



REGIONAL DISTRICT OF CENTRAL KOOTENAY

Building Bylaw No. 2200, 2010

CONSOLIDATED FOR CONVENIENCE ONLY

This bylaw has no legal sanction.

Bylaw No.	Amendments
Bylaw No. 2209	Amendments to: <ul style="list-style-type: none"> - Section 10.1 - Delete sections in 18.4 - Substitute section 22.1 - Substitute section 23.2 - Replace Form E – “Stop Work” - Amend Form F – “Do Not Occupy Notice” to refer to current building bylaw 2200
Bylaw No. 2293	Amendments to: <ul style="list-style-type: none"> - Section 8.1.1 - Add #13 to Schedule A, Section B
Bylaw No. 2717	Amendments to: <ul style="list-style-type: none"> - Section 2.1 “Building Energy Label” definition - Section 25 becomes Section 26 - Section 25 becomes new section and add 25.1, 25.2, 25.3
Bylaw No. 2869	Amendments to: <ul style="list-style-type: none"> - Replace Form A - Replace Form B

Bylaw No. 2908	Amendments to: <ul style="list-style-type: none">- Section 2.1 “Building Manager” definition and added definitions- Section 7.0 added 7.4- Section 8.2 deleted and replaced- Section 9.1.1 deleted and replaced- Section 9.1.2 deleted and replaced- Section 10.1.1 deleted and replaced- Section 10.1.2 deleted and replaced- Section 11.2 deleted and replaced- Section 19.1 deleted and replaced- Section 22.4 deleted and replaced- Section 22.6 deleted and replaced- Schedule A deleted and replaced- Forms A, B, C, D, E, and F deleted
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BUILDING BYLAW NO. 2200, 2010

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REGIONAL DISTRICT OF CENTRAL KOOTENAY

Building Bylaw No. 2200

A Bylaw to regulate building in the Regional District of Central Kootenay

WHEREAS Sections 8(3) and 53 of the Community Charter authorize the Regional District of Central Kootenay for the health, safety and protection of persons and property, to regulate buildings and other structures by Bylaw;

AND WHEREAS the Province of British Columbia, under Section 692 of the Local Government Act, has adopted a Building Code to govern standards in respect of the construction 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 Board of the Regional District of Central Kootenay in open meetings assembled, enact as follows:

1.0 TITLE

1.1 This Bylaw may be cited for all purposes as the Regional District of Central Kootenay Building Bylaw No. 2200, 2010.

1.2 The Bylaw is divided into 25 sections and a decimal numbering system has been used to identify its parts. The first number indicates the Section of the Bylaw; the second, the Subsection in the Section; the third, the Article in the Subsection; the fourth, the Sentence in the Article. A Sentence can be further broken down into Clauses (indicated by numbers in brackets) as follows:

2.0 Section
2.4 Subsection
2.4.1 Article
2.4.1.3 Sentence
2.4.1.3(1) Clause

2.0 DEFINITIONS

Section Subsection Article Sentence Clause

2.1 In this Bylaw:

These words and terms are as defined 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, farm building, field review, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, occupancy, registered professional, and residential occupancy:

Adjacent Ground Level means the level of the ground surface, both underneath a deck, building or structure, and for a minimum of 600mm (2 ft.) beyond the outside perimeter of the deck, building or structure.

Alteration means interior or exterior change to a building or structure but does not include replacement of interior finishes cabinetry or flooring, re-roofing, fencing, landscaping, walks or driveways.

Basic Residential Structure means a Standard Building, generally under 2,000 sq ft in floor area, one or two storeys in building height, and of average quality construction, as determined by a Building Official.

Board means the Board of the Regional District of Central Kootenay,

Building Code means the Building Regulations of British Columbia, as amended or superseded from time to time, established pursuant to section 692 of the *Local Government Act*. The date a building permit is applied for will determine which edition of the Building Code applies.

Building Energy Bylaw means information about a building's energy use, efficiency ratings, how the rating was calculated and where energy is consumed in the building which is posted in a location that is protected from moisture and damage.

Building Energy Label means information about a building's energy use, efficiency ratings, how the rating was calculated and where energy is consumed in the building which is posted in a location that is protected from moisture and damage.

Building Location Survey Certificate means a surveyed plan prepared by a British Columbia Land Surveyor, signed and sealed, indicating the location of buildings or structures in relation to the property lines and or watercourse(s).

Building Manager means the Building Official employed as the Regional District's Building Manager or designate.

Building Official includes Building Officials, Plan Checkers and Plumbing Officials appointed, employed or contracted by the Regional District to administer this Bylaw.

Complex Building means:

- (a) all **buildings** used for major occupancies classified as
 - (i) **assembly occupancy,**
 - (ii) **care or detention occupancy,**
 - (iii) **high hazard industrial occupancy, and**
- (b) all **buildings** exceeding 600 square meters (6500 sq. ft.) in **building** area or exceeding three storeys in building height and used for major occupancies classified as
 - (i) **residential occupancy,**
 - (ii) **business and personal services occupancy,**
 - (iii) **mercantile occupancy,**
 - (iv) **medium and low hazard industrial occupancy.**

Construct includes reconstruct, erect, alter, enlarge, add and remove.

Construction includes reconstruction, erection, Alteration, enlargement, addition and removal,

Council means the Councils of the participating Municipalities

Custom Residential Structure means a Standard Building, generally over 3,000 sq ft in floor area, one to three storeys in building height, and of excellent quality construction, as determined by a Building Official.

Deck includes a sundeck and means a raised, open, unroofed platform.

Dwelling Unit means a self-contained set of habitable rooms containing living quarters and kitchen and sleeping facilities designed and intended for occupancy by only one family or household.

Farm Building shall be as defined in the Farm Building Code..

Farm Building Code means the National Farm Building Code of Canada as referenced by the Building Code.

Final Inspection Report means the point at which all deficiencies in the health and safety aspects of the work have been remedied to the satisfaction of the building official.

Health and safety aspects of the work means design and construction regulated by the Building Code.

Lot means the smallest unit in which land is designated as a separate and distinct parcel on a legally recorded subdivision plan or description filed in the Land Title Office.

Manufactured Home means a building that is manufactured in a factory for transport, assembly, and completion as a residence, including placement on a foundation, and is certified as being constructed to the requirements of the CSA National Standard CAN/CSA-Z240 or A277 but is not designed to be transported on its own wheels or undercarriage,

Market Residential Structure means a Standard Building, generally over 1,500 sq ft in floor area but generally less than 3,500 sq ft in floor area, one to three storeys in building height, and of good quality construction, as determined by a Building Official.

Marshall & Swift means the Marshall & Swift residential cost estimator platform or tool(s) used to determine the value of construction for Standard Buildings.

Modular Home means a detached dwelling unit conforming to the CAN/CSA A277-90 standard, which is completely constructed in a factory but is not designed to be transported on its own wheels or undercarriage.

Owner means the registered owner in fee simple of real property for which a permit is applied for or issued under this Bylaw.

Permit means a permit required by or issued under this Bylaw.

Plumbing System means a drainage, venting, fire protection or water system, or any part thereof.

Pool means a constructed or prefabricated pool, existing or prospective, situated wholly or in part above or below the adjacent ground level, used primarily for swimming, bathing or wading, having a surface water area greater than 15 square meters (160 sq. ft), or a depth greater than 600 mm. (2 ft) and which does not fall under the jurisdiction of the Health Act for pools.

Pool area means the enclosed area around the perimeter of a pool to a maximum of 40 meters (130ft) from the edge of the water surface.

Professional Quality Surveyor (PQS) means a person qualified and certified by the Canadian Institute of Quality Surveyors and who provides construction cost estimation services for Complex Buildings.

Regional District means Regional District of Central Kootenay.

Standard building means a building of three storeys or less in building height, having a building area not exceeding 600 square meters (6500 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, but specifically excludes landscaping, fences, paving and retaining structures less than 1.2m (4ft.) in height

Temporary Building means a building or any part thereof that will be used for a period of time, not exceeding two years, and that has no permanent foundation or construction associated with it, other than footings.

Village means Villages participating in the Building Inspection Service.

2.2 In this Bylaw, words and phrases shown in boldface, other than in headings, are words that are defined in subsection 2.1 of this bylaw.

3.0 PURPOSE OF THIS BYLAW

3.1 This Bylaw shall, notwithstanding any other provision herein, be interpreted in accordance with this section

3.2 This Bylaw has been enacted for the purpose of regulating construction within the Regional District and Village in the general public interest. The activities undertaken by or on behalf of the Regional District and Village pursuant to this Bylaw are for the sole purpose of providing a limited and interim spot checking function for reason of health, safety and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of this Bylaw extend to

3.2.1 the protection of owners, owner/builders or constructors from economic loss;

- 3.2.2 the assumption by the Regional District or Village or any building official of any responsibility for ensuring the compliance with the Building Code, the requirements of this Bylaw or other applicable enactments respecting safety by any owner or any employees, constructors or designers retained by the owner or his or her representatives;
- 3.2.3 providing any person with a warranty of design or workmanship with respect to any building or structure or plumbing system for which a building permit is issued under this Bylaw;
- 3.2.4 providing a warranty or assurance that construction undertaken pursuant to building permits is free from latent, or any defects.
- 3.2.5 providing a warranty to any person that construction is in compliance with the Building Code, this Bylaw or any other enactment with respect to a building or structure for which a permit is issued under this Bylaw.

4.0 PERMIT CONDITIONS

- 4.1 No person shall undertake work regulated by this Bylaw without a permit
- 4.2 Neither the issuance of a permit under this Bylaw nor the acceptance or review of plans, drawings or supporting documents, nor any inspections made by or on behalf of the Regional District or Village shall in any way relieve the owner or his or her representative from full and sole responsibility to perform the work in strict accordance with this Bylaw, the Building Code and other applicable enactments respecting safety.
- 4.3 It is 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 a permit is issued under this Bylaw, in compliance with the Building Code, this Bylaw and other applicable enactments respecting safety.
- 4.4 Neither the issuance of a permit under this Bylaw nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by the Building Official constitute in any way a representation, warranty, assurance or statement that the Building Code, this Bylaw or other applicable enactments respecting safety have been complied with.
- 4.5 No person shall rely upon any permit as establishing compliance with this Bylaw or assume or conclude that this Bylaw has been administered or enforced

according to its terms. The person to whom the building permit is issued is responsible for making such determination.

- 4.6 An owner of the property for which a permit is issued must conform to all requirements of this Bylaw and all other enactments and bylaws applicable to the work for which the permit is issued.

5.0 SCOPE AND EXEMPTIONS

5.1 This Bylaw applies to

- 5.1.1 the design, construction and occupancy of new buildings and structures, and the alteration, reconstruction, demolition, removal, relocation, occupancy and change of occupancy of existing buildings and structures;
- 5.1.2 the installation of a new wood burning appliance, certified by a recognized agency, or masonry fireplace, as part of the construction of a new building, including steel or masonry chimney;
- 5.1.3 the erection or placement of a temporary building;

5.2 This Bylaw does not apply to

- 5.2.1 buildings or structures to which the Building Code does not apply except as expressly provided in this bylaw;
- 5.2.2 retaining structures less than 1.5 meters (5 ft.) in height
- 5.2.3 decks without roofs having a difference in elevation to grade not exceeding 600 millimeters (2ft);
- 5.2.4 existing metal or masonry chimneys;
- 5.2.5 Alterations, repairs or installation of masonry chimneys or fireplaces, solid fuel-burning appliances, factory built chimneys or fireplaces and related equipment in existing buildings;
- 5.2.6 the repair or replacement of a valve, faucet, fixture or sprinkler head in a plumbing system if no change in piping is required;

5.3 Farm buildings shall conform to the requirements in the farm building code.

6.0 PROHIBITIONS

- 6.1 No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building, structure or plumbing system or other work related to construction unless a building official has issued a valid and subsisting permit for the work
- 6.2 No person shall occupy or use any new building or structure without first obtaining an Occupancy Permit issued by a Building Official for the building or structure, or contrary to the terms of any permit issued or any notice given by a building official.
- 6.3 No person shall knowingly submit false or misleading information to a building official in relation to any permit application or construction undertaken pursuant to this Bylaw.
- 6.4 No person shall, unless authorized by a building official, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to a building or structure pursuant to this Bylaw.
- 6.5 No person shall do any work that is substantially at variance with the accepted design or plans of a building, structure or other works for which a permit has been issued, unless a building official has accepted that variance.
- 6.6 No person shall obstruct the entry of a Building Official on property in the administration of this bylaw.

7.0 BUILDING OFFICIALS

- 7.1 A building official may
 - 7.1.1 administer this Bylaw;
 - 7.1.2 keep records of permit applications, permits, notices and orders issued, inspections and tests made, and retain copies of all documents related to the administration of this Bylaw or make microfilm or digital copies of such documents; and
 - 7.1.3 establish, if requested to do so, whether the methods or types of construction and types of materials used in the construction of a building or structure for

which a permit is sought under this Bylaw substantially conform to the requirements of the Building Code.

7.2 A building official

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

7.2.2 where any residence is occupied, shall obtain the consent of the occupant or provide written notice to the occupant 24 hours in advance of entry; and

7.2.3 shall carry proper credentials confirming the official's status as a building official.

7.2.4 building official may order the correction of any work that is being or has been done in contravention of this Bylaw.

7.3 A building official may order the correction of any work that is being or has been done in contravention of this Bylaw.

7.4 The Building Manager is delegated the general authority to create and edit standard forms used in the administration of this bylaw, including but not limited to the following:

- (a) Building Permit Application Form;
- (b) Owner's Acknowledgement Form;
- (c) Building/Plumbing Permit Form;
- (d) Occupancy Permit Form;
- (e) Stop Work Form; and
- (d) Do Not Occupy Notice Form.

8.0 APPLICATIONS

8.1 Every person shall apply for and obtain a

8.1.1 building permit before installing, constructing or altering a building or structure;

8.1.2 building permit before installation of a Manufactured Home or Modular Home;

8.1.3 plumbing permit before installation, alteration or remodeling of any plumbing is undertaken;

- 8.1.4 permit before installation of a pool;
- 8.1.5 building permit before constructing a temporary building;
- 8.1.6 moving permit before moving a building or structure;
- 8.1.7 demolition permit before demolishing any building or structure;
- 8.2 An application for a permit shall be in through the Building Permit Application form.
- 8.3 All plans submitted with permit applications must bear the name and address of the designer of the building or structure.
- 8.4 Each building, structure or plumbing system requires a separate permit and shall be assessed a separate permit fee as determined in accordance with Schedule "A" to this Bylaw.

9.0 APPLICATIONS FOR COMPLEX BUILDINGS

- 9.1 An application for a permit with respect to a complex building shall
 - 9.1.1 be made using the Building Permit Application form and signed by the owner or a signing officer, if the owner is a corporation;
 - 9.1.2 be accompanied by the owner's acknowledgment of responsibility and undertakings made using the Owner's Acknowledgment form, signed by the owner, or a signing officer if the owner is a corporation;
 - 9.1.3 include a copy of a title search, accompanied by referenced covenants, made within 30 days of the date of the application;
 - 9.1.4 state the intended use of the building;
 - 9.1.5 include a site plan prepared by a British Columbia Land Surveyor or by a registered professional showing
 - 9.1.5.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - 9.1.5.2 the legal description and civic address of the parcel;
 - 9.1.5.3 the location and dimensions of all statutory rights of way, easements and setback requirements when required by the building official;

- 9.1.5.4 the location and dimensions of all existing and proposed buildings or structures on the parcel;
 - 9.1.5.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where the Regional District or Village land use regulations establish siting requirements related to flooding;
 - 9.1.5.6 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 Regional District or Village land use regulations establish siting requirements related to minimum floor elevation; and
 - 9.1.5.7 the location, dimension and gradient of parking and driveway access; unless a building official has waived the requirement for a site plan, in whole or in part, in the circumstance where the permit is sought for the repair or Alteration of an existing building or structure;
- 9.1.6 contain sufficient information on building plans to determine compliance with this Bylaw, such as
- 9.1.6.1 floor plans showing
 - (i) the dimensions and uses of all areas,
 - (ii) the location, size and swing of doors,
 - (iii) the location, size and opening of windows,
 - (iv) floor, wall, and ceiling finishes,
 - (v) plumbing fixtures,
 - (vi) structural elements, and
 - (vii) stair dimensions;
 - 9.1.6.2 a cross section through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;
 - 9.1.6.3 elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;
 - 9.1.6.4 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;

- 9.1.6.5 copies of approvals, including, without limitation, highway access permits when required by the Ministry of Highways and Ministry of Health application approval;
- 9.1.6.6 letters of assurance in the form referred to in 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.
- 9.1.6.7 letters of assurance in the form referred to in 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;
- 9.1.6.8 two sets of drawings at a suitable scale of the design prepared by each registered professional and including the information set out in Sentences 9.1.6.1 - 9.1.6.3 of this bylaw.

9.2 In addition to the requirements of Subsection 9.1, the following may be required by a building official to be submitted with a building permit application for the construction of a complex building where the complexity of the proposed building or structure or siting circumstances warrant:

- 9.2.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional;
- 9.2.2 a section through the site showing grades, buildings, structures, parking areas and driveways;
- 9.2.3 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,

10.0 APPLICATIONS FOR STANDARD BUILDINGS

- 10.1 When required by the building official, an application for a permit with respect to a standard building must be made in the form attached as form 'A ' to this bylaw, signed by the owner or a signing officer if the owner is a corporation;
 - 10.1.1 be made using the Building Permit Application form and signed by the owner, or the signing officer if the owner is a corporation;
 - 10.1.2 be accompanied by the owner's acknowledgment of responsibility and undertakings made using the Owner's Acknowledgment form and signed by the

owner, or a signing officer if the owner is a corporation;

10.1.3 include a copy of a title search, accompanied by referenced covenants, made within 30 days of the date of the application;

10.1.4 A state the intended use of the building, and where the building is a temporary building state the intended duration of use and date of removal, not to exceed two years;

10.1.5 include a site plan showing

10.1.5.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;

10.1.5.2 the legal description and civic address of the parcel;

10.1.5.3 the location and dimensions of all statutory rights of way, easements and setback requirements when required by the building official;

10.1.5.4 the location and dimensions of all existing and proposed buildings or structures on the parcel;

10.1.5.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where the Regional District or Village land use regulations establish siting requirements related to flooding;

10.1.5.6 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 Regional District or Village land use regulations establish siting requirements related to minimum floor elevation; and

10.1.5.7 the location, dimension and gradient of parking;

unless a building official has waived the requirements for a site plan, in whole or in part, in circumstances where the permit is sought for the repair or Alteration of an existing building or structure.

10.1.6 contain sufficient information on building plans to determine compliance with this Bylaw, such as

- 10.1.6.1 floor plans showing:
 - (i) the dimensions of the building and use of all rooms;
 - (ii) the location, size and swing of doors;
 - (iii) the location, size and opening of windows;
 - (iv) plumbing fixtures; structural elements; and
 - (v) stair dimensions;
- 10.1.6.2 a cross section through the building or structure showing ceiling heights, crawlspace and roof space details and detailing construction systems, building materials and finishes;
- 10.1.6.3 elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;
- 10.1.6.4 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;
- 10.1.6.5 copies of approvals including, without limitation, highway access permits, when required by the Ministry of Highways, and Ministry of Health application approval;
- 10.1.6.6 a foundation design prepared by a registered professional in accordance with the Building Code, accompanied by letters of assurance in the form referred to in the Building Code, signed by the registered professional; and
- 10.1.6.7 two sets of drawings at a suitable scale of the design including the information set out in Sentences 10. L6. 1 - 10. L6.4 of this Bylaw
- 10.1.7 The requirements of Sentence 10.1.6.6 may be waived by a building official in circumstances where the building official has required a professional engineer's report and the building permit is issued in accordance with Section 56 of the Community Charter.
- 10.1.8 The requirements of 10.1.6.6 may be waived by a building official if documentation, prepared by a registered professional, is provided assuring that the foundation design and the foundation excavation substantially comply with the Building Code.

- 10.1.9 The requirements of 10.],6,6 may be waived by a Building Official if the footings and foundation for the proposed building or structure are installed in compliance with Division B Section 9,15 of the Building Code.
- 10.2 In addition to the requirements of Subsection 10.1, the following may be required by a building official to be submitted with a building permit application for the construction of a standard building where the project involves two or more buildings, which in the aggregate total more than 1 000 square meters, or two or more buildings that will contain four or more dwelling units, or otherwise where the complexity of the proposed building or structure or siting circumstances warrant:
- 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;
 - 10.2.2 a section through the site showing grades, buildings, structures, parking areas and driveways ;
 - 10.2.3 a roof plan and roof height calculations;
 - 10.2.4 structural, electrical, mechanical, plumbing or fire suppression drawings prepared and sealed by a registered professional;
 - 10.2.5 letters of assurance in the form referred to in the Building Code, signed by a registered professional;
 - 10.2.6 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 or structure.
 - 10.2.7 A Building Official may waive the requirements of Sentence 10.1.6.6 of this bylaw if the design and construction of the foundation of the Standard Building and the building site that are the subject of the building permit meet all the criteria of the Building Code.
 - 10.2.8 If once the permit has been issued, the criteria and requirements referred to in Subsection 10.2.7 are not complied with, the building official may take one or more of the following actions or any other action deemed necessary:
 - 10.2.8.1 revoke the permit
 - 10.2.8.2 refuse to permit occupancy of the building

10.2.8,3 impose the requirements of Sentence 10,1.6.6 of this bylaw.

11.0 PROFESSIONAL PLAN CERTIFICATION

- 11.1 Where required by this bylaw, letters of assurance in the form referred to in the Building Code shall be submitted by the registered professionals in support of a building permit application. Representing the Regional District or Village the building official shall rely upon these letters of assurance as certification that the building design and plans comply with the Building Code and other applicable enactments relating to safety of the building.
- 11.2 A building permit issued for the construction of a building for which a building official required professional and letters of assurance must be through the Building/Plumbing Permit form.
- 11.3 A building permit issued pursuant to Subsection 11. 2 of this Bylaw must include a notice to the owner that the building permit is issued in reliance upon the certification of the registered professionals that the design and plans submitted in support of the application for the building permit comply with the Building Code and other applicable enactments relating to safety,
- 11.4 When a building permit is issued in accordance with subsection 11.2 of this bylaw the permit fee must be reduced by 5% to reflect the Regional District's or Villages' reliance upon the Registered Professional,

12.0 FEES AND CHARGES

- 12.1 In addition to applicable fees and charges required under other Bylaws, a permit fee, calculated in accordance with Schedule "A" to this Bylaw, must be paid in full prior to issuance of any permit under this Bylaw.
- 12.2 An application made for a building permit must be accompanied by the appropriate plan-check deposit fee prescribed in Schedule "A" to this Bylaw, which is non-refundable and must be credited against the building permit fee when the permit is issued.
- 12.3 When an application is cancelled the plans and related documents submitted with the application may be destroyed..

- 12.4 The owner may obtain a refund of the building permit fees paid as prescribed in Schedule "A" to this Bylaw.
- 12.5 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 prescribed in Schedule "A" to this Bylaw must be paid prior to each additional inspection being performed,

13.0 BUILDING PERMITS

Issuance of a Permit

- 13.1 The permit for which an application was made may be issued when:
- 13.1.1 a completed application with all required documentation has been submitted and the Building Official has approved the application for permit issuance; and
 - 13.1.2 the owner or his or her representative has paid all applicable fees set out in Subsection 12.1 of this Bylaw; and;
 - 13.1.3 the owner or his or her representative has paid all charges and met all requirements imposed by any other enactment or bylaw; and
 - 13.1.4 no enactment, covenant, agreement, regulation in favor of; or regulation of the Regional District or Village authorizes the permit to be withheld;
- 13.2 When the application is in respect of a building that includes, or will include, a residential occupancy, the building permit must not be issued unless the owner provides evidence of compliance with the Homeowner Protection Act.

Expiry of a Permit

- 13.3 Every permit is issued on the condition that
- 13.3.1 the construction shall be commenced within six months after the date the permit was issued;

- 13.3.2 the work, once commenced, shall not be discontinued for a continuous period of more than twelve months, or in any event 12 months from the last inspection; and
- 13.3 the permit shall expire and the rights of the owner shall terminate in the event and at the time that either of the above conditions is not met or in any event thirty-six months after the date the permit was issued
- 13.4 Despite Article 13.3 the Building Official may extend the time periods in sentences 13.3.1 and 13.3.2 Extensions are limited to 6 months and 1 year respectively and must be obtained in writing.

Renewal of a Permit

- 13.5 An owner may apply for and the building official may issue a renewal of a building permit for a period of not more than one year. A renewal fee is payable as required under schedule 'A' to this bylaw.
- 13.6 A permit may be renewed only one time under Article 1.3.5
- 13.7 When a permit renewed under Article 1.3.5 expires, an owner may apply for a new building permit to complete the construction of a project remaining incomplete on the date the permit expired. All applicable drawings and specifications shall be updated to comply with current regulations.
- 13.8 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 demonstrate to the building official that the portion authorized to be constructed substantially complies with this and other applicable Bylaws 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 referred to in the previous sentence had not been issued.

14.0 DISCLAIMER OF WARRANTY OR REPRESENTATION

- 14.1 Neither the issuance of a permit under this Bylaw, the review and acceptance of the design, drawings, plans or specifications, nor inspections made by a building

official, shall constitute a representation or warranty that the Building Code or 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.

15.0 CLIMATIC AND GEOLOGICAL DATA

15.1 Climatic data for the design of buildings are to be as specified in the British Columbia Building Code (BCBC). Additional design data are to be found in Schedule B.

16.0 PROFESSIONAL DESIGN AND FIELD REVIEW

16.1 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 that a registered professional provide design and plan certification and field review by means of letters of assurance in the form referred to in the Building Code.

16.2 Prior to the issuance of a final inspection report for a complex building, or standard building in circumstances where letters of assurance have been required in accordance with this bylaw, the owner must provide letters of professional field review and compliance in the form referred to in the Building Code.

16.3 When a registered professional provides letters of assurance in accordance with this Bylaw, the registered professional must also provide proof of professional liability insurance/errors and omissions to the building official.

17.0 RESPONSIBILITIES OF THE OWNER

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

17.2 Every owner to whom a permit is issued must, during construction,

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

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

- 17.2.3 post the civic address on the property 111 a location visible from any adjoining streets.

18.0 INSPECTIONS

- 18.1 When a registered professional provides letters of assurance in accordance with this Bylaw, the building official will rely solely on field reviews undertaken by the registered professional and the letters of assurance submitted pursuant to 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.
- 18.2 Notwithstanding Subsection 18.1 of this Bylaw, a building official may attend the site from time to time during the course of construction to ascertain that the field reviews are taking place and to monitor the field reviews undertaken by the registered professionals.
- 18.3 A building official may attend periodically at the site of the construction of standard buildings or structures to ascertain whether the health and safety aspects of the work are being carried out in substantial conformance with those portions of the Building Code, this Bylaw and any other applicable enactment concerning safety.
- 18.4 The owner or his or her representative shall give at least 72 hours notice to the Regional District or Village when requesting an inspection and shall obtain an inspection and receive a building official's acceptance of the following aspects of the work prior to concealing it:

SITING: After siting of the building and formwork for the foundation footings is completed, but prior to the pouring of concrete. The building official may require the owner to provide a building location survey certificate if building setbacks from property lines cannot be adequately or accurately determined.

DAMP-PROOFING AND FOUNDATION PERIMETER DRAINAGE:

After foundation damp-proofing and perimeter drainage piping installations have been completed, including drain rock but before backfilling.

PLUMBING:

- i. **UNDERSLAB:** After underslab drain and water distribution piping has been installed, with test applied but before covering.
- ii. **ROUGH-IN:** After drain waste and vent, and water distribution piping has been installed, with test applied but before covering.

FRAMING: When framing, sheathing and roofing of the building have been completed and the electrical, mechanical and plumbing rough-ins have been completed but before installing any insulation or vapour barrier materials or otherwise covering.

MASONRY FIREPLACE:

- i. **FIRST INSPECTION:** Installation of first flue liner above smoke chamber.
- ii. **SECOND INSPECTION:** Chimney cap, but PRIOR to installing.

SOLID FUEL BURNING APPLIANCE: When the appliance and the chimney are installed, but PRIOR to using. The chimney must not be concealed for inspection purposes.

INSULATION: After all thermal and acoustic insulation materials, vapour barrier and fire stopping components have been installed and the building is ready to have interior finishes installed but before covering. The exterior sheathing membrane shall be completed as required to prevent the wetting of the insulated wall cavity.

OCCUPANCY: PRIOR to occupying a new building. Health and Safety aspects of the building regulations must be completed at this time or a Conditional Occupancy Permit will be issued.. The conditional items on the Occupancy Permit will be required to be completed within a specified time.

FINAL: When the building or portion of new construction has been completed and all previous inspection deficiencies have been corrected.

OTHER INSPECTIONS: As directed by the Building Official to ascertain compliance with this bylaw.

- 18.5 No aspect of the work referred in Subsection 18.4 of this Bylaw may be concealed until a building official has accepted it in writing.
- 18.6 The requirements of Subsection 18.4 of this Bylaw do not apply to any aspect of the work that is the subject of a registered professional's letter of assurance provided in accordance with this bylaw.
- 18.7 The building official may require that the owner submit a building location survey certificate at the SITING inspection and may post a "STOP WORK" notice until a survey certificate is submitted that conforms the building location complies with all applicable regulations and bylaws.

19.0 OCCUPANCY PERMIT

- 19.1 No person may occupy a new building or structure or part of a new building or structure until an Occupancy Permit has been using the Occupancy Permit form.
- 19.2 An Occupancy Permit must not be issued unless:
- 19.2.1 all letters of assurance have been submitted when required in accordance with this bylaw.
 - 19.2.2 all aspects of the work requiring inspection and acceptance pursuant to Subsection 18.4 of this Bylaw have been inspected and accepted or the inspections and acceptance are not required in accordance with Subsection 18.6 of this Bylaw.
- 19.3 A Building Official may issue an Occupancy Permit for part of a building or structure when the part of the building or structure is self-contained, provided with essential services and the requirements set out in Subsection 19.2 of this Bylaw have been met with respect to it.

Notwithstanding Subsection 19.1, a Building Official may issue a conditional Occupancy Permit outlining the date before which an owner must complete conditions to occupancy of the building or structure.

20.0 POOLS

- 20.1 No person shall commence or continue any work related to the installation, construction and Alteration of a pool unless a valid building permit has been obtained pursuant to this Bylaw.
- 20.2 An exterior pool area must be enclosed within a fence of not less than 1.5 meters (5 ft.) in height. The fence must be designed and constructed so that no member, attachment or opening will facilitate climbing. All openings through the fence must be of a size as to prevent the passage of a spherical object having a diameter of 100 111111. (4 inches). Access through the fence enclosing the pool must be equipped with a self-closing gate so designed as to cause the gate to return to a closed position when not in use. The self-latching device must be located on the poolside of the fence at a height of at least 1.0 meters (3 ft 3 inches) above grade or on the outside of the fence at 1.4 meters (4 ft 7 inches) above grade.
- 20.3 Despite subsection 20.2, standard chain link wire mesh may be acceptable provided that the fence is not less than 1.5 meters (5 ft.) in height

- 20.4 Public swimming pools and spas require Ministry of Health approval prior to issuance of building permits.

21.0 RETAINING STRUCTURES

- 21.1 A registered professional must undertake the design and conduct field reviews of the construction of a retaining structure greater than 1.2 meters (4 ft.) in height. Sealed copies of the design plan and field review reports prepared by the registered professional for all retaining structures greater than 1.2 meters (4 ft.) in height shall be submitted to a building official prior to acceptance of the works.

22.0 PENALTIES AND ENFORCEMENT

- 22.1 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 less than \$200.00 (two hundred dollars) and not more than the maximum penalty prescribed by law.
- 22.2 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.
- 22.3 Every person who commences construction requiring a permit without first having obtained the required permit shall, if a Stop Work notice is issued and remains outstanding for 30 days, pay an additional fee equal to 25% of the calculated building permit fee prior to obtaining the required building permit
- 22.4 A building official may order the cessation of any work that is proceeding in contravention of the Building Code or this Bylaw by posting a Stop Work notice on the building or structure using the Stop Work form.
- 22.5 The owner of property on which a Stop Work notice has been posted, and every other person, must cease all construction work immediately and must 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.
- 22.6 Whereas a person occupies a building or structure or part of a building or structure in contravention of Subsection 6.2 of this Bylaw, a building official may post a Do Not Occupy notice using the Do Not Occupy form.

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

23.0 SEVERABILITY AND APPLICATION

23.1 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.

23.2 This bylaw shall apply to all Electoral Areas of the Regional District of Central Kootenay and all participating municipalities not having a separate building bylaw.

24.0 TRANSITION

24.1 This Bylaw shall not affect the right of an owner under a permit issued prior to the coming into force of this Bylaw, provided the owner has commenced work within six (6) months of the date of issuance of the permit and has actively and continuously carried out work thereafter according to this Bylaw.

25.0 ENERGY CONSERVATION AND GHG EMISSION REDUCTION

25.1 In relation to the conservation of energy and the reduction of greenhouse gas emissions, the Regional District and Village incorporates by reference the British Columbia (B.C.) Energy Step Code in accordance with Section 25.2 through 25.3.

25.2 A standard building regulated by Part 9 Housing and Small Buildings of the B.C. Building Code which is a Dwelling Unit or which contains Dwelling Unit(s) within the building envelope shall be designed and constructed to the minimum performance requirements specified in Step 1 of the B.C. Energy Step Code. This regulation is applicable to building permit applied for after December 21, 2020.

25.3 A Standard building regulated by Part 9 Housing and Small Building of the B.C. Building Code, which is a Dwelling Unit or which contain Dwelling Unit(s) within the building envelope constructed under permit applied for after December 31, 2020, shall include a permanently affixed Building Energy Label posted prior to issuance of an Occupancy Permit.

26.0 ENACTMENT AND REPEAL

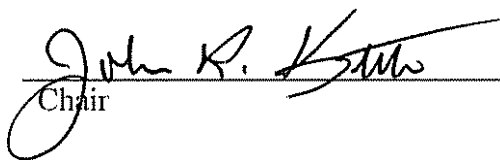
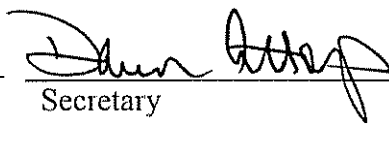
26.1 This Bylaw shall come into full force and effect upon its final passage and adoption,

26.2 Building Bylaw 1682, 2004 as amended by the Regional District 1s hereby repealed,

READINGS, APPROVAL AND ADOPTION

READ A FIRST TIME this	9 th	day of	December, 2010
READ A SECOND TIME this	9 th	day of	December, 2010
READ A THIRD TIME this	9 th	day of	December, 2010

ADOPTED this 9th day of December, 2010,

 Chair	 Secretary
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**REGIONAL DISTRICT OF CENTRAL KOOTENAY SCHEDULE 'A' - PERMIT FEES
 TO BUILDING BYLAW NO. 2200, 2010**

A. BUILDING PERMIT FEES

Fee for construction value (declared or assessed) as determined by the Regional District of Central Kootenay for all new construction, reconstruction, additions, extension, Alterations or repair of any building and the placement of single or double-wide manufactured homes.

BASE FEE:	\$ 1.00 - \$1,000.00	\$100.00
	\$1,000.00 and over	\$10.50 per \$1000.00 or a portion thereof

The calculated fee shall be reduced by 10% for Municipal Permits where the municipality provides building inspection administrative service in order to offset the 10% Municipal Administrative Fee.

B. RELATED PERMIT FEES

1.	Manufactured home set up single wide or double wide	\$350.00
2.	Change of occupancy (commercial only)	\$200.00
3.	Pools (fence requirements)	\$100.00
4.	Demolition	\$150.00
5.	Moving a building.	\$200.00
6.	Temporary building	\$200.00
7.	Occupant Load Calculation	\$200.00
8.	Re-Inspection	\$ 150.00
9.	Administrative fee to remove "Notice on Title"	\$750.00
10.	Permit Renewal	\$100.00

- 11. Administrative Fee to Prepare and Register Restrictive Covenant on Title \$200.00
- 12. Mapping Services Fee \$25.00

C. PLUMBING PERMIT FEES

- Plumbing System \$ 10.50 per fixture
- Automatic Sprinkler System (as per contract price)

D. PERMIT FEE REFUNDS

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

- 1. No permit related work on site has commenced (does not include excavation work);
- 2. For permits exceeding \$200.00 fee, the Regional District will return \$100.00 or 50% of the permit fee, whichever is the greater amount;
- 3. The building permit will be cancelled.

E. PLAN CHECK DEPOSIT

- Single-family dwelling \$100.00
- Multi-family /Industrial/Commercial/Institutional \$200.00
- Accessory Building or Addition \$50.00

Formula For Estimating Value of Construction

RESIDENTIAL CONSTRUCTION

Value of residential construction will be calculated as per the contract cost if provided, or calculated as per the following costs for estimating values of construction, whichever is the greater amount. Where aspects of residential constructions are not specifically addressed in this fee schedule, an individual valuation using the Marshall & Swift cost estimator will be used to determine the value of construction. When an individual valuation is requested or required, a fee of \$150.00 will apply.

- Market residential construction, 1 or more floors finished (Good Quality) \$280.00 p.s.f.
- Basic residential construction, 1 or more floors finished (Average Quality) \$195.00 p.s.f.

Custom residential construction, determined on an individual basis using Marshall & Swift

Basement (for relocation of residence)	\$25.00 p.s.f.
Residential Addition on a crawl space or slab (in kitchen or bathrooms)	\$60.00 p.s.f.
Finished Basement	\$195.00 p.s.f.
Sundeck	\$25.00 p.s.f.
Sundeck with Rood	\$25.00 p.s.f.
Attached garage	\$40.00 p.s.f.
Detached garage	\$30.00 p.s.f.
Carport	\$25.00 p.s.f.
Accessory Building up to 550 sq. ft.	\$25.00 p.s.f.
Farm Building	\$10.00 p.s.f.

MOBILE HOME COSTS

Crawl Space under Mobile Home	\$15.00 p.s.f.
Basement under Mobile Home	\$25.00 p.s.f.
Roof over Mobile Home	\$25.00 p.s.f.
Mobile Home Additions	\$60.00 p.s.f.

OTHER

Fireplace	\$4,000.00
Wood-Burning Appliance	\$4,000.00

Where the estimated or assumed value of construction for Commercial, Industrial or Institutional buildings exceeds \$1 million, the Owner is required to retain a Professional Quality Surveyor (PWS), submit a sealed Initial Budget Review, and this value will determine permit

fees as per the Base Fee Schedule. Where the estimated or assumed value of construction for Commercial or Industrial buildings is less than \$1 million, permit fees will be calculated as per the CONTRACT or TENDERED cost, or the value of construction determined according to the following schedule, with permit fees calculated as per the higher of the two values:

COMMERCIAL CONSTRUCTION

Commercial Building (shell only)	\$ 50.00 p.s.f.
Commercial Building - Interior finish	
(restaurants)	\$30.00 p.s.f.
(office buildings)	\$25.00 p.s.f.
(other)	\$15.00 p.s.f.

INDUSTRIAL CONSTRUCTION

Industrial Buildings (shell only)	\$50.00 p.s.f.
Industrial Buildings (interior finish)	\$10.00 p.s.f.

INSTITUTIONAL CONSTRUCTION

Contract or Tendered Cost or PQS sealed
 Initial Budget Review, whichever is higher

REGIONAL DISTRICT OF CENTRAL KOOTENAY SCHEDULE 'B' - CLIMATIC AND GEOLOGICAL DATA
 TO BUILDING BYLAW NO. 1682, 2004

Climatic data for the design of buildings in the Regional District are deemed to be:

DESIGN TEMPERATURE

January	2.5% design temperature	-24°C
January	1% design temperature	-26°C
July	2.5% dry bulb temperature	33°C
July	2.5% wet bulb temperature	19°C
Degree days below 18°C		4,303

PRECIPITATION

Fifteen (15) minute rain	10mm
One day rain	66mm

MAXIMUM GROUND SNOWLOAD

	kPa	P.S.F.
Argenta	3.4	72
Arrow Creek Lake View	4.0	83
Blueberry Creek	4.5	94
Balfour	3.7	77
Beasley	Lower	4.9 105
	Upper	5.5 116
Blewett	Lower	4.5 94
	Upper	4.9 105
Bonnington	Lower	4.9 105
	Upper	5.5 116
Brilliant	4.2	88
Brouse	4.9	105
Castlegar (adjacent)	4.2	88
Crawford Bay	3.7	77
Crescent Bay	3.7	77
Crescent Valley	4.2	88
Creston (adjacent)	3.2	66
Deer Park	4.2	88
Duncan Lake	3.4	72

Edgewood	4.0	83
Erickson	4.0	8.3
Fauquier	4.0	83
Gerrard	5.5	116
Glade	4.2	88
Halcyon Hot Springs	4.0	83
Hall Siding	6.1	127
Harrop	3.7	77
Hills	5.5	116
Johnson's Landing	3.4	72
Krestova	4.5	94
Kaslo (adjacent)	3.4	72
Kingsgate	4.2	88
Kitchener	4.0	83
Lardeau	3.4	72
Lister	4.0	83
Mountain Station Road	4.9	105
Nakusp (adjacent)	4.4	92
Nancy Green Junction	6.1	127
Needles	4.0	83
Nelson (adjacent)	4.2	88
New Denver (adjacent)	4.0	83
Ootischenia	4.2	88
Pass Creek	4.5	94
Passmore (Upper)	4.2	88
Playmor Junction	4.2	88
Retallack	8.5	176
Riondel	3.7	77
Robson	4.2	88
Rosebery	4.2	88
Ross Spur	5.5	116
Salmo/Erie Area	5.5	116
Sandon	8.5	176
Silverton (adjacent)	4.0	83
Sirdar	3.4	72
Slocan Park	4.0	83
Slocan Village (adjacent)	4.0	83
South Slocan	4.9	105
Sproule Creek Lower	4.9	105
Upper	5.5	116
Taghum	4.2	88
Thrums	4.2	88
West Creston	4.0	83

Winlaw	4.2	88
Wynndel	3.4	72
Ymir	5.5	116
Yahk	4.2	88

* Associated Rain Load SR 01 kPa

HOURLY WIND PRESSURES

Probability	1/10	.24 kPa
	1/50	.34 kPa

SEISMIC DATA

Seismic Spectral Response Accelerations Sa(0.2) 027