

THE CORPORATION OF THE CITY OF WHITE ROCK

BYLAW #1782

WHEREAS section 694 (1) of the *Local Government Act* authorizes the City of White Rock for the health, safety and protection of persons and property to regulate the construction, alteration, repair, or demolition of buildings by bylaw;

AND WHEREAS the Province of British Columbia has adopted a ***Building Code*** to govern standards in respect of the construction, alteration, repair and demolition of buildings in municipalities and regional districts in the Province;

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

NOW THEREFORE THE COUNCIL OF the City of White Rock in open meeting assembled, enacts as follows:

1. Title

1. This bylaw may be cited for all purposes as the City of White Rock Building Bylaw #1782

2. Definitions

2. In this bylaw:

The following words and terms have the meanings set out in the applicable section of the British Columbia Building Code: ***assembly occupancy, building, building area, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, field review, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, occupancy, owner, plumbing system, registered professional, and residential occupancy.***

Building Code means the *British Columbia Building Code 1998* as adopted by the Minister pursuant to section 692 (1) of the *Local Government Act*, as amended or re-enacted from time to time.

Building Official includes Building Inspectors, Plan Checkers and Plumbing Inspectors designated by the City of White Rock.

Complex Building means:

- (a) all ***buildings*** used for ***major occupancies*** classified as

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

Health and safety aspects of the work means design and construction regulated by Part 3, Part 4, and sections 9.4, 9.8, 9.9, 9.10, 9.12, 9.14, 9.15, 9.17, 9.18, 9.20, 9.21, 9.22, 9.23, 9.24, 9.31, 9.32, and 9.34 of Part 9 of the **Building Code**.

Pool means every pool or manmade pond located in a residential zone or used in conjunction with a residential occupancy, with a water depth exceeding 450mm and includes the fence or other structure enclosing such pool and any plumbing or appurtenances attached thereto;

Standard building means a **building** of three storeys or less in **building height**, having a **building area** not exceeding 600 square meters 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.*

3. Purpose of Bylaw

- 3.1 The 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 City of White Rock in the general public interest. The activities undertaken by or on behalf of the City of White Rock 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:
- 3.2.1 to the protection of *owners*, owner/builders or *constructors* from economic loss;
 - 3.2.2 to the assumption by the City of White Rock or any *building official* of any responsibility for ensuring the compliance by any *owner*, his or her representatives or any employees, *constructors* or *designers* retained by him or her, with the *Building Code*, the requirements of this bylaw or other applicable enactments respecting safety;
 - 3.2.3 to providing any person a warranty of design or workmanship with respect to any *building* for which a Building Permit or Occupancy Permit is issued under this bylaw;
 - 3.2.4 to providing a warranty or assurance that construction undertaken pursuant to Building Permits issued by the City of White Rock is free from latent, or any defects.

4. Permit Conditions

- 4.1 A permit is required whenever work regulated under this bylaw is to be undertaken.
- 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 City of White Rock shall in any way relieve the *owner* or his or her representatives from full and sole responsibility to perform the work in strict accordance with this bylaw, the *Building Code* and or other applicable enactments respecting safety.
- 4.3 It shall be the full and sole responsibility of the *owner* (and where the *owner* is acting through a representative, the representative) to carry out the work in respect of which the permit was issued in compliance with the *Building Code* and this bylaw or other applicable enactments respecting safety.
- 4.4 Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the City of White Rock 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 and his or her representatives are responsible for making such determination.

5. Scope and Exemptions

- 5.1 This bylaw applies to the design, construction and *occupancy* of new *buildings*, and the alteration, repairs, reconstruction, demolition, removal, relocation and *occupancy* of existing *buildings*.
- 5.2 When the value of proposed alterations, renovations, repairs or an addition to an existing *building* exceeds 50% of the current assessed value of that *building*, the entire *building* must be made to substantially conform to the requirements of the *Building Code* and the bylaws of the City of White Rock.
- 5.3 This bylaw does not apply to *buildings* exempted by Part 1 of the *Building Code* except as expressly provided herein.

6. Prohibitions

- 6.1 No person shall commence or continue any construction, alteration, repairs, reconstruction, demolition, removal, relocation or change the *occupancy* of any *building*, including excavation 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 *building* contrary to the terms of any permit issued or any notice given by a *building official*, unless such occupancy is authorized 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 in writing by a *building official*, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to a *building* 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** or other works for which a permit has been issued, unless that variance has been accepted in writing by a **building official**.
- 6.6 No person shall obstruct the entry of a **building official** or other authorized official of the City of White Rock on property in the administration of this bylaw.
- 6.7 No roof of any multi-residential or commercial building shall be repaired or altered unless a chute which is enclosed to wind and rain is used at all times to slide any debris created by the repair or alteration from the roof to an enclosed disposal unit on the ground or on a vehicle.

7. **Building Officials**

- 7.1 Each **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 shall retain copies of all documents related to the administration of this bylaw. Copies of such documents may be microfilmed or stored as electronic data.
 - 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** 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**, 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;
 - 7.2.3 A building official may order the correction of any work that is being or has been done in contravention of this bylaw.

8. Application

8.1 Every person shall apply for and obtain:

8.1.1 a Building Permit before constructing, moving, repairing, reconstructing, demolishing, removing, relocating, altering or changing the *occupancy* of any *building*, or other work related to construction;

8.1.2 a Plumbing Permit before constructing, moving, repairing, or altering a *plumbing system*, except a Plumbing Permit is not required;

8.1.2.1 for the repair of leaks in water pipes or the replacing of plumbing fixtures (other than a service water heater), provided that such fixtures and their installation substantially conform with the requirements of the *Building Code*, or

8.1.2.2 for the removal of stoppages in sewer or drain pipes provided that clean-outs are utilized for such purposes and it is not necessary to cut any sewer or drain pipe.

8.1.3 a Demolition Permit before demolishing a *building*.

8.2 All plans submitted with permit applications shall bear the name, address, and telephone number of the *designer* of the *building*.

8.3 Each *building* to be constructed on a site requires a separate Building Permit and shall be assessed a separate Building Permit fee based on the value of that *building* as determined in accordance with *Schedule A* to this bylaw.

9. Applications for Complex Buildings

9.1 An application for a Building Permit with respect to a *complex building* shall;

9.1.1 be signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*;

9.1.2 be accompanied by the *owner's* acknowledgment of responsibility and undertakings 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;

9.1.3 include a site plan sealed by a British Columbia Land Surveyor showing:

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

9.1.3.2 the legal description and civic address of the parcel;

9.1.3.3 the location and dimensions of all statutory rights of way, easements and setback requirements;

9.1.3.4 the location and dimensions of all existing and proposed **buildings** on the parcel;

9.1.3.5 the setbacks to the natural boundary of any pond or watercourse where the City of White Rock's land use regulations establish siting requirements related to flooding;

9.1.3.6 the natural grade, 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** where the City of White Rock's land use regulations establish siting requirements related to minimum floor elevation; and

9.1.3.7 the location, dimension and gradient of parking and driveway access demonstrating compliance with the City of White Rock Subdivision Bylaw;

9.1.4 include floor plans showing the dimensions and uses of all areas: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions.

9.1.5 include a cross section through the **building** illustrating foundations, drainage, ceiling heights and construction systems;

9.1.6 include elevations of all sides of the **building** showing finish details, roof slopes, windows, doors, and finished grade, including where applicable, calculations of percentage for permitted openings;

- 9.1.7 include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* substantially conforms to the *Building Code*;
 - 9.1.8 include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approval;
 - 9.1.9 include a letter of assurance in the form of Schedule A as referred to in section 2.6 of Part 2 of the *Building Code*, signed by the *owner*, or a signing officer of the *owner* if the *owner* is a corporation, and the *coordinating registered professional*;
 - 9.1.10 include letters of assurance in the form of Schedules B-1 and B-2 as referred to in section 2.6 of Part 2 of the *Building Code*, 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*;
 - 9.1.11 include two sets of drawings, at a suitable scale of the design prepared by each *registered professional* and including the information set out in sections 9.1.4 – 9.1.7 of this bylaw;
- 9.2 the *building official* may waive the requirements for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing *building*.
- 9.3 In addition to the requirements of section 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 siting circumstances warrant:
- 9.3.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the City of White Rock's subdivision servicing bylaw;
 - 9.3.2 a section through the site showing grades, *buildings*, parking areas, and driveways;
 - 9.3.3 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***.

10. Applications for *standard buildings*

10.1 An application for a Building Permit with respect to a ***standard building*** shall;

10.1.1 be signed by the ***owner***, or a signing officer if the ***owner*** is a corporation;

10.1.2 be accompanied by the ***owner's*** acknowledgment of responsibility and undertakings 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;

10.1.3 include a copy of a title search made within 30 days of the date of the application;

10.1.4 include a site plan sealed by a British Columbia Land Surveyor showing:

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

10.1.4.2 the legal description and civic address of the parcel;

10.1.4.3 the location and dimensions of all statutory rights of way, easements and setback requirements;

10.1.4.4 the location and dimensions of all existing and proposed ***buildings*** on the parcel;

10.1.4.5 the setbacks to the natural boundary of any pond or watercourse where the City of White Rock's land use regulations establish siting requirements related to flooding;

10.1.4.6 the natural grade, 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*** where the City of White Rock's land use regulations establish siting requirements related to minimum floor elevation; and

- 10.1.4.7 the location, dimension and gradient of parking and driveway access, demonstrating compliance with the City of White Rock Subdivision Bylaw;
- 10.1.5 include floor plans showing the dimensions and uses of all areas: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions.
- 10.1.6. include a cross section through the **building** illustrating foundations, drainage, ceiling heights and construction systems;
- 10.1.7 include elevations of all sides of the **building** showing finish details, roof slopes, windows, doors, and finished grade including where applicable calculations of percentage for permitted openings;
- 10.1.8 include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the **building** substantially conforms to the **Building Code**;
- 10.1.9 include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approval;
- 10.1.10 include a foundation design prepared by a **registered professional** in accordance with section 4.2 of Part 4 of the **Building Code**, accompanied by letters of assurance in the form of Schedules B-1 and B-2 as referred to in section 2.6 of Part 2 of the **Building Code**, signed by the **registered professional**;
- 10.1.9 include two sets of drawings at a suitable scale of the design including the information set out in sections 10.1.5 – 10.1.8 and 10.1.10 of this bylaw.
- 10.2 the **building official** may waive the requirements for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing **building**.
- 10.3. the requirements of section 10.1.10 may be waived by a **building official** in circumstances where:

10.3.1 the building official has required a professional engineer's report pursuant to section 56 (2) of the *Community Charter* and the Building Permit is issued in accordance with sections 56 (5) and (6) of the *Community Charter*.

10.3.2 the building official *has received* documentation, prepared and sealed by a *registered professional*, assuring that the foundation design substantially complies with section 9.4.4 of Part 9 of the *Building Code* and the foundation excavation substantially complies with section 9.12 of Part 9 of the *Building Code*.

10.3.3 the building is an accessory *building* less than 50 square metres in size.

10.4 In addition to the requirements of section 10.1-10.3, 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 1000 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 siting circumstances warrant:

10.4.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the City of White Rock's subdivision servicing bylaw.

10.4.2 a section through the site showing grades, *buildings*, parking areas, and driveways;

10.4.3 a roof plan and roof height calculations;

10.4.4 structural, electrical, mechanical or fire suppression drawings prepared and sealed by a *registered professional*;

10.4.5 letters of assurance in the form of Schedules B-1 and B-2 as referred to in section 2.6 of Part 2 of the *Building Code*, signed by the *registered professional*;

10.4.6 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*.

11. Professional Plan Certification

- 11.1 The letters of assurance in the form of Schedules B-1 and B-2 referred in section 2.6 of Part 2 of the **Building Code** and provided pursuant to sections 9.1.10, 10.1.10, 10.4.5, and 16.1 or 16.2 of this bylaw are relied upon by the City of White Rock and its **building officials** as certification that the design and plans to which the letters of assurance relate comply with the **Building Code** and other applicable enactments relating to safety.
- 11.2 A Building Permit issued for the construction of a **complex building**, or for a **standard building** for which a **building official** required professional design pursuant to section 10.4.4 and letters of assurance pursuant to section 10.4.5 of this bylaw shall 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.
- 11.3 When a Building Permit is issued in accordance with section 11.2 of this bylaw the permit fee shall be reduced by 5% of the fees payable pursuant to Schedule A to this bylaw, up to a maximum reduction of \$500.00 (five hundred dollars).

12. 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, shall be paid in full prior to issuance of any permit under this bylaw.
- 12.2 Notwithstanding section 12.1 of this bylaw, if work has commenced or construction begun before a Building Permit is issued, then the fees and charges payable are double those set out in Schedule A to this bylaw.
- 12.3 An application made for a Building Permit shall be accompanied by the appropriate fee as set out in Schedule A to this bylaw.
- 12.3.1 The permit application fee shall be credited against the Building Permit fee when the permit is issued.
- 12.3.2 An application shall be cancelled and 75% of the permit application fee refunded if the Building Permit has not been issued within 180 days of the date of the application.
- 12.3.3 When an application is cancelled the plans and related documents submitted with the application may be destroyed.

12.3.4 The **owner** may obtain a refund of 75% of the permit application fee paid as set out in Schedule A to this bylaw when a permit is surrendered and cancelled before any construction begins.

12.4 Where, due to non-compliance with this bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in Schedule A to this bylaw shall be paid prior to additional inspections being performed.

13 Building Permits

13.1 When:

13.1.1 a completed application including all required supporting documentation has been submitted;

13.1.2 the proposed work set out in the application substantially conforms with the **Building Code**, this bylaw and all other applicable bylaws and enactments;

13.1.3 the **owner** or his or her representative has paid all applicable fees set out in section 12.1 of this bylaw;

13.1.4 the **owner** or his or her representative has paid all charges and met all requirements imposed by any other enactment or bylaw;

13.1.5 no enactment, covenant, agreement, or regulation in favour or, or regulation of the City of White Rock authorizes the permit to be withheld;

13.1.6 the **owner** has retained a professional engineer or geoscientist if required by the provisions of the *Engineers and Geoscientists Act*;

13.1.7 the **owner** has retained an architect if required by the provisions of the *Architects Act*;

a **building official** shall issue the permit for which the application is made.

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** complies with the *Homeowner Protection Act*.

13.3 Every permit is issued upon the condition that the permit shall expire 24 months after it is issued in the case of a **complex building** and 12 months

after it is issued in the case of a *standard building*, and the rights of the *owner* under the permit shall terminate if:

13.3.1 the work authorized by the permit is not commenced within 6 months from the date of issuance of the permit; or

13.3.2 work is discontinued for a period of 6 months.

13.4 A *building official* may extend the period of time set out under sections 13.3.1 and 13.3.2 where construction has not been commenced or where construction has been discontinued due to adverse weather, strikes, material or labour shortages, or similar hardship beyond the *owner's* control.

13.5 If a Building Permit expires pursuant to section 13.3 of this bylaw, a building official may reactivate the Building Permit upon payment of the appropriate fee as set out in Schedule A to this bylaw.

13.6 Building Permits are not transferable and are deemed revoked if ownership of property changes after a Building Permit is issued.

13.7 A *building official* may issue a Building Permit for a portion of a *building* before the design, plans and specifications for the entire *building* have been accepted, provided sufficient information has been provided to the City of White Rock 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* has been paid. The issuance of the permit notwithstanding, the requirements of this bylaw apply to the entire *building* as if the permit for that portion of the *building* had not been issued.

13.8 When a site has been excavated and a Building Permit is not issued for the entire *building* or a subsisting Building Permit has expired in accordance with the requirements of section 13.3, but without the construction of the *building* for which the Building Permit was issued having commenced, the *owner* shall fill in the excavation to restore the original gradients of the site within 60 days of being served notice by the City of White Rock to do so.

14 Plumbing Permits

14.1 A Plumbing Permit may only be issued to:

14.1.1 a plumber holding a valid British Columbia tradesman's qualification, or

- 14.1.2 an owner of premises where the owner personally intends to install, alter or repair plumbing in his own residential dwelling unit or related accessory building; a building official may require the owner to demonstrate competency to perform the work.
- 14.2 Every application for a Plumbing Permit shall:
 - 14.2.1 be signed by the applicant, or signing officer of the applicant if the applicant is a corporation;
 - 14.2.2 be accompanied by plans sufficient to describe the proposed work and establish substantially conformance with the **Building Code**, this bylaw and any other applicable enactment concerning safety.
- 14.3 Where an application has been made for a Plumbing Permit pursuant to the bylaw, and:
 - 14.3.1 the proposed work as described in the application substantially conforms with the **Building Code**, this bylaw and any other applicable enactment concerning safety;
 - 14.3.2 the applicant complies with the section 14.1 of this bylaw;
 - 14.3.3 the prescribed fee as set out in Schedule B to this bylaw has been paidthe Plumbing Permit shall be issued.
- 14.4 The owner or his or her representative shall give at least 24 hours notice to the City of White Rock 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:
 - 14.4.1 after the rough plumbing is complete, but before the installation of any fixtures or the covering thereof by insulation or interior or exterior finish that would conceal such work, and
 - 14.4.2 when the plumbing is complete and ready for use, but before the plumbing is put to use by the owner or occupier of the premise.
- 14.5 The requirements of section 14.4 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 sections 9.1.10, 10.1.10, 10.4.5, 16.1 or 16.2 of this bylaw.

15 Disclaimer of Warranty or Representation

- 15.1 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* 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.

16 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 a *registered professional* to provide design and plan certification and *field review* by means of letters of assurance in the form of Schedules B-1, B-2 and C-B referred to in section 2.6 of Part 2 of the *Building Code*.
- 16.2 Prior to the authorization of Occupancy for a *complex building*, or *standard building* in circumstances where letters of assurance have been required in accordance with sections 10.1.10, 10.4.5 or 16.1 of this bylaw, the *owner* shall provide the City of White Rock with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in section 2.6 of Part 2 of the *Building Code*.
- 16.3 When a *registered professional* provides letters of assurance in accordance with sections 9.1.10, 10.1.10, 10.4.5, 16.1 or 16.2 of this bylaw, he or she shall also provide proof of professional liability insurance to the *building official* in the form of *Form B* to this bylaw.

17 Responsibilities of the Owner

- 17.1 Every *owner* shall 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 shall be responsible for the cost of repair of any damage to municipal works that occurs in the course of the work authorized by the permit.
- 17.3 Every *owner* to whom a permit is issued shall, during construction:
- 17.3.1 post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;

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

17.3.3 post the civic address on the property in a location visible from any adjoining streets.

18 Inspections

18.1 When a *registered professional* provides letters of assurance in accordance with sections 9.1.10, 10.1.10, 10.4.5, 16.1 or 16.2 of this bylaw, the City of White Rock will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted 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 section 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* to ascertain whether the *health and safety aspects of the work* are being carried out in substantial conformance with the those portions of the *Building Code*, this bylaw and any other applicable enactment concerning safety.

18.4 The owner or his or her representative shall give at least 24 hours notice to the City of White Rock when requesting a building official's attendance at the site of standard buildings and shall obtain a review and receive an *building official's* acceptance of the following aspects of the work prior to concealing it:

18.4.1 installation of perimeter drain tiles and dampproofing, prior to backfilling;

18.4.2 the preparation of ground, including ground cover, when required, prior to the placing of a concrete slab;

18.4.3 rough in of factory built chimneys and fireplaces and solid fuel burning appliances and gas burning fireplaces;

18.4.4 the framing and sheathing;

18.4.5 insulation and vapour barrier;

- 18.4.6 when the *building* is substantially complete and ready for *occupancy*, but before *occupancy* takes place of the whole or part of the *building*.
- 18.5 No aspect of the work referred in section 18.4 of this bylaw shall be concealed until a *building official* has accepted it in writing.
- 18.6 The requirements of section 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 sections 9.1.10, 10.1.10, 10.4.5, 16.1 or 16.2 of this bylaw.

19 Occupancy

- 19.1 A *building official* may authorize occupancy of a *building*, or a part of a *building* that is self-contained and provided with essential services if the requirements set out in section 19.2 of this bylaw have been met.
- 19.2 Final review of a building or a part thereof shall not be accepted unless:
- 19.2.1 all letters of assurance have been submitted when required in accordance with sections 9.1.10, 10.1.10, 10.4.5, 16.1 and 16.2 of this bylaw; and
- 19.2.2 all aspects of the work requiring review and acceptance pursuant to section 18.4 of this bylaw have both been reviewed and accepted or the review and acceptance are not required in accordance with section 18.6 of this bylaw.

20 Pools

- 20.1 No person shall construct or install a pool on any parcel of land without first obtaining a Building Permit.
- 20.2 An application for a Building Permit to construct or install a pool shall, in addition to the information required by section 10 of this bylaw, include:
- 20.2.1 a plot plan showing the location of the proposed pool (including fencing) in relation to all existing buildings on the property and the property boundaries;
- 20.2.2 the type of construction;
- 20.2.3 the water supply and proposed method of drainage; and
- 20.2.4 the proposed method of fencing.

- 20.3 Every pool shall be completely enclosed within a fence or other structure that is not less than 1.2 metres in height. The fence or other structure shall be continuous except for access gates that are designed so that they will return to a latched or locked position when not in use, and secured by a latch or lock located not less than 150mm. from the top of the gate and not less than one metre above grade, on the pool side of the fence. The fence shall be designed so that no member, attachment or opening, facilitates climbing.
- 20.4 Every gate in a fence or other structure which provides access to a pool shall be kept in a latched or locked closed position and shall only be open for the purpose of entry to or exit from the pool during such period.
- 20.5 No direct access shall be permitted to a pool from any residential building. A pool must be totally enclosed so any person entering the enclosure must enter through a gate as described in section 20.5 of this bylaw. A wall of a dwelling may serve as part of the enclosure provided one of the following is complied with:
- 20.5.1 all doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. The alarm shall sound continuously for a minimum of thirty seconds immediately after the door is opened. The alarm shall have a minimum sound pressure rating of 85dBA at ten feet and the sound of the alarm shall be distinctive from other household sounds such as smoke alarms, telephones or bells. The alarm shall automatically reset under all conditions. The alarm shall be equipped with manual means, such as touchpads or switches, to temporarily deactivate the alarm for a single opening from either direction. Such deactivation shall last for no more than 15 seconds. The deactivations touchpads or switches shall be located at least 1.2 metres above the threshold of the door.
- 20.5.2 the pool shall be equipped with a power safety cover which complies with ASTM ES 13-89.
- 20.5.3 other means of protection, such as self-closing doors with self latching devices, which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by sections 20.5.1 and 20.5.2 of this bylaw.
- 20.6 The requirements of this section do not apply to a hot tub equipped with a locking cover.

21 Climatic Data

21.1 The following climatic values shall be utilized for the design of *buildings* in the City of White Rock:

January 1% Design Temperature	-10 C
January 2.5% Design Temperature	-8C
July 2.5% Design Drybulb Temperature	29C
July 2.5% Design Wetbulb Temperature	20C
Maximum one-day rainfall	102mm
Maximum Snow Load	SR .2KN/M2\2.3 KN/M2
Wind Effects	
Probability 1/10	.46 KN/m2
Probability 1/30	.56 KN/m2
Probability 1/100	.72 KN/m2
Earthquake Zone	as set out in the <i>Building Code</i>

21,2 Climatic Data provided by Environment Canada for a specific site.

22 Drainage Requirements

22.1 Storm water from roofs and hard surfaces must be directed to the City of White Rock's storm system, or an engineer designed system, by gravity wherever practicable.

22.2 Perimeter drainage and storm water drainage must be kept separate from each other until such drainage can be conveyed by a gravity or a pump system to the City of White Rock's storm system.

23 Penalties and Enforcement

23.1 Every person who contravenes any provision of this bylaw commits an offence:

23.1.1 punishable, for a first offence, by a fine of \$100, and

23.1.2 punishable, for a second or subsequent offence, on summary conviction and shall be liable to a fine of not more than \$10,000.00 (Ten Thousand Dollars) or to imprisonment for not more than six months.

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

- 23.3 A **building official** may order the cessation of any work that is proceeding in contravention of the **Building Code** or this bylaw by posting a Stop Work notice.
- 23.4 The **owner** of property on which a Stop Work notice has been posted, and every other person, shall cease all construction work immediately and shall not do any work, except as required to make the site safe and secure, until all applicable provisions of this bylaw have been substantially complied with and the Stop Work notice has been rescinded in writing by a **building official**.
- 23.5 Where a person occupies a **building** or part of a **building** in contravention of section 6.2 of this bylaw a **building official** may post a Do Not Occupy notice on the affected part of the **building**.
- 23.6 The **owner** of property on which a Do Not Occupy notice has been posted, and every person, shall cease **occupancy** of the **building** immediately and shall 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**.

24 Severability

- 24.1 The provisions of this bylaw are severable and the invalidity of any part of this bylaw shall not affect the validity of the remainder of this bylaw.

25 Forms and Schedules

- 25.1 Forms A and B and Schedule A and B attached to this Bylaw form a part of this bylaw

RECEIVED FIRST READING on the	31 st day of October, 2005
RECEIVED SECOND READING on the	31 st day of October, 2005
RECEIVED THIRD READING on the	31 st day of October, 2005
RECONSIDERED AND FINALLY ADOPTED on the	14 th day of November, 2005

Mayor

Director, Corporate Services

SCHEDULE "A"

BUILDING PERMIT FEES

1. The following fees shall be paid by the applicant for a building permit:

MARKET VALUE OF WORK APPLIED FOR	BUILDING PERMIT FEE PAYABLE
\$0 to \$ 1,000	\$50
\$1,001 to \$100,000	\$50 plus \$10.50 for each additional \$1,000 or part thereof over \$1,001
\$100,001 to \$250,000	\$1,089.50 plus \$8.75 for each additional \$1,000 or part thereof over \$1,000
\$250,001 and over	\$2,393.25 plus \$7.90 for each additional \$1,000 or part thereof over \$1,000

NOTE: The current edition of the Marshal Valuation Service or the Marshall and Swift Residential Cost Handbook may be used by the Director to determine the market value for the purpose of assessing permit fees.

- (a) Any fee payable under Section 1 shall be reduced by 2.5% to a maximum of \$500.00 where any aspect of the construction of the proposed building or alteration falls within the provisions of Section 14(c) – Certified Professional Building Permit.
2. In addition to (1) above, the following fees shall be paid by the applicant for a permit pursuant to this Bylaw:
- (a) where, due to the fault of the owner or holder of the permit, more than one re-inspection is required, a re-inspection fee of \$50.00 may be charged for each further inspection.
- (b) building demolition permit
- | | |
|------|-------------------------------|
| i) | \$35.00 accessory building |
| ii) | \$100.00 SFD/Duplex |
| iii) | \$500 commercial/multi-family |
- (c) building moving application fee
(non-refundable for all buildings under Part III, Section 22 of this Bylaw) \$55.00
- (d) for inspections not specifically described herein, a fee, per inspection of \$60.00 per hour during normal working hours

- | | | |
|-----|-------------------------------|------------------|
| (e) | archiving of plans | \$5.00 each page |
| (f) | extension of building permits | \$50.00 |

SCHEDULE 'B'

PLUMBING PERMIT FEES

The following fees shall be paid by the applicant for a permit to install, alter or repair plumbing:

1.
 - (a) First fixture \$50.00
 - (b) Fee for each additional fixture \$20.00
 - (c) For the purpose of this section, "fixture" shall include, but is not limited to, a pool, interceptor, service water heater, automatic washer, floor drain, built-in dishwasher, vacuum breaker, back-flow prevention device, sink, toilet, hose bib, hydraulic equipment and any similar device.

2. A permit fee for finished plumbing only (installation of fixtures only where rough-in plumbing exists) shall be 50% of the above fees.

3. For plumbing work which involves the installation of a fire sprinkler system:
 - (a) First sprinkler head \$50.00
 - (b) Each additional sprinkler head \$ 2.00

4. For plumbing work which involves the installation of a standpipe, fire hose connection or a fire hydrant:
 - (a) Each hydrant, fire hose connection and standpipe \$15.00

5. For plumbing work which involves the installation of a storm sewer, sanitary sewer or water service line:
 - (a) Single or two-family dwellings \$25.00 ea
 - (b) Other than single or two-family dwellings:
 - i) First thirty metres or part thereof \$25.00
 - ii) Each additional thirty metres or part thereof \$15.75
 - iii) Each sump, catch basin or manhole \$15.75

6. One additional inspection over and above the normal number of required inspections will be allowed at no additional cost.
Each additional inspection fee \$22.00

7. Where, due to non-compliance, more than two inspections are required, when normally one is required, fee for each additional inspection \$50.00

8. For inspections not specifically described herein,
per inspection

\$50.00

K:\PROPERTY\Documents\Building Bylaw\Schedule B.doc

August 2005

Form A

Owner’s Acknowledgment of Responsibility and Undertakings

Re: Address _____
Building Permit Application No. _____

1. I am the owner of the land and premises located at _____, White Rock, B.C.
2. I understand and acknowledge that I am fully responsible for carrying out the work, or having the work carried out, in accordance with the requirements of the **British Columbia Building Code**, the **Building Bylaw No. 1782** and all other bylaws of the City of White Rock.
3. I will comply with, or cause those whom I employ to comply with, the **British Columbia Building Code** and all bylaws of the City of White Rock and other statutes and regulations relating to the development, work, undertaking or permission in respect of which this application is made.
4. I understand and acknowledge that neither the issuance of a permit under **Building Bylaw No. 1782**, the review of plans and supporting documents, nor inspections by a building official shall in any way constitute a representation, warranty, or statement that the **British Columbia Building Code**, **Building Bylaw No. 1782**, or any other bylaw of the City of White Rock has been complied with.
5. If the material submitted in support of the application for this Building Permit included certification provided by Registered Professionals in the form of Schedules B-1 and B-2 referred in section 2.6 of Part 2 of the **British Columbia Building Code**, I understand and acknowledge that the City of White Rock and its building officials have relied on those letters of assurance as certification that the design and plans to which they relate comply with the **British Columbia Building Code** and other applicable enactments relating to safety.
6. In particular, I understand and acknowledge that the City of White Rock has relied on the letters of “Assurance of Professional Design and Commitment for Field Review” provided by:

(Insert the name of the Registered Professionals where applicable)

Architectural: _____
 Building Envelope: _____
 Structural: _____
 Mechanical: _____

Plumbing: _____

Fire Suppression Systems: _____

Electrical: _____

Geotechnical – temporary: _____

Geotechnical – permanent: _____

in reviewing the plans and supporting documentation submitted with this application for a Building Permit.

- 7. I am authorized to make this acknowledgement of responsibility and give these undertakings to the City of White Rock.
- 8. I understand that it would be prudent for me to seek independent legal advice with respect to the responsibilities I am assuming upon the granting of a Building Permit by the City of White Rock pursuant to this application and in respect of the execution of this acknowledgment.

Signed this _____ day of _____.

 Signature of owner
 (or signing officer if the
 owner is a corporation)

Signed this _____ day of _____.

 Witness

 Occupation

Form B

Proof of Professional Liability Insurance

Re: Address _____
Building Permit Application No. _____

The undersigned hereby gives assurance that:

- a) I have fulfilled my obligation to obtain a subsisting policy of professional liability or errors and omissions insurance as outlined in section 16.3 of Building Bylaw No. 1782.
- b) I have enclosed a copy of my certificate of insurance indicating the particulars of such coverage.
- c) I am a registered professional as defined by section 1.1.3.2 of the British Columbia Building Code.
- d) I will notify the Building Official immediately if this insurance coverage is reduced or terminated at any time during construction.

Signed this _____ day of _____.

Signature of Registered
Professional

Signed this _____ day of _____.

Witness

Occupation