

VILLAGE OF CHASE

BYLAW NO. 399

A BYLAW FOR THE ADMINISTRATION OF THE BUILDING CODE

WHEREAS the Municipal Act and the regulations thereunder provide that the current edition of the British Columbia Building Code and the British Columbia Plumbing Code apply to the Village of Chase:

NOW THEREFOR the Council of the Village of Chase, duly assembled, ENACTS AS FOLLOWS:

TITLE

1.1 This bylaw shall be cited as "The Village of Chase Building Bylaw No. 399, 1989".

1.2 Bylaw No. 165 and all amendments thereto are hereby repealed.

DEFINITIONS

2.1 In this bylaw:

"owner" is a person who has an estate or interest, legal or equitable in the property for which a permit is required and also includes a person, firm or body corporate representing the owner and further includes a tradesman or contractor who may be granted a permit for work within the limitation of his licence;

"authority having jurisdiction" is the Village of Chase;

"building code" means Part 1,2,3,4,5,6,8,and 9 of the current edition of the British Columbia Building Code and the British Columbia Plumbing Code and the Building Regulations of British Columbia collectively;

"building inspector" means the person duly appointed to that office and includes any persons authorized by him to enforce the provisions of this bylaw or the current edition of the British Columbia Building Code;

"farm building" means a building which does not contain a residential occupancy and which is used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds and includes barns, produce storage building, milking centres, piggeries, poultry houses, grain bins, silos, machinery sheds, farm workshops, feed preparation centres, manure storages, greenhouses and garages not attached to the farm residence.

"utilities" means any community water system, community sewer system, drainage collection or disposal system.

APPLICATION

3.1 The authority having jurisdiction may administer this bylaw.

3.2 The following provisions of the Building Code:  
(a) Part 1 Definitions;  
(b) Part 2 General Requirements;

- (c) Part 3 Use and Occupancy;
- (d) Part 4 Structural Design;
- (e) Part 5 Wind, Water and Vapour Protection;
- (f) Part 6 Heating, Ventilation and Air Conditioning;
- (g) Part 8 Construction, Safety Measures, Public Safety at Construction and Demolition Sites;
- (h) Part 9 Housing and Small Buildings; and

The British Columbia Plumbing Code

or Part numbers subject to change in any future editions of the British Columbia Building Code, British Columbia Plumbing Code, and any additions, amendments, revisions, and supplements of the regulations are incorporated into and form part of this bylaw.

3.3 Except as provided in subsection 3.4 this bylaw applies;

- (a) when a building is constructed to the design and construction of the building;
- (b) when the whole or part of a building is moved to the part moved and to any remaining part affected by the change;
- (c) when the whole or part of building is demolished to the demolition and to any remaining part affected by the change;
- (d) when a building is altered to the alterations and to all parts of the building affected by the change;
- (e) when structural repairs are made to a building;
- (f) when the class of use or occupancy of a building or part thereof is changed to all parts of the building affected by this change;
- (g) when a building or structure is damaged by fire, flood, earthquake or other causes to the repair or demolition of all parts of the building or structure whether damaged or not;
- (h) when a plumbing system is constructed, extended, altered, renewed or a connection made to a sewer or sewage disposal;
- (i) when a heating system is connected to a chimney or flue;
- (j) when a support structure under the Strata Titles Act is to be constructed to the design and construction of the support structure;
- (k) to the placement of a mobile home;

- 3.4
- (a) This bylaw does not apply to farm buildings.
  - (b) the bylaw does not apply to any accessory building less than 10 square metres.
  - (c) This bylaw does not apply to plumbing if no change in the piping is required.

Prohibitions

- 4.1 No person shall commence or continue any work provided for in Section 3.3, unless he has a valid and subsisting permit issued by the Building Inspector.
- 4.2 No person shall, unless authorized by the Building Inspector, alter, deface, cover, remove or tamper with any notice or certificate posted upon or affixed to any building pursuant to any provision of this bylaw.
- 4.3 No person shall do any work that is at variance with the description, plans and specifications for the building, structure, work or thing for which a permit has been issued and approval obtained.
- 4.4 No person shall interfere with or obstruct the entry to lands and premises by the Building Inspector acting in the conduct of administration of this bylaw.

Administration

- 5.1 The Building Inspector may:
- (a) keep records of any application received, permits and orders issued, inspections and tests made, and retain copies of all papers and documents connected with the enforcement of this bylaw; and
  - (b) establish whether any method or type of construction or material used in the construction of any building conforms with the requirements and provisions of the current edition of the B. C. Building Code.
  - (c) enter any lands and premises at any reasonable time for the purpose of determining compliance with this bylaw;
  - (d) direct that tests of materials, devices, construction methods, structural assemblies or foundations conditions be made, or sufficient evidence or proof be submitted, at the expense of the owner, where such evidence or proof is necessary to determine whether the material, devices, construction or foundation meet the requirements of this bylaw. The owner shall keep records of such tests which shall be made available for inspection during the construction of the buildings;
  - (e) direct by written notice, or by attaching a placard to the premises, the correction of any condition, where, in the opinion of the Building Inspector, such condition violates the provisions of this bylaw;
  - (f) order the cessation of work that is proceeding in contravention of this bylaw;
  - (g) refuse to issue a building permit for the connection of a fireplace insert to an existing fireplace when the existing fireplace has had no previous inspections;
  - (h) refuse to issue a building permit for the connection of a wood heater or furnace to an existing chimney if the existing chimney has had no previous inspections.

Permits

- 6.1 The Building Inspector may issue a permit for which the application is made where:
- (a) the proposed work set out in the application conforms with this bylaw and all other applicable bylaws of the authority having jurisdiction; and
  - (b) the applicant for a permit has paid the fee prescribed as set out in Schedule "A" attached hereto.
- 6.2 Each permit shall expire and the right of an owner under the permit shall terminate:
- (a) if the work is not commenced within six (6) months from the date of issuance of such permit;
  - (b) if the work is discontinued or suspended for a period of more than twelve (12) months;
  - (c) if the work is not completed within twenty-four (24) months from the date of issuance of such permit, whichever first occurs.
- 6.3 The Building Inspector may upon termination grant a renewal permit for a further twelve (12) month period if he is satisfied the construction is progressing at a reasonable rate of progress, providing that the renewal fee in the amount of the minimum permit fee is paid.
- 6.4 The application referred to in subsection 6.1 shall:
- (a) be made in the form prescribed by the Building Inspector;
  - (b) be signed by the owner;
  - (c) state the intended use of the building;
  - (d) include as exhibits, copies in duplicate of the specifications and scale drawings of the building with respect to which work is to be carried out, showing:
    - (i) the dimensions of the building;
    - (ii) the proposed use of each room or floor area;
    - (iii) the dimensions and legal description of the land on which the building is or is to be situated;
    - (iv) the grades and elevations of the streets and sewers abutting the land referred to in clause (iii), when required by the Building Inspector;
    - (v) the position, height, and horizontal dimensions of all buildings on the land referred to in clause (iii);
    - (vi) a survey of the building site by a British Columbia Land Surveyor, when required by the Building Inspector;
    - (vii) the technical information specified in other parts of this bylaw required to be included on the drawings relating to those parts;
    - (viii) such other information as is necessary to illustrate all essential features of the design of the building.

- 6.5 When required by the Building Inspector, the application for buildings other than single family dwellings and duplexes shall also be accompanied by the following:
- (a) The plans that show the location and size of every building drain and of every trap or inspection piece that is on a building drain, and of every soil or waste pipe, trap and vent pipe.
  - (b) The plans and specifications, submitted in the form and quantities required by the Building Inspector, bearing the name and address of the designer and containing any and all other information necessary to establish compliance with this bylaw.
- 6.6. (a) Every application submitted for a permit to erect a building subject to the provisions of Part 3 of the Building Code shall conform to the following before a permit is issued:
- (i) All drawings for the project shall bear the seal and signature of a member of the Architectural Institute of British Columbia and/or Association of Professional Engineers of British Columbia.
  - (ii) The individual drawings shall have the professional seal as to architectural, structural, civil, mechanical and electrical, so that it is clearly understood which professional disciplines have been properly designed and detailed.
  - (iii) A letter satisfactory to the Building Inspector shall be provided prior to issuing a building permit, certifying that members of the appropriate professional disciplines have been retained to provide professional services during construction.
  - (iv) During construction, copies of inspection reports prepared by the Professional Engineer and/or the Architect shall be sent to the Building Inspector, if requested.
- (b) The Building Inspector may require on any plans submitted, regardless of Building Code classification as to use and occupancy, the seal and signature of a member of the Architectural Institute of British Columbia or the Association of Professional Engineers of British Columbia before they are accepted for a building permit, if:
- (i) the site conditions require special foundation design, drainage design, or other engineering considerations;
  - (ii) the proposed building is not of standard wood frame construction;
  - (iii) the proposed building or structure is of a category requiring professional design.

- 6.7 The Building Inspector may revoke a permit and issue a stop work order where he becomes aware that there has been a violation of:
- (a) any condition under which the permit was issued;
  - (b) any provision of the Building Code;
  - (c) any breach of this bylaw or other applicable bylaws of the authority having jurisdiction.
- The revocation and stop work order shall be in writing and shall be transmitted to the holder of the permit by registered mail and shall be deemed to have been received by the permit holder seven (7) calendar days after posting.
- 6.8 The Building Inspector may issue a permit for the construction of a phase of a building before the plans and specifications for the whole building have been submitted or approved, providing adequate information has been filed complying with all requirements of this bylaw.
- 6.9 No permit holder under this bylaw shall depart from the plans and specifications without the approval of the Building Inspector who may require the submission of amended plans and specifications showing such departure.
- 6.10 The Building Inspector may issue a permit for the erection or placement of a temporary building, structure or shelter, and such permit shall specify when the temporary building, structure or shelter shall be removed. The application for such permit shall contain the information required by this bylaw or such additional information as required by the Building Inspector.
- 6.11 Where a building permit has been issued for a single family residence, the owner may occupy the building prior to completion of construction, provided the building or part thereof complies with this bylaw and with the health and safety requirements of the bylaws of the authority having jurisdiction.
- 6.12 If any construction for which a permit is required by this bylaw has been commenced before a permit has been issued by the Building Inspector, the owner of the real property on which the construction is being done shall pay to the Village of Chase double the fee prescribed and set out in Appendix "C" attached hereto provided however that the maximum additional fee shall not exceed Two Hundred and Fifty Dollars (\$250.00).

Responsibility  
of Owner

- 7.1 The granting of a permit and/or inspections made by the Building Inspector shall not relieve the owner from full responsibility for carrying out the work in accordance with good and proper building practise and with the requirements of this bylaw, the application for permit, the plans, specifications and materials filed and accepted.
- 7.2 The issuance of a building permit does not relieve the owner from the responsibility of determining that the building site is safe and will not be affected by flooding or water caused by surface run-off or otherwise.
- 7.3 The owner shall determine before construction commences, and incorporate within the building plans submitted, the proper climatic information for building design as included in "Climatic Information for Building Design in Canada" Supplement 1 to the British Columbia Building Code, and hereinafter amended, i.e. the current edition of the B. C. Building Code.

- 7.4 Any owner of property for which a permit is issued shall be responsible for the cost of repair of any damage to utilities that occurs as a result of the work covered by the permit.

Duties of  
the Owner

8.1 Every owner shall:

- (a) permit the Building Inspector to enter any building or premises at any reasonable time for the purpose of determining compliance with this bylaw.
- (b) obtain, where applicable, from the Building Inspector, permits relating to demolition, excavation, building, repair of buildings, zoning, change in classification of occupancy, sewers, water, plumbing, signs, canopies, awnings, marquees, blastings, street occupancy, electricity, building to be moved, and all other permits required in connection with the proposed work prior to the commencement of such work.
- (c) in all cases where it is proposed to conduct the waste from plumbing fixtures, trade waste or surface or roof water to a public sewer, ascertain such public sewer is at a sufficient depth and of a capacity to receive such discharge and also to arrange the plumbing to suit the location of the connection provided for the lot by the authority having jurisdiction;
- (d) obtain a permit for sewage disposal where sanitary sewer facilities are not available. No permit shall be issued until sewage disposal permit has been granted by the appropriate regulatory authority;
- (e) where it is desired to connect a building or storm sewer with any building or storm sewer extension, furnish such information as the Building Inspector may require to show that the proposed sewers will be laid at such depth, and in such a position as to connect the property with the building or storm sewer extension;
- (f) obtain, where applicable, highway or street access permit to the property;
- (g) determine Agricultural Land Reserve limitations and Provincial Flood Plain restrictions;
- (h) give at least 24 hours notice to the Building Inspector and request his inspection of the work:
  - (i) after the forms for footings and foundations are complete, but prior to placing any concrete therein;
  - (ii) after removal of formwork from a concrete foundation and installation of perimeter drain tiles and dampproofing, but prior to backfilling against foundation;

- (iii) when framing and sheathing of the building are complete, including firestopping, bracing, chimney, duct work, plumbing, gas venting, wiring, but before any insulation, lath or other interior or exterior finish is applied which would conceal such work;
- (iv) before a building drain, sanitary or storm sewer is covered, and if any part of a plumbing system is covered before it is inspected, it shall be uncovered if the Building Inspector so directs, and when considered necessary, underground building drains, branches, storm drains, and sewers shall be re-tested after the completion of all backfilling and grading by heavy equipment;
- (v) after the building or portion thereof is complete, but before occupancy takes place of the whole or a portion of the building.

#### Documents

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

#### Equivalents

- 10.1 The provisions of this bylaw are not intended to limit the appropriate use of materials, appliances, systems, equipment, methods of design or construction procedures not specifically described herein.
- 10.2 Any person desirous of providing an equivalent to satisfy one or more of the requirements of this bylaw shall submit sufficient evidence to demonstrate that the proposed equivalent will provide the level of performance required by this bylaw.
- 10.3 Materials, appliances, systems, equipment, methods of design and construction procedures not specifically described herein, or which vary from the specific requirements in this bylaw, may be used if it can be shown that these alternatives are suitable on the basis of past performance, tests or evaluations.

#### Other

##### 11.1 Moving buildings

- (a) Every owner of a property shall obtain a permit for moving a building.
- (b) Upon receipt of an application to move a building, the building shall be inspected by the Building Inspector to ensure it will comply with all applicable codes and bylaws.



11.2 Retaining walls

The Building Inspector may require:

- (a) The design of any retaining wall to be prepared, sealed and signed by a registered British Columbia Engineer, and the drawings submitted for permit.
- (b) Supervision of the permitted work to be carried out by the person/s responsible for the design.

11.3 CLIMATIC DATA

Climatic Data for the design of buildings in the Village of Chase shall be as provided below:

January 2 1/2 per cent Design Temperature (C)	-23
January 1 per cent Design Temperature (C)	-26
July 2 1/2 per cent Design Drybulb Temperature (C)	+33
July 2 1/2 per cent Design Wetbulb Temperature (C)	+20
Annual Total Degree-days below 18 (C)	3860
Maximum Fifteen - minute Rainfall (mm)	13
Maximum One - Day Rainfall (mm)	45
Annual Total Precipitation (mm)	397
Maximum Snow Load on the ground (KN/m2)	2.39 (50 PSP)

Wind Effects :

Probability 1/10	(KN/m2)	.30
Probability 1/30	(KN/m2)	.36
Probability 1/100	(KN/m2)	.44

Seismic Zone:

<u>NOTE:</u>	F	= 32 + 9/5 C
	1mm	= 0.03937 inch
	1 KN/m2	= 20.885psf.

11.4 Frost Depth: Chase .76m (30")

11.5 SWIMMING POOLS

Swimming Pools shall be enclosed within a fence of not less than 1.5 meters (4.9 feet) in height with no openings greater than 10.16 centimeters (4 inches) in their least dimensions, which shall enclose the pool itself or the entire premises on which the pool is situated. The fence shall be continuous except for points of access, which shall be equipped with a self closing gate or gates, so designed as to cause the gate or gates to return to a locked position when not in use and secured by a spring lock located not less than .914 meters (3 feet) above grade, which can only be opened from the swimming pool side of the fence. For the purpose of this section, swimming pool shall include any constructed or prefabricated pool used, or intended to be used, for swimming, bathing or wading, having a surface area exceeding 13.94 meters squared (150 square feet) or a depth of more than 45.7 centimeters (18 inches).

Penalty

12.1 Any person who violates the provisions of this bylaw is liable on summary conviction to a penalty not exceeding Two Thousand Dollars (\$2,000.00) and a person so convicted is liable on summary conviction to a further penalty not exceeding One Hundred Dollars (\$100.00) for every day thereafter during which the violation continues.

READ A FIRST TIME this 18<sup>th</sup> day of July, 1989.

READ A SECOND TIME this 18<sup>th</sup> day of July, 1989.

READ A THIRD TIME this 10<sup>th</sup> day of August, 1989.

RECONSIDERED AND FINALLY ADOPTED this 14<sup>th</sup> day of September 1989.

*[Signature]*

Mayor

*Agnes Sweet*

Clerk

I hereby certify this to be a true copy of Bylaw No. 399, cited as "Village of Chase Building Bylaw No. 399, 1989"

*Agnes Sweet*

Clerk

A true copy of By-Law No. 399  
registered in the office of the Inspector  
of Municipalities this 19<sup>th</sup> day of

*[Signature]*  
October 1989.  
Deputy Inspector of Municipalities

SCHEDULE OF PERMIT FEES

A. BUILDING PERMIT FEES

1. Fee for construction value (declared or assessed) as determined by the Building Inspector for all new construction, reconstruction, additions, extensions, alterations or repairs of any building and the placement of single or double-wide mobile homes.

Construction Value

- \$1.00 to \$1,000.00.....\$25.00  
\$1,001.00 to \$100,000.00.....\$25.00 basic fee plus  
\$3.00 per \$1,000.00 or  
portion thereof  
\$100,001.00 and over.....\$322.00 basic fee plus  
\$2.00  
per \$1,000.00 or  
portion thereof

2. Plumbing installation, alteration, site piping and water service line. This fee is not required for factory installed plumbing in CSA approved single and double wide mobile homes.....\$25.00 or \$3.00 per  
fixture or trap, whichever is more

3. Chimney, wood burning appliances.....\$25.00

4. Temporary Buildings.....\$25.00 for each building,  
or the fee determined by  
construction value of new work on site,  
which- ever is more

5. Demolition.....\$25.00

6. Moving of any Building.....\$25.00

7. Construction Camps.....\$25.00 for each building,  
or the fee determined by  
construction value of new work on site,  
which- ever is more

B. SECURITY FOR CONSTRUCTION CAMPS

Security is required for each construction camp in a form satisfactory to the Treasurer in the amount of \$1,000.00 plus \$25.00 for each building. Release of the security will be granted only upon compliance with the conditions of the building permit including clean-up and reclamation of the site to the satisfaction of the Building Inspector.

Schedule "A"  
Page 2  
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C. PERMIT FEE REFUNDS

Building permit fees may be refunded only upon written request from the applicant, up to six (6) months from the date of issue of the building permit, subject to the following conditions:

- (a) No permit related work on site has commenced; and
- (b) A reduction of \$15.00 or 20 percent of the permit fee, whichever is more, once a building permit has been issued.

This Schedule "A" is incorporated in and forms part of Bylaw No. 399.

CERTIFIED CORRECT:

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