

The Corporation
of the
DISTRICT OF COLDSTREAM

BYLAW NO. 1442, 2004

BUILDING AND PLUMBING

CONSOLIDATED WITH AMENDMENTS

FOR CONVENIENCE ONLY

ADOPTED: December 6, 2004

LATEST AMENDMENT: Bylaw No. 1543, 2008

BUILDING AND PLUMBING BYLAW NO. 1442, 2004

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DISTRICT OF COLDSTREAM

BUILDING AND PLUMBING BYLAW NO. 1442, 2004

**A BYLAW TO REGULATE THE CONSTRUCTION, ALTERATION,
REPAIR OR DEMOLITION OF BUILDINGS, STRUCTURES AND POOLS,
AND THE INSTALLATION, ALTERATION OR REPAIR OF PLUMBING
IN THE DISTRICT OF COLDSTREAM**

WHEREAS the *Community Charter* authorizes the District of Coldstream, 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 districts in the Province;

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

NOW THEREFORE the Council the District of Coldstream, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as the “DISTRICT OF COLDSTREAM BUILDING AND PLUMBING BYLAW NO. 1442, 2004”.

2. Numbering System

A decimal system has been used throughout this Bylaw, as shown in the following example:

3.	Part
3.2	Section
3.2.1	Article
3.2.1.4	Clause

3. Definitions

3.1 In this Bylaw:

The following words and terms have the meanings set out in the *British Columbia Building Code*: *assembly occupancy, building, building area, building height, business and personal services occupancy, care 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, occupancy, owner, plumbing system, registered professional, and residential occupancy.*

Building Code means the current *British Columbia Building Code* as adopted by the Province of British Columbia and as amended or re-enacted from time to time.

Building Official includes Building Inspectors, Plan Checkers and Plumbing Inspectors designated by the Chief Administrative Officer or designate for the District of Coldstream.

Complex 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 metres (6,460 sq. ft.) 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.*

Health and safety aspects of the work means design and construction regulated by Part 3, Part 4, Part 7, and Sections 9.4, 9.8, 9.9, 9.10, 9.12, 9.14, 9.15, 9.17, 9.18, 9.20, 9.21, 9.22, 9.23, 9.24, 9.31, 9.32, and 9.35 of Part 9 of the *Building Code*.

Owner shall have the meaning ascribed to it in the *Community Charter*.

Standard building means a *building* of three storeys or less in *building height*, having a *building area* not exceeding 600 square metres (6,460 sq. ft.) 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 1.2 metres (4 feet) in height.

Swimming pool means a private residential pool as defined in the *Health Act* and shall include any constructed or prefabricated pool used or intended for swimming, bathing or wading, having a surface area at the designed water level exceeding 14 square metres (150 sq. ft.) or a depth at any one point of more than 450 mm (18 inches).

- 3.2 Non-Defined Terms. Definitions of words or phrases used in this Bylaw that are not specifically defined under Section 3.1 of this Bylaw and are not defined under another enactment or the *Building Code* shall have the meanings which are commonly assigned to them in the context in which they are used in this Bylaw, taking into account the specialized use of terms within the various trades and professions to which the terminology applies.
4. Purpose of Bylaw
- 4.1 This Bylaw shall, notwithstanding any other provision herein, be interpreted in accordance with this Section.
- 4.2 This Bylaw is enacted and retained for the purpose of regulating construction on land, the surface of water, air space, buildings and structures within the municipal boundaries of the District of Coldstream in the general public interest. The activities undertaken by or on behalf of the District of Coldstream pursuant to this Bylaw are for the sole purpose of providing a limited spot-checking function for health, safety and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of this Bylaw extend:
- 4.2.1 to the protection of *owners*, *owner/builders* or *constructors* from economic loss;
- 4.2.2 to the assumption by the District of Coldstream 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 any other applicable enactments respecting safety;
- 4.2.3 to providing any person a warranty of design or workmanship with respect to any *building* or *structure* for which a building permit or occupancy permit is issued under this Bylaw;
- 4.2.4 to providing a warranty or assurance that construction undertaken pursuant to building permits issued by the District of Coldstream is free from latent, or any, defects.
5. Permit Conditions
- 5.1 A permit is required whenever work regulated under this Bylaw is to be undertaken.
- 5.2 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 District of Coldstream 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*, this Bylaw and all other codes, standards and applicable enactments respecting safety.

- 5.3 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 all other applicable codes, standards and enactments.
- 5.4 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 District of Coldstream constitute in any way a representation, warranty, assurance or statement that the *Building Code*, this Bylaw or any other applicable enactments respecting safety have been complied with.
- 5.5 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.
6. Scope and Exemptions
- 6.1 This Bylaw applies to the design, construction, and *occupancy* of new *buildings, structures, plumbing systems*, and the alteration, reconstruction, demolition, repair of unsafe conditions, removal, relocation, change in class of occupancy, and *occupancy* of existing *buildings, structures, and plumbing systems*.
- 6.2 This Bylaw does not apply to:
- 6.2.1 *buildings* or *structures* exempted by Part 1 of the *Building Code* except as expressly provided herein, nor to retaining *structures* less than 1.2 metres (4 feet) in height;
- 6.2.2 buildings commonly known as greenhouses constructed of a wood, steel, or plastic superstructure covered with a polyethylene film that may be removed during the off season and that is intended to be used temporarily on a seasonal basis for the production of agricultural and horticultural produce or feeds;
- 6.2.3 roofless open decks/patios, the use of which are ancillary to that of a building classified as residential occupancy for use as a single family dwelling located on the same parcel and which are less than 600 mm (24 inches) above grade to the top of the floor system;
- 6.2.4 temporary or seasonal plastic, vinyl, or canvas covered structures used as storage facilities;
- 6.2.5 the repair or replacement of a valve, faucet, fixture or sprinkler head, or a stoppage cleared or a leak repaired if no change in piping is required.

7. Prohibitions

- 7.1 No person shall commence or continue any construction, alteration, reconstruction, demolition, removal or relocation of any *building* or *structure* or *plumbing system* unless a *Building Official* has issued a valid and subsisting permit for the work.
- 7.2 No person shall occupy or allow the occupancy of any *building* or *structure*, or part thereof that has been constructed, demolished or altered or has had a change in class of occupancy unless the *owner* has obtained a final inspection or approval in writing from the *Building Official*.
- 7.3 No person shall carry out any work on, occupy or use any *building* or *structure* or *plumbing system* contrary to the terms of any permit issued or notice given by a *Building Official*.
- 7.4 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.
- 7.5 No person shall do any work that is substantially at variance with the approved design, plans, or specifications of a *building*, *structure*, *plumbing system*, or other works for which a permit has been issued, unless that variance has been accepted in writing by a *Building Official*.
- 7.6 No person shall obstruct the entry of a *Building Official* or other authorized official of the District of Coldstream on property, buildings, structures, or premises in the administration of this Bylaw.
- 7.7 When a building is damaged above its foundations by fire, decay, storm, earthquake, or otherwise to more than seventy-five percent (75%) of its assessed value as of the date of the damage above its foundations as determined by the *Building Official*, it shall not be repaired or renovated unless in every respect, the whole building, including the undamaged portion, is made to comply with this Bylaw.

8. Responsibilities of the *Building Official*

- 8.1 Each *Building Official* may:
- 8.1.1 administer this Bylaw;
 - 8.1.2 keep records of permit applications, permits, notices and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of this Bylaw or electronic copies of such documents;

8.1.3 establish, if requested to do so, whether the methods or types of construction and types of materials used in the construction of a *building, structure or plumbing system* substantially conforms to the requirements of the *Building Code*.

8.2 *A Building Official:*

8.2.1 may enter any land, *building, structure*, or premise at any reasonable time for the purpose of ascertaining that the terms of this Bylaw are being observed; and

8.2.2 shall carry proper credentials confirming his or her status as a *Building Official*.

8.3 *A Building Official* may order the correction of any work that is being or has been done in contravention of this Bylaw.

9. Applications for Permits

9.1 Every person shall apply for and obtain a permit before:

- 9.1.1 constructing, repairing or altering a *building or structure*;
- 9.1.2 installing, altering, or extending a *plumbing system*;
- 9.1.3 moving a *building or structure*;
- 9.1.4 demolishing a *building or structure*;
- 9.1.5 constructing a masonry fireplace or chimney;
- 9.1.6 installing a wood burning appliance;
- 9.1.7 installing, altering, or extending a sprinkler system;
- 9.1.8 installing, altering, or extending a fire alarm system;
- 9.1.9 installing a swimming pool (see Appendix 3 for regulations);
- 9.1.10 constructing or installing a temporary *building or structure*;
- 9.1.11 installing a sign, awning, canopy, or marquee;
- 9.1.12 siting a mobile home;
- 9.1.13 changing a class of occupancy in a building.

9.2 All plans submitted with permit applications shall bear the name and address of the *designer* of the *building or structure*.

9.3 Each *building, structure, or plumbing system* to be constructed on a site requires a separate permit and shall be assessed a separate permit fee in accordance with Appendix 1 to this Bylaw.

10. Applications for Complex Buildings

- 10.1 An application for a building permit with respect to a *complex building* shall;
- 10.1.1 be made in the form prescribed by the Chief Administrative Officer or designate and signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*;
 - 10.1.2 be accompanied by the *owner's* acknowledgment of responsibility and undertakings in the form prescribed by the Chief Administrative Officer or designate signed by the *owner* or a signing officer if the *owner* is a corporation;
 - 10.1.3 include a copy of a title search made within thirty (30) days of the date of the application;
 - 10.1.4 include a site plan prepared by a *registered professional* showing:
 - 10.1.4.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - 10.1.4.2 the legal description and civic address of the parcel;
 - 10.1.4.3 the location and dimensions of all statutory rights-of-way, easements and setback requirements;
 - 10.1.4.4 the location and dimensions of all existing and proposed *buildings* or *structures* on the parcel;
 - 10.1.4.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where the District of Coldstream's land use regulations establish siting requirements related to flooding;
 - 10.1.4.6 the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a *building* or *structure* where the District of Coldstream's land use regulations establish siting requirements related to minimum floor elevation;
 - 10.1.4.7 the location, dimension and gradient of parking and driveway access;
 - 10.1.4.8 the *Building Official* may waive the requirements of a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing *building* or *structure*.

- 10.1.5 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;
 - 10.1.6 include a cross section through the *building* or *structure* illustrating foundations, drainage, ceiling heights and construction systems;
 - 10.1.7 include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, and finished grade;
 - 10.1.8 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*;
 - 10.1.9 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;
 - 10.1.10 include a letter of assurance in the form of Schedule “A” as referred to in Section 2.6 of 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*;
 - 10.1.11 include letters of assurance in the form of Schedules B-1 and B-2 as referred to in Section 2.6 of 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*;
 - 10.1.12 include one copy of the specifications and two sets of drawings at a suitable scale of the design prepared by each registered professional and including the information set out in Articles 10.1.5 – 10.1.8 of this Bylaw.
- 10.2 In addition to the requirements of Section 10.1 of this Bylaw, 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:
- 10.2.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the District of Coldstream’s *Subdivision, Development and Servicing Bylaw, and as amended from time to time*;

- 10.2.2 a section through the site showing grades, *buildings*, *structures*, parking areas and driveways;
- 10.2.3 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. Applications for Standard Buildings

11.1 An application for a building permit with respect to a *standard building* shall:

- 11.1.1 be made in the form prescribed by the Chief Administrative Officer or designate and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- 11.1.2 be accompanied by the *owner's* acknowledgment of responsibility and undertakings in the form prescribed by the Chief Administrative Officer or designate signed by the *owner* or a signing officer if the *owner* is a corporation;
- 11.1.3 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;
- 11.1.4 include a copy of a title search made within thirty (30) days of the date of the application;
- 11.1.5 include two (2) copies of a site plan prepared by a British Columbia Land Surveyor showing:
 - 11.1.5.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - 11.1.5.2 the legal description and civic address of the parcel;
 - 11.1.5.3 the location and dimensions of all statutory rights-of-way, easements and setback requirements;
 - 11.1.5.4 the location and dimensions of all existing and proposed *buildings* or *structures* on the parcel;
 - 11.1.5.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where the District of Coldstream's land use regulations establish siting requirements related to flooding;

- 11.1.5.6 the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a *building* or *structure* where the District of Coldstream's land use regulations establish siting requirements related to minimum floor elevation;
 - 11.1.5.7 the location, dimension and gradient of parking and driveway access;
 - 11.1.5.8 the *Building Official* may waive the requirements of a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing *building or structure*.
- 11.1.6 include one copy of specifications and two sets of drawings at a suitable scale of the design including:
- 11.1.6.1 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;
 - 11.1.6.2 a cross section through the *building or structure* illustrating foundations, drainage, ceiling heights and construction systems;
 - 11.1.6.3 elevations of all sides of the *building or structure* showing finish details, roof slopes, windows, doors, and finished grade; and
 - 11.1.6.4 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*.
- 11.2 In addition to the requirements of Section 11.1 of this Bylaw, 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 complexity of the proposed *building or structure* or siting circumstances warrant:
- 11.2.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*;

- 11.2.2 a section through the site showing grades, *buildings*, *structures*, parking areas and driveways;
 - 11.2.3 a roof plan and roof height calculations;
 - 11.2.4 architectural, structural, electrical, mechanical or fire-suppression drawings prepared and sealed by a *registered professional*;
 - 11.2.5 (a) certification by a *registered professional* that the plans identified by the *Building Official* are in substantial compliance with the *Building Code*; and
(b) certification by a *registered professional* that the building, or components of the building identified by the *Building Official*, will be inspected by the *registered professional*;
 - 11.2.6 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, structure, or plumbing system*.
- 11.3 Except as permitted in Section 11.4 of this Bylaw, all permit applications shall include a foundation design prepared by a *registered professional* in accordance with Section 4.2 of the *Building Code*, accompanied by Schedules B-1 and B-2 as required in Section 2.6 of Part 2 of the *Building Code*.
- 11.4 The requirements of Section 11.3 of this Bylaw may be waived by a *Building Official* where:
- 11.4.1 the structure is an accessory *building* with a *building area* not exceeding 55 square metres (591 sq. ft.); or
 - 11.4.2 the structure is a mobile home conforming to the CSA standards required by the *Building Code*; or
 - 11.4.3 the permit is for a small addition, alteration, renovation, or other construction to which a *Building Official* determines the application of Section 11.3 of this Bylaw is not warranted; or
 - 11.4.4 the submitted foundation design substantially complies with Article 9.4.4 of Part 9 of the *Building Code* and the foundation excavation substantially complies with Section 9.12 of the *Building Code*.

12. Applications for Plumbing Permits

- 12.1 An application in the form prescribed by the Chief Administrative Officer or designate for a permit to construct, extend, alter, renew or repair a *plumbing system* shall include copies in duplicate of the plumbing drawings and related documents when required by the *Building Official*.
- 12.2 An application for a permit to construct, extend, alter, renew, or repair an automatic sprinkler system shall include copies in duplicate of the plans, specifications, and calculations when required by the *Building Official*.

13. Retaining Structures

- 13.1 An application for a permit for a retaining structure greater than 1.2 metres (4 feet) in height shall require a professional design and field review by a *registered professional* including the submission of letters of assurance and proof of professional liability insurance as outlined in Part 18 of this Bylaw.

14. Professional Plan Certification

- 14.1 The letters of assurance in the form of Schedules B-1 and B-2 referred in Section 2.6 of Part 2 of the *Building Code* and provided pursuant to Articles 10.1.11, 11.2.5, and Section 18.1 of this Bylaw are relied upon by the District of Coldstream 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.
- 14.2 A building permit issued in circumstances where letters of assurance have been provided as described in Article 10.1.11 of this Bylaw shall include the following 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 safety.

“Take notice that the District of Coldstream, in issuing this permit has relied upon the certification of compliance of (Name) Professional Engineer or Architect, submitted with the plans of construction, that the plans comply with the current British Columbia Building Code and other applicable enactments respecting safety of the building or structure.”

- 14.3 When a building permit is issued in accordance with Section 14.2 of this Bylaw the permit fee shall be reduced by 20% of the building permit fees payable pursuant to Appendix 1 to this Bylaw.

15. Fees and Charges

- 15.1 In addition to applicable fees and charges required under other bylaws and regulations, a non-refundable application fee, as set out in Appendix 1 to this Bylaw, shall be paid upon submission of any permit application under this Bylaw.
- 15.2 The *owner* may obtain a refund of the permit fees set out in Appendix 1 to this Bylaw, less the non-refundable application fee, when a permit is surrendered or cancelled before any construction begins.
- 15.3 Where, due to non-compliance with this Bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in Appendix 1 to this Bylaw shall be paid prior to additional inspections being performed.

16. Permit Issuance

16.1 When:

- 16.1.1 a completed application including all required supporting documentation has been submitted;
- 16.1.2 the proposed work set out in the application substantially conforms with the *Building Code*, this Bylaw and all other applicable bylaws and enactments;
- 16.1.3 the *owner* or his or her representative has paid all applicable fees set out in Section 15.1 of this Bylaw;
- 16.1.4 the *owner* or his or her representative has paid all charges and met all requirements imposed by any other statute or bylaw;
- 16.1.5 no covenant, agreement, or regulation of the District of Coldstream authorizes the permit to be withheld;
- 16.1.6 the *owner* has retained a professional engineer or geoscientist if required by the provisions of the *Engineers and Geoscientists Act* or any other enactment;
- 16.1.7 the *owner* has retained an architect if required by the provisions of the *Architects Act* or any other enactment;

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

- 16.2 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 evidence pursuant to Section 30(1) of the *Homeowner Protection Act*, and amendments thereto, that the proposed *building*:
- 16.2.1 is covered by home warranty insurance, and
 - 16.2.2 the *constructor* is a licensed residential builder.
- 16.3 Section 16.2 of this Bylaw does not apply if the *owner* is not required to be licensed and to obtain home warranty insurance in accordance with Sections 20(1) or 30(1) of the *Homeowner Protection Act*.
- 16.4 Every permit is issued upon the condition that the permit shall expire and the rights of the *owner* under the permit shall terminate if:
- 16.4.1 the work authorized by the permit is not commenced within twelve (12) months from the date of issuance of the permit; or
 - 16.4.2 work is not completed within twenty-four (24) months of issuance of the permit.
- 16.5 A *Building Official* may extend the period of time set out under Articles 16.4.1 and 16.4.2 where construction has not been commenced or has been discontinued due to adverse weather, strikes, material or labour shortages, or similar hardship beyond the *owner's* control.
- 16.6 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 District of Coldstream to demonstrate to the *Building Official* that the portion authorized to be constructed substantially complies with this and other applicable Bylaws and enactments and 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.
- 16.7 A *Building Official* may issue a building permit to erect or place a temporary *building* or *structure*, for up to one year.

17. Disclaimer of Warranty or Representation

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

18. Professional Design and Field Review

18.1 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:

18.1.1 certify that the design and plans are in compliance with the *Building Code*; and

18.1.2 inspect the constructed development, or components of the constructed development identified by the *Building Official* and certify that the development or component of the development is in substantial compliance with the plans submitted with the building permit application.

18.2 Prior to the issuance of a final inspection notice for a *complex building* or a *simple building* where letters of assurance have been required under Article 11.2.5 or Section 18.1 of this Bylaw, the *owner* shall provide the District of Coldstream with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in Section 2.6 of Part 2 of the *Building Code*.

18.3 When a *registered professional* provides letters of assurance in accordance with Article 10.1.11 and Section 18.2 of this Bylaw, or inspects and certifies compliance in accordance with the Article 11.2.5 and Section 18.1 of this Bylaw, he or she shall also provide proof of liability insurance to the *Building Official* in the form of Appendix 2 to this Bylaw.

19. Responsibilities of the Owner

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

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

- 19.3 Every *owner* to whom a permit is issued shall, during construction:
- 19.3.1 post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;
 - 19.3.2 keep a copy of the accepted designs, plans and specifications on the property; and
 - 19.3.3 post the civic address on the property in a location visible from any adjoining streets.
20. Inspections
- 20.1 When a *registered professional* provides letters of assurance in accordance with Articles 10.1.11, 11.2.5, Sections 18.1 or 18.2 of this Bylaw, the District of Coldstream will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to Section 18.2 of this Bylaw as assurance that the construction substantially conforms to the design and that the construction substantially complies with the *Building Code*, this Bylaw, and other applicable enactments respecting safety and a *Building Official* may attend at a construction site from time to time to determine whether field reviews are occurring and to monitor them.
- 20.2 A *Building Official* may attend periodically at the site of the construction of *standard buildings* and *structures* to ascertain whether the *health and safety aspects of the work* are being carried out in substantial conformance with the those portions of the *Building Code*, this Bylaw and any other applicable enactment concerning safety.
- 20.3 The *owner*, or his or her representative, shall give at least twenty-four (24) hours' notice to the District of Coldstream when requesting an inspection and shall obtain an inspection and receive a *Building Official's* acceptance of the following aspects of the work in *standard buildings* or *structures* prior to concealing them at the following stages of construction:\
- 20.3.1 when the footing and/or foundation wall forms are complete but prior to the placing of any concrete;
 - 20.3.2 when the installation of the perimeter drain tile and damp-proofing is complete but prior to backfilling;
 - 20.3.3 when the building sewer, sanitary building sewer, storm building sewer or water service pipe is installed but prior to backfilling;
 - 20.3.4 when the *plumbing system* or part thereof is complete but prior to covering;
 - 20.3.5 when the framing, sheathing, fire stopping, bracing, plumbing, are complete but before any insulation or exterior finish is applied;

- 20.3.6 when rough-in of masonry fireplaces, solid-fuel burning appliances, and factory-built chimneys is complete;
 - 20.3.7 when the insulation and air/vapour barrier are complete but prior to the installation of any interior finish which would conceal such work;
 - 20.3.8 when the building or structure is substantially complete but prior to any occupancy;
 - 20.3.9 when any deficiencies noted on a previous inspection are rectified but before any interior or exterior finish is applied which would conceal such work; and
 - 20.3.10 when otherwise required by the *Building Official*.
- 20.4 When required by the *Building Official*, every *owner* shall uncover and replace at his or her own expense any work that has been covered prior to inspection or contrary to an order issued by the *Building Official*.
- 20.5 For the purpose of verifying setback requirements prior to placement of concrete in footings or walls, every *owner* shall provide proof of property boundaries. A survey plot plan prepared by a British Columbia Land Surveyor specifying the location of any buildings or structures shall be provided unless deemed unnecessary by the *Building Official*.
- 20.6 The requirements of Section 20.3 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 Articles 10.1.11, 11.2.5 or Sections 18.1 and 18.2 of this Bylaw.
21. Final Inspection Notice
- 21.1 No person shall occupy a *building* or *structure* or part of a *building* or *structure* until a final inspection has been carried out or approval in writing has been received from the *Building Official*.
 - 21.2 A final inspection notice shall not be issued until:
 - 21.2.1 all letters of assurance have been submitted when required in accordance with Articles 10.1.10, 10.1.11 and 11.2.5 and Sections 18.1 and 18.2 of this Bylaw; and
 - 21.2.2 all aspects of the work requiring inspection and an acceptance pursuant to Section 20.3 of this Bylaw have been inspected and accepted or the inspections and acceptance are not required in accordance with Section 20.6 of this Bylaw.

21.3 A *Building Official* may issue a final inspection notice for part of a *building* or *structure* when that part of the *building* or *structure* is self-contained, provided with essential services and meets requirements set out in Section 21.2 of this Bylaw.

22. Climate Data

Area	Design Temperature				Degree Days Below 18°C	15 Min. Rain mm	One Day Rain mm	Ann. Tot. Ppn. mm	Ground Snow Load kPa		Hourly Wind Pressures		
	January		July 2.5%						S _s	S _R	1/10 kPa	1/30 kPa	1/100 kPa
	2.5% °C	1% °C	Dry °C	Wet °C									
Coldstream	-20	-23	33	20	3887	13	40	381	2.0	0.1	0.45	0.39	0.49
Lavington	""	""	""	""	""	""	""	""	2.4	0.1	""	""	""

23. Penalties and Enforcement

23.1 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 \$10,000.00 (Ten Thousand Dollars) or to imprisonment for not more than six (6) months.

23.2 Every person who fails to comply with any order or notice issued by a *Building Official*, or who allows a violation of this Bylaw to continue, contravenes this Bylaw.

23.3 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 in the form prescribed by the Chief Administrative Officer or designate.

23.4 The *owner* of property on which a Stop Work notice has been posted, and every 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 by a *Building Official* in writing.

23.5 The *Building Official* may withhold or cancel a permit after written notice is given to the *owner* that:

23.5.1 there is a contravention of any condition under which the permit was issued;

23.5.2 the permit was issued in error; or

23.5.3 the permit was issued on the basis of incorrect information.

23.6 Every person who commences work requiring a building permit without first obtaining such a permit shall pay double the value of the permit fee, to a maximum of \$500.00, in addition to the permit fee.

24. Severability

24.1 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.

25. Appendices

25.1 The following Appendices are attached to and form part of this Bylaw:

- Appendix 1 - Permit Fees
- Appendix 2 - Report on Professional Insurance
- Appendix 3 - Swimming Pool Regulations

26. This Bylaw shall come into force on January 1, 2005.

READ a first time this	22 nd day of November 2004
READ a second time this	22 nd day of November 2004
READ a third time this	22 nd day of November 2004
FINALLY PASSED AND ADOPTED this	6 th day of December 2004

Director of Corporate Administration

Mayor

Appendices 1, 2 and 3



**THE DISTRICT OF COLDSTREAM
BUILDING INSPECTION DEPARTMENT**

PERMIT FEES

1.	<u>Building Permit Application Fees – Non-Refundable</u>	\$
	(a) Construction Value \$5,000* or less	50.00
	(b) Construction Value over \$5,000* up to \$250,000	100.00
	(c) Construction Value \$250,000 and more	150.00
	<i>(*Bylaw 1454,2005)</i>	
2.	<u>Building Permit Fees</u>	
	(a) For the first \$1,000 of Construction Value	55.00
	(b) For each \$1,000 of Construction Value or part thereof:	
	(i) up to \$500,000	12.00
	(ii) from \$500,001 to \$1,000,000	11.00
	(iii) exceeding \$1,000,000	10.00
	(c) For the first five Plumbing Fixtures	55.00
	(d) For each Plumbing Fixture over the first five	12.00
	(e) For installing a Manufactured Home (mobile home)	230.00
3.	<u>Demolition / Moving Permit Fees</u>	
	(a) Application for a Demolition / Moving Permit (non-refundable)	50.00
	(b) Demolition / Moving Permit	210.00
	(c) Demolition / Moving Deposit	2,100.00
4.	<u>Other Fees and Charges</u>	
	(a) Special Inspection or Re-Inspection	100.00
	(b) Provisional Occupancy Permit with Re-Inspection	100.00
	(c) Administrative Charge to report on a 'Notice on Title'	160.00
	(d) New products, systems or methods Evaluation Fee	2,100.00

Where work has commenced before an application has been made for a permit, the permit fee shall be doubled to a maximum of \$500.00 (see Section 23.6 of this Bylaw).



**THE DISTRICT OF COLDSTREAM
BUILDING INSPECTION DEPARTMENT**

REPORT ON PROFESSIONAL INSURANCE

File No. _____

PROJECT:

Described as: _____

Legal description: _____

(Lot #, Plan #, Section #, etc.)

Street Address: _____

REGISTERED PROFESSIONAL:

Pursuant to the “District of Coldstream Building and Plumbing Bylaw No. 1442, 2004” the undersigned hereby gives assurance that:

1. I have fulfilled my obligation to obtain professional liability or errors and omissions insurance as outlined in Bylaw No. 1442, 2004.
2. I have attached a copy of my certificate of insurance indicating the particulars of such coverage.
3. I am a registered professional as defined by Section 1.1.3.2 of the *BC Building Code*.
4. I will notify the Building Official immediately if this insurance coverage is reduced or terminated at any time during the construction of the above-noted project.

Name: _____

Company: _____

Mailing Address: _____

Postal Code

Phone: (home) _____ Phone: (work) _____

Email: _____

Signature: _____ Date: _____



**THE DISTRICT OF COLDSTREAM
BUILDING INSPECTION DEPARTMENT**

SWIMMING POOL REGULATIONS

1. A building permit is required for a swimming pool prior to its installation or construction. Every application for a building permit for a pool shall be accompanied with a plan showing the location and dimensions of the proposed pool and the location of all buildings on the site.
2. Every swimming pool, hot tub, spa, fish pond, wading or lap pool shall be surrounded by a fence, building or other structure, no less than 1.2 metres (4 feet) in height above grade. The fence shall be constructed in such a manner as to render the pool, spa or pond secure from unauthorized entry. The fence shall have no openings greater than 100 mm (4 inches) between grade and the top of the fence and shall be built so that no attachment between 100 mm and 900 mm (between 4 inches and 35 inches) will facilitate climbing. All access to a pool, spa or pond shall be operated by a self-closing mechanism and latch mounted on the pool side of each access through the fence, building or other structure, a minimum of 1 metre (3.25 feet) above grade.
3. A spa or hot tub may be covered with a locking cover which is designed to prevent unauthorized access to the water in lieu of a fence.
4. It is the responsibility of each owner or occupier of property on or in which a pool is located, to maintain every fence required under item 2. above in good order. All sagging gates, loose parts, torn mesh, missing materials, worn latches, locks, or broken or binding members shall be promptly replaced or repaired.
5. Setbacks shall be in accordance with the District of Coldstream Zoning Bylaw No. 1382, as amended or re-enacted from time to time.
6. Pressure-reducing valves and a backflow prevention device shall be installed in accordance with the requirements of the *Building Code*.