Read a third time on the 10th day of November 2003.
Third reading rescinded and
Re-read a third time, as amended on the 17th day of November 2003.
Adopted on the 25th day of November 2003.

Original Signed by C. Cornfield
MAYOR

Original Signed by P.F. Wipper
CLERK
### Schedule "A" – Permit Fees

**All Construction**

Prior to issuing a permit, a Building Inspector may require an applicant to provide the City with an appraisal of the value of the proposed construction, at the applicant’s expense. In such case, the building permit fee must be based on the appraised value of the construction in accordance with the following fee schedules.

All fees to be increased by 50% for residential dwellings where the builder is not licenced by the Home Owner Protection Office.

<table>
<thead>
<tr>
<th>Value of Construction</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not exceeding $5,000.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>Over $5,000.00 but less than $100,000.00</td>
<td>$50.00 for the first $5,000.00 plus $8.00 for each additional $1,000.00</td>
</tr>
<tr>
<td>Over $100,000.00 but less than $400,000.00</td>
<td>$50.00 for the first $5,000.00 plus $8.00 for each additional $1,000.00 up to $100,000.00 plus $7.00 for each additional $1,000.00 from $100,000.00 up to $400,000.00</td>
</tr>
<tr>
<td>Over $400,000.00</td>
<td>$50.00 for the first $5,000.00 plus $8.00 for each additional $1,000.00 up to $100,000.00 plus $7.00 for each additional $1,000.00 from $100,000.00 up to $400,000.00 plus $6.00 for each additional $1,000.00 for more than $400,000.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plan review</td>
<td>$50.00</td>
</tr>
<tr>
<td>Ancillary building</td>
<td>$100.00</td>
</tr>
<tr>
<td>Single family, duplex and triplex</td>
<td>$150.00</td>
</tr>
<tr>
<td>Multifamily, commercial or industrial</td>
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</tr>
<tr>
<td>Demolition</td>
<td>$50.00</td>
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<tr>
<td>Permit to move a building</td>
<td>$1/2 of fees for new construction</td>
</tr>
<tr>
<td>Construction without a valid permit</td>
<td>Double Fee</td>
</tr>
<tr>
<td>Re-inspection</td>
<td>$50.00</td>
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<tr>
<td>Building Permit refund if no inspection done</td>
<td>70%</td>
</tr>
<tr>
<td>Building Permit for existing float home</td>
<td>$50.00</td>
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<tr>
<td>Building Permit for new float home</td>
<td>$0.25 per sq. ft. of gross floor area</td>
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<tr>
<td>Building file review</td>
<td>$50.00</td>
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<table>
<thead>
<tr>
<th>Plumbing</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 or 2 plumbing fixtures</td>
<td>$50.00 base fee</td>
</tr>
<tr>
<td>3 or more plumbing fixtures</td>
<td>$6.00 per fixture plus base fee</td>
</tr>
<tr>
<td>Fee for water or sewer lines on private property</td>
<td>$10.00</td>
</tr>
<tr>
<td>Fee for fire sprinkler system</td>
<td>$0.60 per sprinkler head</td>
</tr>
<tr>
<td>Fee for residential or commercial lawn sprinkler</td>
<td>$25.00 per zone</td>
</tr>
<tr>
<td>Fee for commercial irrigation system</td>
<td>$100.00 per diameter inch of supply</td>
</tr>
<tr>
<td>Fee for fire protection system</td>
<td>$25.00 per standpipe hydrant or hose connection</td>
</tr>
<tr>
<td>Fee for connection to, or alteration of, sanitary or storm</td>
<td>$30.00</td>
</tr>
<tr>
<td>Fee for septic tank after connection to sewer or demolition</td>
<td>$20.00 (pump out receipt required)</td>
</tr>
<tr>
<td>Fee for maintenance holes, interceptors and catch basins</td>
<td>$30.00</td>
</tr>
<tr>
<td>Fee for pump station</td>
<td>$30.00</td>
</tr>
<tr>
<td>Construction without a valid permit</td>
<td>Double Fee</td>
</tr>
<tr>
<td>Callback inspection</td>
<td>$50.00</td>
</tr>
</tbody>
</table>
SCHEDULE B

FEE SCHEDULE: BONDING AGAINST DAMAGE TO CITY STREETS DURING THE COURSE OF CONSTRUCTION ON OTHER THAN THE HIGHWAY ITSELF

(A) Cash, Certified Cheque or Approved Irrevocable Letter of Credit to be deposited with the City prior to the issuance of any building permit in the amount of $10.00/foot minimum fee $750.00.

(C) Fee for necessary additional inspection - subsequent to final inspection by a Building Inspector, in order to ensure that the provisions of this Bylaw have been complied with $50.00

(D) Fee to be retained from Building Bond for Sweeping of Streets

Per occurrence as directed by Superintendent of Public Works or Building Inspectors $125.00 per hour for a minimum of one hour.