

BUILDING BYLAW

A BYLAW OF THE CITY OF VICTORIA

to revise and consolidate those provisions of the Building Bylaw, 1938 that supplement and administer the British Columbia Building Code.

Contents

Part 1 Interpretation and Application

- 1.1 Title
- 1.2 Definitions
- 1.3 Application
- 1.4 Administrative Discretion
- 1.5 Duty of Care
- 1.6 Failure to Enforce
- 1.7 Warranty or Representation
- 1.8 Owner's Responsibility
- 1.9 Severability

Part 2 Construction and Occupancy

- 2.1 Conformity with Building Code
and Bylaw
- 2.2 Requirement for Permit
- 2.3 General Prohibitions
- 2.4 Numbering of Buildings
- 2.5 Unsafe Buildings

Part 3 Building Inspector

- 3.1 Administration
- 3.2 Conformity to Building Code
- 3.3 Permit Issue, Refusal, Revocation
- 3.4 Correction Orders
- 3.5 Right of Entry

Part 4 Permits

- 4.1 Application for Permit
- 4.2 Separate Application for
Each Building
- 4.3 Form of Application
- 4.4 Form of Permit
- 4.5 Permit Fees
- 4.6 Search, Access, Report Fees
- 4.7 Issuance of Permit
- 4.8 Conditions of Building Permit
- 4.9 Refusal of Permit

- 4.10 Expiration of Permit
- 4.11 Extension of Permit
- 4.12 Revocation of Permit

Part 5 Foundations

- 5.1 Survey Certificate

Part 6 Chimneys, Fireplaces, Solid Fuel Burning Appliances

- 6.1 Permit and Regulations
- 6.2 Inspections

Part 7 Canopies

- 7.1 Permit and Regulations
- 7.2 Form of Application
- 7.3 Materials
- 7.4 Size
- 7.5 Placement
- 7.6 Lighting
- 7.7 Advertising
- 7.8 Maintenance

Part 8 Building Relocation

- 8.1 Permit and Regulations

Part 9 Inspections

- 9.1 Inspection Schedule
- 9.2 Stop Work Order

Part 10 Pre 1950 Buildings

- 10.1 Regulations

Part 11 General Provisions

- 11.1 Offences and Penalties
- 11.2 Repeal

Under its statutory powers, including Part 21, sections 310, 755.2, 755.4 and 967, subsection 579(3) and paragraphs 579(1)(h) and 933(1)(b) of the Municipal Act, the Municipal Council of the Corporation of the City of Victoria enacts the following provisions:

PART 1 INTERPRETATION AND APPLICATION

Title

1.1 This Bylaw may be cited as the "BUILDING BYLAW."

Definitions

1.2 In this Bylaw

"awning" means a canopy constructed of fire retardant fabric;

"building" means any structure used or intended for supporting or sheltering any use or occupancy;

"Building Code" means the British Columbia Building Code;

"Building Inspector" means the City Engineer, the Deputy City Engineer, the City's Chief Inspector, Plumbing Inspector and Electrical Inspector and any person appointed to the position of Building Inspector for the City;

"canopy" means a structure

- (a) that is part of and projects from a building for the purpose of affording protection or shelter from the weather; and
- (b) if it is not constructed of fire retardant fabric, that projects over a highway, including a sidewalk, or over any

property of the City;

"CAN/ULC-
S109-M87" means the National Standard of
Canada designation for the
Standard for Flame Tests of
Flame Resistant Fabrics and
Films, issued under the
auspices of the Underwriters
Laboratories of Canada;

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

"cost" in relation to the cost of the
work for which a permit is
required under this Bylaw,
means the cost of construction
of the work, including the
value of the materials and
services supplied by the
applicant for the permit;

"geodetic
elevation" means an elevation

- (a) designated by a
regulation of the
Surveyor General for
British Columbia;
- (b) based on the Canadian
Geodetic Datum,
authorized by Order in
Council 630 of the Privy
Council of Canada, dated
March 11, 1935,;
- (c) derived from a numbered
precise bench mark
established from the
Canadian Geodetic Datum;
and
- (d) appearing in an official
publication of the
Geodetic Survey of
Canada;

"occupancy" means the use or intended use
of a building or part of a

building for the shelter or support of persons, animals or property, according to the occupancy classifications for buildings set out in the Building Code;

"owner"

means the registered owner of an estate in fee simple, including

- (a) a tenant for life under a registered life estate;
- (b) a registered holder of the last registered agreement for sale;
- (c) a holder or occupier of land held in the manner mentioned in sections 409 and 410 of the Municipal Act;
- (d) a lessee with authority to build on land;
- (e) an occupier, tenant or holder of an interest in respect of the surface of water; and
- (f) an agent of the registered owner of an estate in fee simple;

"permit"

means the Building Inspector's written authorization for occupancy or for the performance of work regulated by the Building Code or this Bylaw;

"professional

means the plans and supporting design" documents bearing the date, seal or stamp, and signature of a person who is registered under legislation of the Province of British Columbia as a professional engineer or architect;

- "professional designer" means a person who is registered under legislation of the Province of British Columbia as a professional engineer or architect; and
- "public utility" means
- (a) the British Columbia Hydro and Power Authority and the British Columbia Telephone Company; and
 - (b) any other company that includes in its purposes the ownership or operation of work used or intended to be used in connection with the conveyance, distribution or delivery of gas, electricity or telephone or television communications;
- "structure" (a) means a construction of any kind that is fixed to, supported by or sunk into land or water; and
- (b) excludes landscaping, paving, a fence, a retaining wall under 1 m in height and a structure explicitly exempted from the application of the Building Code;
- "surveyor" means a person who is registered under legislation of the Province of British Columbia as a land surveyor.

Application

- 1.3 (1) The Building Code and this Bylaw apply to
 - (a) the construction and occupancy of a building; and
 - (b) a change in the occupancy of a building.
- (2) The Building Code and this Bylaw do not apply to the construction of a temporary construction site office.

Administrative Discretion

- 1.4 Words in this Bylaw that set out the responsibilities and authority of the Building Inspector are administrative directions and are not intended to create a duty for the Building Inspector.

Duty of Care

- 1.5 This Bylaw is not intended to create a duty of care for the City, members of the City Council, the Building Inspector or City officers, employees or agents in connection with
 - (a) the issuance of a permit;
 - (b) a review of plans or supporting documents related to an application for a permit;
 - (c) a Building Inspector's inspection or failure to inspect; and
 - (d) the enforcement or a failure to enforce the Building Code or this Bylaw.

Failure to Enforce

- 1.6 In accordance with section 755.2 of the Municipal Act, the City, a member of the City Council or of a City board, or an officer or employee of the City is not liable for any damages or other loss, including economic loss,
- (a) sustained by any person, or to the property of any person; and
 - (b) resulting from neglect or failure, for any reason, to enforce, by the institution of a civil proceeding or a prosecution,
 - (i) a bylaw made under Part 21 of the Municipal Act; or
 - (ii) the Building Code or any other regulation made under subsection 740(1) of the Municipal Act.

Warranty or Representation

- 1.7 The following actions are not, and should not be relied on as, a representation, warranty or statement of compliance with the Building Code or this Bylaw:
- (a) the issuance of a permit;
 - (b) a review of plans or supporting documents related to an application for a permit; or
 - (c) an inspection by a Building Inspector or a Professional Designer employed by the City.

Owner's Responsibility

- 1.8 (1) The owner of a building is responsible for carrying out the work required under the Building Code and this Bylaw.

- (2) The owner of a building is not relieved from the responsibility described in subsection (1) by
 - (a) the issuance of a permit;
 - (b) a review of plans or supporting documents related to an application for a permit; or
 - (c) an inspection by a Building Inspector or a Professional Designer employed by the City.

Severability

- 1.9 Each section, subsection, paragraph, subparagraph and clause of this Bylaw is intended to be an independent provision to the extent that the setting aside of the provision by a court does not affect the validity of the remaining provisions.

PART 2 CONSTRUCTION AND OCCUPANCY

Conformity with Building Code and Bylaw

- 2.1 A building must not be constructed unless it conforms to the requirements of the Building Code and this Bylaw.

Requirement for Permit

- 2.2 (1) A person must not construct or change the occupancy of a building unless the building's owner has obtained a building permit from the Building Inspector.
- (2) A person must not occupy or permit the occupancy of a building that is

constructed after the adoption of this Bylaw unless an occupancy permit for the building has been obtained from the Building Inspector.

General Prohibitions

2.3 A person must not

- (a) reverse, alter, deface, cover, remove or in any way tamper with a construction site identification card, notice of an order to stop work, certificate, or other card or notice posted, on a building, under a provision of this Bylaw unless that is authorized by the Building Inspector;
- (b) do any work at variance with the description, plans or supporting documents for the construction for which a permit has been issued unless the Building Inspector has authorized the change;
- (c) obstruct or interfere with the Building Inspector's entry on property if the entry is in accordance with this Bylaw;
- (d) erase, alter or modify plans or supporting documents that have been
 - (i) reviewed by the Building Inspector; or
 - (ii) filed for reference with the Building Inspector after a permit has been issued on the basis of the plans or supporting documents;
- (e) submit false or misleading information in relation to a permit or an application for a permit;
- (f) construct a building on a parcel of land unless

- (i) the civic address of the parcel is conspicuously posted and is readable from the highway from which the parcel takes its address;
 - (ii) if the building will contain areas that are subject to separate tenancy agreements or are separately owned, a comprehensive identification plan of those areas; and
- (g) use an explosive for blasting for the purpose of constructing a building unless that person has public liability and property damage insurance, for damage to persons who, or whose property, may be injured by the blasting and
- (i) the person using the explosive has given to the Building Inspector proof of the insurance;
 - (ii) the insurance has \$2,000,000 coverage for injury or death of a person and for damage to property from any one accident or occurrence; and
 - (iii) the insurance is not subject to a deductible for bodily injury or property damage loss.

Numbering of Buildings

- 2.4 (1) The Building Inspector may number, renumber or alter the numbering of all buildings.
- (2) When a building permit is issued, the Building Inspector must designate the numbers for the buildings authorized by the permit.
- (3) When a building's number is designated, the owner of the building must

- (a) place the number on the building in a conspicuous position; and
 - (b) display the number in a size that is sufficient to be plainly visible from a street adjacent to the building.
- (4) Buildings located on the north and west sides of a street must have even numbers.
- (5) Buildings located on the south and east sides of a street must have odd numbers.
- (6) The numbering of buildings located on diagonal or intersecting streets or on irregularly situated or diagonal City blocks must conform
- (a) with the general numbering plan used throughout the City; and
 - (b) as much as is possible with the numbering plan used on adjacent, parallel streets or blocks.
- (7) City blocks lying in a northerly direction from the southern boundary of the City must be numbered from 1 at the shore of the Strait of Juan de Fuca to 3,199 at the northern boundary of the City.
- (8) City blocks lying easterly from Douglas Street must be numbered consecutively from 701 at Douglas Street to 1,999 at the eastern boundary of the City.
- (9) City blocks lying westerly from Douglas Street must be numbered consecutively from 699 at Douglas Street to 1 at the western boundaries of the City at Shoal Point in James Bay and at Harriet Road.

- (10) In the district known as Victoria West, City blocks lying
 - (a) westerly from the western shore line of the Victoria Inner Harbour must be numbered consecutively from 1 at that western shore line to 799 at the western boundary of the City; and
 - (b) northerly from Victoria Harbour must be numbered consecutively from 1 at Victoria Harbour to 1,199 at Selkirk Water.
- (11) If a name is used to designate a residential building, hotel or a public or partly public building, the name
 - (a) must be registered with the Building Inspector; and
 - (b) must not be altered or varied without the Building Inspector's authorization.

Unsafe Buildings

- 2.5 (1) A building, wall or other structure must not be maintained, occupied or allowed to exist if it, by reason of accident, damage by fire or other cause
 - (a) is in danger of falling or being set on fire; or
 - (b) endangers human life or adjacent property.
- (2) The Building Inspector, by written order, may suspend or prohibit the occupancy or other use of the building, wall or other structure described in subsection 1 by attaching a notice of the order on the building, wall or structure.

PART 3 BUILDING INSPECTOR

Administration

- 3.1 The Building Inspector may keep records of applications received, permits and orders issued, inspections and tests made and copies of all papers and documents connected with the administration of the Building Code and this Bylaw.

Conformity to Building Code

- 3.2 The Building Inspector may establish or require the owner of a building to establish whether a method or type of construction or material used in the construction of the building conforms to the requirements of the Building Code.

Permit Issue, Refusal, Revocation

- 3.3 The Building Inspector may issue, refuse and revoke permits in accordance with sections 4.7, 4.9 and 4.12.

Correction Orders

- 3.4 The Building Inspector, by written order, may require
- (a) in accordance with section 9.2, the suspension or correction of any construction which contravenes the Building Code or this Bylaw;
 - (b) the suspension of the occupancy of a building which contravenes the Building Code or this Bylaw; and
 - (c) the correction of errors in plans and supporting documents submitted with an application for a building permit.

Right of Entry

- 3.5 (1) The Building Inspector is authorized to enter on property at all reasonable times to ascertain whether the requirements of the Building Code and this Bylaw are being observed.
- (2) When entering onto property for the purposes of this section, Building Inspectors must carry identification showing that they are City Building Inspectors.

PART 4 PERMITS

Application for Permit

- 4.1 (1) Before a person constructs or changes the occupancy of a building, the building's owner must apply for and obtain a building permit from the Building Inspector.
- (2) Before a person occupies or permits the occupancy of a building that is constructed after the adoption of this Bylaw, an occupancy permit for the building must be obtained from the Building Inspector.

Separate Application for Each Building

- 4.2 An applicant must apply for and obtain a permit for each building that is constructed or occupied.

Form of Application

- 4.3 (1) An application for a building permit must

- (a) be in the form set out in Schedule A;
 - (b) be signed by the building's owner;
 - (c) state the intended use of the building;
 - (d) if required by the Building Inspector, be accompanied by at least 3 complete sets of plans, drawn to scale, of the building;
 - (e) indicate the nature and extent of the proposed work in sufficient detail to establish that the completed work will comply with the Building Code and all City bylaws; and
 - (f) contain all other information that is necessary to satisfy the Building Inspector that the proposed building complies with the Building Code and all City bylaws.
- (2) An application for a building permit for the erection or placement of a building for temporary occupancy must
- (a) be signed by the building's owner;
 - (b) state the intended use of the building and the duration of the use; and
 - (c) be accompanied by plans and supporting documents showing the building's construction details and location.

Form of Permit

- 4.4 (1) A building permit must be in the form set out in Schedule B.

- (2) If the Building Inspector requires a certification under subsections 4.8(4) and (5), the building permit, that is issued in reliance on the certification, must contain the following note:

"The City relies on the certification, of a professional engineer or architect, required under subsections 4.8(4) and (5) of the Building Bylaw."

Permit Fees

- 4.5 (1) Before receiving a building permit, including, for greater certainty, a permit for the demolition of a building, the applicant for the permit must pay to the City
- (a) when the permit is requested, a nonreturnable deposit equal to 25% of the permit fee set out in paragraph (b); and
 - (b) when the permit is ready, a permit fee of \$30.00 plus 1.25% of the cost of the work for which the permit is required.
- (2) To determine the cost of the work for the purpose of paragraph (1)(b), the Building Inspector may require
- (a) the applicant or the applicant's agent to declare or swear a written statement of the actual cost of the completed work; and
 - (b) the applicant to provide an estimate of the cost certified by a professional designer.
- (3) If after completion or abandonment of the work for which a permit fee has been charged, the actual cost

of the work exceeds the cost that was used to calculate the fee,

- (a) the fee must be increased by recalculating it on the basis of the actual cost; and
 - (b) the permit holder must immediately pay to the City the additional fee amount that results from the recalculation described in paragraph (a).
- (4) A person is not entitled to a refund of a permit fee or part of it because of
- (a) an overestimate of the cost of the work for which the fee was charged; or
 - (b) the incompleteness or abandonment of the work for which the fee was charged.
- (5) If a building permit contains the note described in subsection 4.4(2), the permit fee must be reduced by not more than \$500.00 to reflect the costs of the work that would otherwise be done by the City to determine if the compliance described in subsection 4.8(4) exists.
- (6) The applicant for a permit and the registered owner of the land that is the subject of the permit are jointly and severally liable to the City for the payment of the permit fee and additions to permit fees described in this section.

Search, Access, Report Fees

- 4.6 (1) By paying a fee of \$5.00, a person may have a search conducted to locate a plan deposited with the City's Building Inspections Branch.
- (2) When the construction of a building

has been completed, the building's owner, contractor or professional designer or any other person with a direct interest in the construction or the building may view a plan or specification deposited with the City's Building Inspections Branch by

- (a) paying a fee of \$5.00; and
 - (b) presenting a letter of authorization from the building's registered owner.
- (3) By paying a fee of \$40.00, a person may obtain a written statement or report on the status of a building's construction or permits, as determined from a record deposited with the City's Building Inspections Branch.

Issuance of Permit

4.7 The Building Inspector must issue the following permits if the work or occupancy for which the permit is requested would not contravene the Building Code, another statute or a City bylaw:

- (a) a building permit for the construction of a building or for another purpose specified in this Bylaw; or
- (b) an occupancy permit for the occupancy of a building.

Conditions of Building Permit

- 4.8 (1) The requirements imposed under this section are conditions under which a building permit is issued.
- (2) The holder of a building permit must not transfer or assign the permit unless

- (a) the holder has given to the Building Inspector written notice of the transfer or assignment;
 - (b) the Building Inspector has authorized the transfer or assignment; and
 - (c) the holder has paid a fee of \$30.00.
- (3) The owner of a building for which a building permit has been issued must
- (a) post, in public view on the premises for which the permit is issued, the construction site identification card issued by the Building Inspector; and
 - (b) keep, on the premises for which the permit is issued, a copy of the plans and supporting documents.
- (4) In the circumstances set out in subsection (5), the Building Inspector may require that an applicant for a building permit provide to the City a certification by a professional designer that the plans submitted with the application for the permit, or specified aspects of those plans, comply with the then current Building Code or other applicable enactment.
- (5) Subsection (4) applies if the Building Inspector considers that the site conditions or the size or complexity of the development, or an aspect of it, to which the building permit relates warrants the certification.

Refusal of Permit

- 4.9 The Building Inspector may refuse to issue a permit if
- (a) the proposed occupancy or work for which the permit is requested would contravene a requirement of the Building Code or a City bylaw;
 - (b) the proposed occupancy for which the permit is requested would contravene a health or safety requirement of a statute; or
 - (c) incorrect information is submitted as part of the permit application.

Expiration of Permit

- 4.10 Subject to its revocation by the Building Inspector, a building permit is no longer valid when the construction for which the permit was issued
- (a) has not started within 6 months after the issuance of the permit; or
 - (b) is discontinued or suspended for a period longer than one year from the date when the construction was last inspected by the Building Inspector.

Extension of Permit

- 4.11 (1) The Building Inspector may extend the time of validity of a building permit for a period not longer than one year from the date of expiry shown on the building permit when it was first issued if
- (a) the construction, for which the permit was issued, has not started; and
 - (b) within 30 days after that date

of expiry, the permit holder applies for the extension.

- (2) The transfer or assignment of a building permit does not constitute an extension of the permit.

Revocation of Permit

4.12 The Building Inspector may revoke a permit if

- (a) all permits required under this Bylaw in connection with the occupancy or work for which the permit was issued have not been obtained;
- (b) the results of tests on materials, devices, construction methods, structural assemblies or foundation conditions contravene the Building Code or this Bylaw;
- (c) there is a contravention of a condition under which the permit was issued;
- (d) there is a contravention of section 2.3 or of a health or safety requirement of a statute or City bylaw;
- (e) the permit was issued in error; or
- (f) the permit was issued on the basis of incorrect information.

PART 5 FOUNDATIONS

Survey Certificate

5.1 After the placement of the foundation of a building but before the construction of any other part of the building on the foundation, the building's owner must

submit, for the Building Inspector's review, a plan of nonencroachment that is prepared by a surveyor and that shows

- (a) the shortest distances from the outer surfaces of the foundation to the boundaries of the parcel of land on which the building is located;
- (b) spot geodetic elevations of the centre of all roads and lanes that abut that parcel of land; and
- (c) the geodetic elevation of the top of the finished concrete wall or concrete slab that forms the foundation.

PART 6 CHIMNEYS, FIREPLACES, SOLID FUEL BURNING APPLIANCES

Permit and Regulations

- 6.1 (1) For greater certainty, the provisions of this Bylaw that apply to a building and its construction, including but not limited to the obtaining of a building permit, apply to the following structures and their construction:
- (a) a chimney;
 - (b) a fireplace; and
 - (c) an appliance that is designed for or intended to be used for the burning of solid fuel.
- (2) Despite subsection (1), section 9.1 does not apply to a chimney, a fireplace or an appliance described in paragraph (1) (c).

Inspections

- 6.2 (1) The holder of a building permit for the construction of a chimney, a fireplace or an appliance described in paragraph 6.1(1)(c) must give at least 24 hours notice to the Building Inspector in order to obtain an inspection of the construction
- (a) if a chimney of masonry is being constructed, before the first flue liner is installed;
 - (b) if a fireplace of masonry is being constructed, after the smoke chamber is completed but before the chimney work is started; and
 - (c) after the work for the chimney, fireplace or appliance has been completed but before it is used.
- (2) The holder of a building permit for an appliance described in paragraph 6.1(1)(c) must
- (a) keep the installation instructions of the appliance's manufacturer on the site of the construction of the appliance; and
 - (b) make those instructions available to the Building Inspector.

PART 7 CANOPIES

Permit and Regulations

- 7.1 For greater certainty, the provisions of this Bylaw that apply to a building and its construction, including but not limited to the obtaining of a building permit, apply to a canopy and its

construction.

Form of Application

- 7.2 An application for a building permit for a canopy must be accompanied by plans that clearly provide details of the location, construction and fastening of the canopy in relation to the facade of the building to which the canopy is proposed to be attached.

Materials

- 7.3 A canopy must be made of the following material:
- (a) metal of not less than 24 gauge;
 - (b) a metal frame and wired glass;
 - (c) transparent safety glass supported throughout by a metal frame;
 - (d) fire retardant transparent acrylic supported throughout by a metal frame;
 - (e) fire retardant fabric; or
 - (f) a combustible material that is flame proof in accordance with the requirements for fire resistance set out in CAN/ULC-S109-M87.

Size

- 7.4 (1) The vertical distance between the top of a canopy, that is not an awning, and the lowest part of the canopy must not exceed
- (a) 4.6 m; or
 - (b) 4.6 m plus 0.3 m for each 3 m by which the height of the building to which the canopy is attached exceeds 7.6 m.

- (2) The vertical distance between the top of an awning and its lowest part must not exceed 2 m.
- (3) The vertical distance between the top and the bottom of the front face of a canopy must not exceed 81 cm.
- (4) The vertical distance between the top and the bottom of a side face of a canopy must not exceed 81 cm.
- (5) The slope of a part of a canopy that is above the canopy's front and side faces
 - (a) must not be less than 1 to 1; and
 - (b) is represented by the ratio A to B,
 - (i) A representing the vertical distance from the top of a face of a canopy to the top of the canopy; and
 - (ii) B representing the horizontal distance from the face used for the calculation in subparagraph (i) to the back of the canopy.

Placement

- 7.5 (1) A canopy must be attached securely to a building.
- (2) The supports for a canopy must be contained within the parcel of land containing the building to which the canopy is attached.
- (3) A canopy must not project over a sidewalk
 - (a) by more than 3 m measured horizontally from the boundary

line of the parcel of land containing the building to which the canopy is attached;

- (b) if the canopy is made with a fixed frame, by more than 2 m measured as described in paragraph (a); and
 - (c) beyond the point that is located on the sidewalk 1.29 m from the face of the curb.
- (4) Subject to subsection (5), the lowest part of a canopy must not be less than 2.286 m above a sidewalk.
 - (5) If a canopy contains an ornamental fringe hanging at the lowest part of the canopy, the fringe must not be less than 2.133 m above a sidewalk.
 - (6) The framework and a raising device of a canopy must not be exposed over a sidewalk in a way that would be likely to injure a pedestrian.
 - (7) A canopy must not obstruct or interfere with the use of a fire escape.

Lighting

- 7.6 Subject to any other provision of this Bylaw and the Sign Bylaw,
 - (a) illuminated signs may be placed on the front and sides of a canopy;
 - (b) wiring placed on an awning must be encased in a protective conduit;
 - (c) flashing lights must not be attached to an awning; and
 - (d) an awning must not be directly or indirectly illuminated if the awning projects from a building that has been designated as a municipal heritage site under the

Heritage Conservation Act (B.C.).

Advertising

- 7.7 Advertising may be located on a canopy only in accordance with the Sign Bylaw by using the front and sides of the canopy.

Maintenance

- 7.8 The owner of a canopy must remove it, at the owner's expense, for as long as is necessary to facilitate the use of a sidewalk for the installation, removal, maintenance or repair of any works of the City or of a public utility.

PART 8 BUILDING RELOCATION

Permit and Regulations

- 8.1 For greater certainty, and subject to the Building Moving Bylaw, the provisions of this Bylaw that apply to a building and its construction, including but not limited to the obtaining of a building permit, apply to the relocation of a building into, out of, through or within the City.

PART 9 INSPECTIONS

Inspection Schedule

- 9.1 The owner of a building that is being constructed must give at least 24 hours notice to the Building Inspector in order to obtain an inspection of the construction

- (a) after forms for footings and foundations are completed but before concrete has been placed;
- (b) after plumbing located below the finished floor slab level is completed but before the completion of any work described in paragraph (c);
- (c) after work has been completed for forms for a floor slab, a vapour barrier, perimeter insulation on the inside of concrete foundation walls, reinforcing steel, heating duct work or pipes for radiant heat but before concrete has been placed;
- (d) after work has been completed for
 - (i) framing and sheathing, all exterior doors, windows and roof membrane, including the installation of flashing, fire-stopping, bracing, chimney and duct work, rough wiring, gas venting and rough plumbing;but before starting
 - (ii) insulation, lath or other interior or exterior finish work that would conceal the work described in subparagraph (i);
- (e) after insulation and the vapour barrier are in place but before they are concealed by other work;
- (f) if plaster is used as an exterior finish,
 - (i) after the lath has been installed but before the application of plaster;

- (ii) after the application of the first coat of plaster but before the application of the second coat; and
- (iii) after the application of the second coat of plaster but before the application of the final coat;
- (g) after the building is completely constructed and is ready for occupancy but before actual occupancy; and
- (h) at any other time that notice is requested by the Building Inspector and is necessary for the administration of the Building Code and this Bylaw.

Stop Work Order

- 9.2 (1) If all or part of the construction of a building is not being performed in accordance with the requirements of the Building Code or this Bylaw, the Building Inspector may require the immediate suspension or correction of all or part of the construction by attaching a stop work order notice on the parcel of land on which the construction is located.
- (2) Within 48 hours after the attaching of a stop work order notice, the owner of the building must secure the construction and the parcel of land containing the construction in accordance with the safety requirements of every statute, regulation and order of the Province of British Columbia or a Provincial agency.
- (3) Subject to subsection (2), a person must not carry out any work on the land affected by a stop work order until the notice for that order has been removed from the land by the

Building Inspector.

- (4) A person must not remove a stop work order notice from land until the Building Inspector is satisfied that the construction has been remedied to comply with the Building Code and this Bylaw.

PART 10 PRE 1950 BUILDINGS

Regulations

10.1 In accordance with section 734 of the Municipal Act, an alteration, an addition or a change in the occupancy of a building that

- (a) is two or more storeys; and
- (b) was constructed and completed and for which an occupancy permit was issued by a Building Inspector before January 1, 1950

must be carried out in accordance with the provisions of the Building Code and this Bylaw that govern alterations, additions and changes in occupancy of a building.

PART 11 GENERAL PROVISIONS

Offences and Penalties

- 11.1 (1) A person that contravenes or causes or permits the contravention of a provision of the Building Code or this Bylaw is
- (a) guilty of a separate offence each day on which the

contravention or its cause or permission occurs or continues; and

(b) is subject to the penalties imposed by this Bylaw and the Offence Act.

(2) The maximum penalty for an offence is a fine of \$10,000.00.

Repeal

11.2 The following Bylaws are repealed:

- (a) Bylaw No. 2800, the Building Bylaw, 1938;
- (b) Bylaw No. 6791, the Building Inspections Bylaw, 1975;
- (c) Bylaw No. 7139, the Building and Demolition Bylaw Enforcement Bylaw, 1976;
- (d) Bylaw No. 81-60, the Building and Demolition Permit Fees Bylaw; and
- (e) Bylaw No. 88-72, the Awning Bylaw.

Passed and received third reading by the Municipal Council the **24TH** day of **JUNE** 1993.

Reconsidered and adopted by the Municipal Council the **8TH** day of **JULY** 1993.

"GORD HORTH"
DEPUTY CITY CLERK

"DAVID TURNER"
MAYOR