

CITY OF COLWOOD

BYLAW NO. 98

OFFICE CONSOLIDATION
For convenience
purposes only: it is
not a certified copy.

A BYLAW TO ADOPT BUILDING REGULATIONS IN THE CITY OF COLWOOD.

WHEREAS

- A. The Municipal Act and Regulations made pursuant thereto provide that the Building Code of British Columbia applies to the City of Colwood;
- B. The Council may for health and safety and protection of persons and property, subject to the Health Act and the Fire Services Act and the Building Code of British Columbia and regulations thereunder, regulate the construction, installation, alteration, relocation or repair of buildings and structures, chimneys and fireplaces, and plumbing systems including septic tanks and sewer connections;
- C. The Council desires to provide for the health and also the safety and protection of persons and property in respect of sewage disposal systems, septic tanks, plumbing and sewer connections.

NOW THEREFORE the Council of the City of Colwood in open meeting assembled enacts as follows:

SECTION 1

CITATION

- 1.1 This Bylaw may be cited for all purposes as the "Colwood Building Bylaw, 1988".

SECTION 2

INTERPRETATION

- 2.1 For the purpose of this Bylaw, the following words and expressions are defined, and where those same words and expressions are defined in the Building Code, those definitions do not extend to the use of those words and expressions in this Bylaw.

"Agent" includes a person representing the owner by designation or contract and includes a hired tradesman and/or contractor who may be granted Permits for work within the limitations of his licence.

"Authority having jurisdiction" for the purposes of this Bylaw, shall mean the Council of the City of Colwood and/or its authorized representatives.

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"Building" means a structure that is used or intended to be used for supporting or sheltering persons, animals or property, except those prescribed by regulation as exempted from the Building Code and includes plumbing contained in a building and servicing a building.

"Building Code" means the current edition, and amendments, of the British Columbia Building Code, made pursuant to Section 740 of the Municipal Act.

Comment [NC1]: Bylaw #141 Amendment #2, 1989

"Inspector" means the person (or persons) appointed from time to time by the Council, as its authorized representative.

"Building Permit" means a Permit for construction required or issued pursuant to this Bylaw.

"Council" means the Council of the City of Colwood.

"Construct" includes to reconstruct, install, repair, alter, demolish, and move.

"Occupancy Permit" means an Occupancy Permit issued pursuant to this Bylaw.

"Permit" means a Permit required or issued pursuant to this Bylaw and includes a Building Permit, a Plumbing Permit, a Chimney Permit, a Fireplace Permit and a Solid Fuel Burning Permit.

"Plumbing Permit" means a Permit issued under Section 7.5

"Pool" means a water receptacle used for swimming or as a plunge or other bath designed to accommodate more than one bather at a time or for decorative or landscaping purposes; but does not include irrigation or natural ponds not filled from domestic water sources.

"Zoning Bylaw" means the Zoning Bylaw of the City of Colwood.

SECTION 3

PROHIBITIONS

- 3.1 No person shall commence or continue to construct a building or structure without first obtaining a Permit for that purpose from the Inspector.
- 3.2 No person shall occupy, or permit occupancy of, any building or part thereof, pursuant to this Bylaw, until an Occupancy Permit has been issued by the authority having jurisdiction.

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- 3.3 No person shall, unless authorized by the Inspector, alter, reverse, deface, cover, remove or in any way tamper with any Notice, Permit or Certificate posted pursuant to the provisions of this Bylaw.
- 3.4 No person shall continue to do any work upon a building or structure or any portion thereof after the Inspector has ordered cessation of work thereon or has ordered the suspension of any portion of construction thereon.
- 3.5 No person shall do any work that is at variance with the description, plans and specifications for the building or structure as authorized by the Inspector and for which a Permit has been issued, unless any change has first been authorized by the Inspector.
- 3.6 No person shall do any work or carry out any construction contrary to any provision or requirement of this Bylaw or the Building Code.
- 3.7 No person shall interfere with or obstruct the entry of the authority having jurisdiction acting in the conduct of administration of this Bylaw.
- 3.8 No person having authority in the construction, reconstruction, demolition, alteration, removal, relocation or occupancy of a building shall cause, allow or maintain any unsafe condition.
- 3.9 No person shall excavate or undertake work on, over or under public property or erect or place any construction or work or store any materials thereon without approval having first been obtained from the City of Colwood.

SECTION 4

DUTIES OF AUTHORITY HAVING JURISDICTION

- 4.1 Authority having jurisdiction may:
 - (a) administer this Bylaw;
 - (b) keep records of applications received, permits and orders issued, inspections and tests made, and retain copies of all papers and documents connected with the administration of this Bylaw; and
 - (c) take such action deemed necessary to establish whether any method, type of construction or material used in the construction of a building conforms with the requirements and provisions of the Building Code.

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SECTION 5

POWERS OF AUTHORITY HAVING JURISDICTION:

- 5.1 May enter any building or premises at any reasonable time for the purpose of administering this Bylaw.
- 5.2 May order:
- (a) a person who contravenes this Bylaw to comply with the Bylaw within the time period specified;
 - (b) work to stop if such work is proceeding in contravention of this Bylaw, or if there is deemed to be an unsafe condition as per Part 8 of Building Code;
 - (c) the removal of any unauthorized encroachment on public property;
 - (d) the removal of any building, structure, or part thereof constructed in contravention of this Bylaw;
 - (e) the cessation of any occupancy in contravention of this Bylaw; and
 - (f) the cessation of any occupancy if any unsafe condition exists because of work being undertaken or not completed.
- 5.3 May direct that tests of materials, equipment, devices, construction methods, structural assemblies or foundation conditions be made, or sufficient evidence or proof as necessary to determine whether the material, equipment, device, construction of foundation meets the requirements of the Bylaw or those standards of Building Code.
- 5.4 May require any owner to submit a current plan of survey prepared by a land surveyor registered in B.C. which shall contain sufficient information regarding the site, location or size of any building.
- (a) to establish before construction begins that all requirements of Bylaws in relation to this information will be complied with; and
 - (b) to verify upon completion of the work that all such requirements have been complied with.
- 5.5 When site conditions, size or complexity of the work warrant, may require that all plans or specifications or any part thereof be certified, and the construction or alteration of any building, structure, or part thereof be generally reviewed during

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construction, by an Architect or Engineer registered or licenced to practice in the jurisdiction in which the work is being undertaken.

5.6 May issue a conditional permit:

- (a) subject to certain conditions, with respect to a building, structure, or occupancy in which existing related construction is not in complete compliance with this Bylaw;
- (b) at the risk of the owner, with conditions, if necessary, to ensure compliance with this or any other applicable Bylaw, to excavate or to construct a portion of a building or structure before the entire plans of the whole project have been submitted or approved;
- (c) for the entire project conditional upon the submission, prior to commencing work thereon, of additional information not available at the time of issuance, if such data is of secondary importance, and is of such nature that the withholding of the Permit until it was available would delay the work unreasonably;
- (d) to demolish a building or structure.

5.7 May refuse to issue any Permit:

- (a) whenever information submitted is inadequate to determine compliance with the provisions of this Bylaw;
- (b) whenever incorrect information is submitted;
- (c) that would authorize any building, structure, or occupancy that would not be permitted by this Bylaw; or
- (d) that would be prohibited by any other Bylaw, Act or Regulation.

5.8 May revoke a Permit if:

- (a) there is a contravention of any condition under which the Permit was issued;
- (b) the Permit was issued in error; or
- (c) the Permit was issued on the basis of incorrect information.

5.9 May issue any Occupancy Permit, subject to compliance with provisions to safeguard persons in or about the premises, to allow the occupancy of a building, or a part thereof, for the approved use, prior to the commencement or completion of the construction or demolition work.

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5.10 Before issuing an Occupancy Permit, may require the owner to provide documentation to certify that the requirements of this Bylaw and the necessary Permits have been met.

NOTE "An Occupancy Permit issued pursuant to Section 2 shall not constitute a warranty by either the City of Colwood or the Inspector as to the quality or safety of the building concerned or any part thereof."

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SECTION 6

OTHER POWERS

- 6.1 The Council of the City of Colwood when any building, structure, construction, excavation or part thereof is in an unsafe condition as a result of being open or unguarded, or because danger from fire or risk of accident because of its ruinous or dilapidated state, faulty construction, abandonment or otherwise, and when due notice to correct such condition has not been complied with, may:
- (a) demolish, remove or make safe such building, structure, construction, excavation or part thereof at the expense of the owner, and it may recover such expense in like manner as municipal taxes; and
 - (b) take such other measures as it may consider necessary to protect the public.
- 6.2 When immediate measures must be taken to avoid imminent danger of fire or risk of accident, may take such action as is appropriate, without notice, and at the expense of the owner.

SECTION 7

PERMITS

- 7.1 Where:-
- (a) an application has been made;
 - (b) the proposed work set out in the application conforms with this Bylaw and all other applicable Bylaws;
 - (c) the applicant for a Permit has paid the fee prescribed and as set out in Schedule "A" attached hereto;
- the authority having jurisdiction shall issue the Permit for which the application is made.
- 7.2 Every Building Permit is issued upon the condition that:-
- (a) the work is to be commenced within six months from the date of issuance of the Permit;
 - (b) the work must be completed to final inspection stage within one year from the date of issuance of the Permit except that, for Permits greater than One million dollars (\$1,000,000.00) of construction value, the expiry date shall be otherwise calculated and shown on the Permit;

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- (c) the Permit shall lapse in the event that either condition set forth in (a) and (b) above is not met;
- (d) a Permit can be renewed for a further period of six months from the date of expiry for an additional fee of an amount equal to the original fee pro-rated according to the amount of work remaining to be completed, provided the minimum additional fee payable shall be fifty dollars (\$50.00). If work is not completed to the final inspection stage by the date of expiry of the renewal, the applicant shall be liable to prosecution as provided under Section 17 of this Bylaw.
- (e) at any time after the issuance of a Permit but before the work under the Permit has commenced, the Permit holder may apply for cancellation of the Permit. Upon receipt of such application, the Inspector, if satisfied that the work has not commenced, shall cancel the Permit and shall refund to the Permit holder fifty percent (50%) of the fee paid by him in respect of the Permit.

7.3 The application shall:

- (a) be made in the form prescribed by the authority having jurisdiction;
- (b) be signed by the owner or his agent;
- (c) state the intended use or uses of the building;
- (d) include as exhibits, the specified number of copies of the specifications and scale drawings of the building with respect to the work to be carried out showing -
 - (i) the dimensions of the building;
 - (ii) the proposed use of each room or floor area;
 - (iii) the dimensions 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 sub-clause (iii), when required by the authority having jurisdiction;
 - (v) the position, height and horizontal dimensions of all buildings on the land referred to in sub-clause (iii);
 - (vi) a recent survey of the building site by a surveyor, registered in the Province of B.C. when required by the authority having jurisdiction;
 - (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;
 - (ix) when required by the authority having jurisdiction, the application shall also be accompanied by -

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- (e) a plan that shows the locations and size of every building drain and of every trap or inspection piece that is on a building drain;
- (f) Highway or Street Access Permit to the real property; and
- (g) a sectional drawing that shows the size and location of every soil or waste pipe, trap and vent pipe. The plans and specifications shall be submitted in the form and quantities required by the authority having jurisdiction and shall have thereon complete design and calculation criteria so that the authority having jurisdiction shall have this information available for examination and bear the name and address of the designer.
- (h) Contain any and all other information necessary to establish compliance with this Bylaw, the Building Code and any other applicable Bylaw.

Notwithstanding any other provisions of this Bylaw, whenever in the opinion of the authority having jurisdiction, the proposed work requires specialized technical knowledge, it may be required as a condition of the issuance of any Permit that all drawing, specifications and plot plans, or any part thereof, be prepared and signed by and the construction carried out under the supervision of an architect or professional engineer.

Fireplace and Chimney Solid Fuel Burning Appliances Permits

- 7.4 (a) No person shall construct or alter any fireplace or chimney without first obtaining a Permit from the Inspector and shall pay a fee in accordance with Schedule "A" hereto attached.
- (b) For the installation of fireplaces and chimneys where the Building Code does not stipulate construction details, fireplaces and chimneys shall be constructed to acceptable building and engineering practices approved by the authority having jurisdiction.

Plumbing Permits

- 7.5 This section applies to the installation, alteration and repair of plumbing:
- (a) no person shall cause or permit any plumbing or drainage facilities to be installed or altered unless a Plumbing Permit authorizing such work has been issued under this Bylaw; and
 - (b) each application for a Plumbing Permit shall be accompanied with a fee in accordance with Schedule "A" attached hereto.
 - (c) no person shall install a domestic garburator in a structure unless such

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structure's sanitary drainage system is connected to a community sanitary sewer.

A Plumbing Permit shall be issued only to a person who holds a current Certificate of Proficiency in respect of the plumbing trade issued pursuant to the Apprenticeship and Tradesmen's Qualification Act of British Columbia or a Permit exempting him from holding such certificate, or his agent, or to the Owner of a single family dwelling who furnishes for the Inspector proof of property ownership and his knowledge and ability to perform the work covered by the Application.

Phased and Temporary Construction

- 7.6 (a) The Inspector may issue a Permit for the construction of a part of a building before the entire plans and specifications for the whole building have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the Bylaw. The issuance of the Permit notwithstanding, the requirements of this Bylaw and the Building Code shall apply to the remainder of the building, as if the Permit had not been issued;
- (b) subject to compliance with other applicable Bylaws, the Inspector may issue a Permit for the erection or placement of a temporary building if he is satisfied that the building is safe for the stated use and duration;
- (c) the word "temporary" as used in this sub section shall mean a period not exceeding twelve months; and
- (d) applications for a Permit to construct a temporary building shall be made in writing to the Inspector accompanied by:
- (i) plans showing the locations of the buildings on the site and construction details of the building;
 - (ii) a statement of the intended use and duration of the use; and
 - (iii) a bond or certified cheque in the amount of One Thousand Dollars (\$1,000.00) which will guarantee that the building will be removed entirely and the site left in a safe and sanitary condition when the Permit has expired.

SECTION 8

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RESPONSIBILITY OF THE OWNER

- 8.1 Neither the granting of a Permit nor the approval of the drawings and specifications nor inspections made by the authority having jurisdiction shall in any way relieve the owner of such building from full responsibility for carrying out the work or having the work carried out in accordance with the requirements of this Bylaw, the Building Code and any other applicable Bylaw.

- 8.2 Any owner of property for which a Permit is issued shall be responsible for the cost of repair of any damage to private or public works that occurs as a result of the work covered by the Permit.

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SECTION 9

DUTIES OF THE OWNER

9.1 Every owner of a property or his agent shall:

- (a) obtain where applicable from the authority having jurisdiction Permits relating to demolition, excavation, building, repair of building, zoning, change in classification of occupancy, swimming pools, sewers, water, plumbing, canopies, awnings, marquees, building to be moved, and all other Permits required in connection with the proposed work prior to the commencement of such work;
- (b) 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, private system or alternate waste disposal, make certain, by inquiring from the authority having jurisdiction, such 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;
- (c) where it is desired to connect a building or storm sewer with any building or storm sewer extension, furnish such information as the 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, storm sewer, extension or drywall;
- (d) give at least 24 hours notice to the authority having jurisdiction of the intention to start work on the building site and have it posted;
- (e) give at least 24 hours notice to the authority having jurisdiction and obtain his inspection of the work:
 - (i) after the forms for footings and foundations are complete, but prior to the placing of any concrete therein;
 - (ii) after removal of formwork from a concrete foundation and installation of perimeter drain tiles and damp-proofing, but prior to backfilling against foundation;
 - (iii) when framing and sheathing of the building are complete, including fire-stopping, 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;

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- (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 and approved it shall be uncovered if the authority having jurisdiction 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) inspection of insulation and/or vapour barrier;
- (vi) inspection of fireplaces after the installation of the smoke damper and prior to the installation of the first flue liner and any material that would conceal the details of the construction of the fire-box and smoke chamber;
- (vii) inspection of masonry construction and/or concrete construction as detailed in Permit;
- (viii) inspection of lathwork and drywall before stucco, plaster or filler and tape is applied;
- (ix) inspection of stucco after the first scratch coat and again after the second scratch coat;
- (x) after building or portion thereof is complete and ready for occupancy, but before occupancy takes place of the whole or a portion of the building;
- (xi) a final inspection within (1) one year of issuance of Permit.

SECTION 10

DOCUMENTS

10.1 The owner or agent 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 a poster or placecard in lieu thereof with street address in 6" characters; and
- (b) a copy of the approved drawings and specifications on the property in respect of which the Permit was issued.

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SECTION 11

EQUIVALENTS

11.1 The provisions of this Bylaw are not intended to limit the appropriate use of materials, equipment or methods of construction not specifically authorized herein. An owner desirous of providing an equivalent material, equipment or method of construction not specifically authorized by this Bylaw shall submit to the authority having jurisdiction sufficient evidence to satisfy the authority having jurisdiction that the proposed equivalent will provide the level of performance required by this Bylaw.

SECTION 12

CLIMATIC DATA

12.1 Climatic data for the design of building shall be in accordance with the National Building Code and the Building Code of British Columbia, and based on the records of the Atmospheric Environmental Services of the Ministry of Transport and for the purposes of this Bylaw shall be as follows:

	<u>CLIMATIC DATA</u>
January 2 1/2 per cent Design Temperature (Degrees C)	-5C (23 Degrees F)
January 1 per cent Design Temperature (Degrees C)	-7C (20 Degrees F)
July 2 11/2 percent Design Drybulb Temperature (Degrees C)	24C (76 Degrees F)
July 2 1/2 per cent Design Drybulb Temperature (Degrees C)	17C (63 Degrees F0)
Annual Total Degree-Days below 18 Degrees C	3,016
Maximum Fifteen minute Rainfall (mm)	15mm (0.2 in.)
Maximum One Day Rainfall (mm)	81mm (3.5 in.)
Annual Total Precipitation (mm)	845mm (34 in.)
Maximum Snow Load on the Ground (k.n/m square) Varies from	1.5 to 2.0kPa (31 to 42 PSF)

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Wind Effects: Probability

1/10 k.N/m square 0.48 kPa (10 PSF)

Probability

1/30 k.N/m square 0.58 kPa (12.1 PSF)

Probability

1/100 k.N/m square 0.70 kPa (14.6 PSF)

Seismic Data:

Zonal Acceleration 5

Zonal Velocity 5

Ratio Velocity 0.30

SECTION 13

OTHER REGULATIONS

- 13.1 Where any Provincial Act or Regulation or any other Municipal Bylaw may apply to any matter covered by this Bylaw, compliance with this Bylaw shall not relieve the owner or his agent from complying with provisions of such other Acts, Regulations or Bylaws.
- 13.2 Where inspections additional to those required by this Bylaw are required due to violations or failure of the Permit holder to have the work accessible and ready at the time the inspection is called for, the Inspector may charge an additional inspection fee as stipulated in Schedule "A" attached hereto.

SECTION 14

BUILDING MOVES

- 14.1 No person shall move or cause to be moved any building into or within the City of Colwood without first having obtained from the authority having jurisdiction a Permit to carry out such move and the rehabilitation of the building on the property to which it is to be moved.
- 14.2 The following conditions shall apply to all buildings in respect of which an application to move has been made:
 - (a) the floor area of the building to be moved shall be equal to or greater than the minimum floor area requirements for the property to which it is to be moved and when located on the said property the building shall comply with all clearances and siting requirements applicable to the said property;

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- (b) the application for a Permit to move shall be accompanied by detailed plans and specifications of the proposed relocation and rehabilitation of the building and by an irrevocable letter of credit or a certified cheque in the amount of Five Thousand Dollars (\$5,000.00) payable to the City of Colwood.

The said letter of credit may be called upon or the deposit or so much thereof as may be necessary may be used by the City to complete the work specified in the plans submitted if the said work is not completed in its entirety within twelve months from the date of issuance of the Permit to move; the deposit or the balance thereof (if any) remaining in the hands of the City shall be returned to the depositor after an Occupancy Permit in respect of the work has been issued.

SECTION 15

SURETY & DAMAGE DEPOSITS FOR BUILDING AND DEMOLITION PERMITS

- 15.1 Every applicant for a Building Permit shall deposit with the Collector a sum of money to secure payment for injury to, destruction or disturbances of Municipal property, installations, roads and accesses, caused by any work done under such permit or by any persons doing work, and/or to ensure the Terms and Conditions of the Permit issued are complied to, as per the fees set out in Schedule A of this Bylaw. This deposit is to be limited to a maximum of \$1,000. for any one permittee.
- 15.2 Such deposit may be dispensed with where the Authority having jurisdiction deems it to be an unnecessary precaution.
- 15.3 Such deposit, shall not be refunded prior to granting of Occupancy Permit.
- 15.4 Nothing in this section shall prevent the City of Colwood from recovering for injury or damage in excess of any deposit.

SECTION 16

INGROUND SANITARY DISPOSAL SYSTEMS

- 16.1 Where the work to be covered by a Building Permit includes the erection of a new dwelling, building, or structure that is to be served by an individual sewage disposal system, or the construction or erection of an addition to an existing dwelling, building or structure served by a individual sewage disposal field, the applicant for a building permit must obtain a permit for the construction/alteration of a sanitary disposal field from the Medical Health Officer or his representatives prior to the issuance of such Building Permit.

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16.2 Notwithstanding Section 16.1 of this Bylaw, or the requirements of a permit issued by the Medical Health Officer, the Authority having jurisdiction may require any or all of the following items:

- a) Field Investigation Reports Indicating:
 - accurate locations of observation pits and percolation test holes;
 - accurate soil logs to a depth approved by the authority having jurisdiction indicating types and depths of soils and depth to groundwater and/or impervious layers.
- b) Design Drawings Indicating:
 - a scale plan showing the lot, building location, location of driveway, location of water service, and design of sanitary disposal field.
- c) As-Built Drawing Indicating:
 - Offset distances from the limits of the field system to the property lines;
 - The location of treatment facilities and junction boxes in relationship to property line;
 - The spacing dimensions of field lines;
 - Location of all curtain drains.
- d) Measures to Prevent Storm Water/Ground Water Infiltration:
 - Curtain drains, to protect the disposal system from groundwater infiltration and stormwaters (surface runoff). Curtain drains must discharge to an outlet acceptable to the Authority having jurisdiction.
- e) Additional approved fill material be placed to a maximum depth of 1.0m.
- f) Additional length of the sanitary disposal field.
- g) Additional capacity and/or type of septic tanks.
- h) Retaining structures be installed to maintain slope stability and/or improve efficiency of the disposal system. Drainage of such structures must be piped, and directed to a discharge acceptable to the Authority having jurisdiction.
- i) Approved Package Treatment Plants.

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16.3 The Authority having jurisdiction may require that percolation test, design and construction supervision of the disposal system and/or "as constructed drawings" or any requirement under Section 16.2 be undertaken by a B.C. Professional Engineer experienced in the field.

16.4 The Authority having jurisdiction may require the placing of a restrictive covenant on the property specifying the number of fixture units/bedrooms permitted the building based on the design of the disposal system.

16.5 The disposal system design shall be based on a minimum field length of 58 metres, a minimum 5 minute soils percolation rate, and a minimum 4 bedroom dwelling unit. This minimum may be adjusted under an acceptable Professional Engineer's design approved by the authority having jurisdiction.

Comment [NC2]: Bylaw No. 229 Amendment #3

Comment [NC3]: Bylaw No. 229, Amendment #3

16.6 The sewage disposal system of every building shall be connected to a municipally operated sewage system, a sewage system owned and maintained by a strata corporation on common property within the strata plan where the building is located, or to a disposal system located entirely within the parcel on which the building is located.

Comment [NC4]: Bylaw #252 Amendment #4 (Sewage System)

Comment [NC5]: Bylaw No 114 Amendment #1

SECTION 17

OFFENSES AND PENALTIES

17.1 No person shall do any act, or suffer or permit any act or thing to be done in contravention of this Bylaw.

17.2 Every person who contravenes this Bylaw by doing any act which it forbids, or omitting to do any act which it requires to be done, is guilty of an offence and is liable, on summary conviction, to a fine of not less than twenty-five dollars (\$25.00) and not more than five hundred dollars (\$500.00) for a first offence and for each subsequent offence to a fine of not less than fifty dollars (\$50.00) and not more than five hundred dollars (\$500.00). A separate offence shall be deemed to be committed upon each day during and in which the contravention occurs or continues.

17.3 The penalties imposed under sub-section 17.2 hereof, shall be in addition to and not in substitution for any other penalty or remedy imposed by this Bylaw or any other statute, law or regulation.

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SECTION 18
AUTOMATIC FIRE SPRINKLERS

18.1 This section does not apply to buildings to which the Building Code does not apply.

18.2 Words and phrases in this section that are not defined in this bylaw but are defined in the Building Code have the meaning set out in the Building Code.

18.3 The following buildings must be equipped with an automatic fire sprinkler system that complies with the most current edition of document NFPA13 entitled "Standard for the Installation of Sprinkler Systems":

(a) new buildings containing an assembly, mercantile, industrial, institutional, business or personal service occupancy;

(b) existing buildings containing an occupancy referred to in section 18.3(a) together with a multi-family residential occupancy where an additional dwelling unit is being created;

(c) existing buildings containing an occupancy referred to in section 18.3(a) where the total value, as determined by the Chief Building Inspector on the basis of building permit applications, of all additions and structural alterations made or proposed to be made within any period of 24 consecutive months exceeds 25 per cent of the assessed value of the building as most recently determined by the B.C. Assessment Authority; and

(d) every building referred to in section 18.3(a) that is destroyed or damaged to the extent of 25 per cent or more of its assessed value above its foundation as most recently determined by the B.C. Assessment Authority, where the owner proposes to repair or reconstruct the building.

18.4 All residential buildings must be equipped with an automatic fire sprinkler system that complies with the most current edition of document N.F.P.A. 13 or N.F.P.A. 13R, entitled "Standard for the installation of sprinkler systems in residential occupancies up to and including four storeys in height", excluding single family and two family dwellings.

Comment [NC6]: Bylaw No. 509, Amendment 8

18.5 The following buildings must be equipped with an automatic fire sprinkler system that complies with the most current edition of document NFPA13, NFPA13R or NFPA13D entitled "Standard for the Installation of Sprinkler Systems in One or Two Family Dwellings and Mobile Homes".

(a) single family dwellings, two-family dwellings and multi-family dwellings

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in respect of which:

- i. the driveway grade giving vehicular access to the building exceeds 15 per cent;
- ii. the access route for fire fighting apparatus does not comply the Building Code or the B.C. Fire Code; or
- iii. the size or complexity of the building or its location with respect to the location of fire fighting facilities is such that, in the reasonable opinion of the Fire Chief of the City and the Chief Building Inspector, access to the building by fire fighting apparatus for the purpose of fighting fires is impractical.

18.6

(a) All automatic fire sprinkler systems required by this section must be designed and their installation reviewed by a Registered Professional with experience in sprinkler system design, except for modifications to existing systems involving the relocation or addition of fewer than six sprinkler heads in which case the requirement for Registered Professional design and review may be waived if the Chief Building Inspector considers that the size or complexity of the development do not warrant such a requirement.

(b) Review of the work by the Registered Professional must include Field Review as defined in the Building Code and review of the contractor's material and test certificate, a copy of which must be provided to the City with the Letter of Assurance of Professional Field Review and Compliance.

(c) Where Registered Professional design and review is required by this section, the owner must comply with section 2.6 of the Building Code as if that section applied to the design and installation of the automatic fire sprinkler system.

18.7

(a) All automatic fire sprinkler systems must be maintained and tested in accordance with NFPA13, NFPA25 and the current edition of the B.C. Fire Code and the results reported in writing to the Fire Chief of the City. Notification of water flow or other tests to be made to a sprinkler system must be given to the City Engineer prior to testing.

18.8

Despite any other provision of this Bylaw, the maximum fine for failing to install a sprinkler system as required, or failing to keep the sprinkler system maintained and operational at all times, is \$100.00 and every day the violation of a sprinkler system requirement exists or is permitted to exist constitutes a separate offense.

Comment [NC7]: Bylaw #338, Amendment #6

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SECTION 19

SEVERABILITY

- 19.1 If any portion of this Bylaw is for any reason held to be invalid by a Court of competent jurisdiction, the invalid portion shall be severed and the validity of the remainder shall not be affected.”

The Capital Regional District Building Bylaw No. 1042 as it applies to the City of Colwood is hereby repealed.

READ A FIRST TIME the 15th day of March, 1988.

READ A SECOND TIME the 5th day of April, 1988.

READ A THIRD TIME the 5th day of April, 1988.

RECONSIDERED, FINALLY PASSED AND ADOPTED THIS 19th day of April, 1988.

MAYOR

CLERK

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SCHEDULE "A"

1. **BUILDING PERMIT FEES:**

Labour and Material

a)	Permits \$1,000.00 or less	\$50.00
b)	Each additional \$1,000.00, up to \$400,000.00 (per thousand)	\$12.00
c)	In excess of \$400,000.00 (per thousand)	\$ 8.00
d)	Extension of Permit	\$50.00
e)	Re-inspection	\$25.00

The value of construction shall be the contract price together with a reasonable allowance for extras or such construction value to be calculated or fixed by the authority having jurisdiction according to the plans and specifications submitted to him.

2. **PLUMBING PERMIT FEES:**

For the purpose of this Schedule, "fixture" means any structure or equipment individually supplied with water or any drain.

a)	For every fixture	\$15.00
b)	For the installation of each area sump, catch basin, manhole, interceptor or garage trap, and for the laying of a building storm sewer, building sanitary sewer, or tile drainage system of subsoil drainage system; or the alteration, relaying or renewal of same, decommission of septic tank	\$50.00 each
c)	For each fire protection standpipe and hose system	\$25.00
d)	For each fire protection sprinkler system - 1 - 10 sprinklers inclusive	\$15.00 each
e)	For each additional 20 sprinkler heads	\$20.00
f)	For private fire hydrant inspection	\$50.00g)
	Re-inspection	\$25.00

3. **FIREPLACES, CHIMNEYS AND SOLID FUEL APPLIANCES:**

a)	Fireplace (masonry or factory built), or Solid Fuel Appliance c/w chimney (masonry or factory built)	\$50.00
	- each additional flue for above	\$15.00
b)	Chimney (masonry or factory built)	\$25.00
	- each additional flue for above	\$15.00
c)	Solid fuel burning appliance or fireplace insert installed into previous construction	\$25.00

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SCHEDULE "A"

Amendment Bylaw No. 722 (Amends Bylaw No. 98)

4. WRECKING AND DEMOLITION PERMIT:

- a) The fee for a Permit to wreck, demolish or remove a building shall be per structure \$50.00

5. MOVING OF BUILDING PERMIT:

The fee for a Permit to move a building in accordance with this Bylaw shall be \$50.00 plus the fee based on the value of work required to rehabilitate the said building in its new location. Surety Deposit of \$5,000.00 is required.

6. REFUND:

At any time before the work has commenced in respect of which a permit has been issued, the permit holder may apply, in writing, for cancellation of the Permit. Upon receipt of such application, the authority having jurisdiction, if satisfied that the work has not commenced, shall cancel the Permit and shall refund to the permit holder 60% of the fee paid by him in respect of the Permit.

7. PERMIT NOT REQUIRED:

No building permit will be required for detached utility sheds less than 10m square (107.6 sq. ft.) in floor area, located on residential property.

8. SURETY AND DAMAGE DEPOSITS:

Prior to issuance of a building or demolition permit, a surety deposit shall be paid in accordance to the following:

- a) All new construction valued at \$50,000.00 or greater where there is a high risk to the City's property \$ 600.00
- b) Demolition of a dwelling unit or large building \$ 600.00
- c) Move a house \$5,000.00

9. NO PERMIT:

Where work commences before a permit has been issued, the fees and charges applicable shall be doubled. If the work is further undertaken without a permit, the fees and charges applicable shall be tripled. If the work is even further undertaken without the appropriate permit, the fees and charges applicable shall be quadrupled.

Comment [NC8]: Bylaw #256 Amendment 5 (Permit Fees) REPEALED

Comment [NC9]: Bylaw #370, Amendment 7 (Permit Fees) REPEALED

Comment [NC10]: Bylaw #722 Amendment 9 (Automatic Fire Sprinklers)

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