



**BUILDING REGULATION BYLAW 2013-017**  
(A Bylaw for the Administration of the Building Code)

A set of minimum provisions respecting the safety of building with reference to public health, fire protection and structural sufficiency.

**WHEREAS** the Council of the District of Summerland may by bylaw, pursuant to Section 8(3)(g) and (l) and Section 63 of the Community Charter, regulate, prohibit and impose requirements in relation to buildings and other structures for the health and safety of persons of property;

**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 Municipal Council of the District of Summerland in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as the “District of Summerland Building Regulations Bylaw No. 2013-017”.
2. District of Summerland Building Regulations Bylaw No. 92-081, 2001 and all amendments thereto are hereby repealed.

# Table of Contents

1.0 PREAMBLE	1
2.0 DEFINITIONS	4
3.0 PROHIBITIONS	7
4.0 AUTHORITY OF BUILDING OFFICIAL	8
5.0 DUTIES AND RESPONSIBILITIES OF THE OWNER	10
6.0 GENERAL PERMIT REGULATIONS	13
7.0 COMPLEX BUILDINGS	17
8.0 STANDARD BUILDINGS	20
9.0 RELOCATION OF A BUILDING OR STRUCTURE	24
10.0 DEMOLITION OF A BUILDING OR STRUCTURE	27
11.0 PROFESSIONAL DESIGN AND FIELD REVIEW	28
12.0 PROFESSIONAL PLAN CERTIFICATION	29
13.0 INSPECTIONS	30
14.0 OCCUPANCY CERTIFICATE	33
15.0 FEES AND CHARGES	34
16.0 DISCLAIMER OF WARRANTY OR REPRESENTATION	35
17.0 PENALTIES AND ENFORCEMENT	36
18.0 CLIMACTIC DATA	37
19.0 APPENDICES	38
20.0 REPEAL	39
21.0 TITLE	40
22.0 APPENDIX A	41

# 1.0 PREAMBLE

## 1.1 PURPOSE OF BYLAW

The bylaw, shall, notwithstanding any other provision herein, be interpreted in accordance with this section.

This bylaw has been enacted for the purpose of regulating construction within the District of Summerland in the general public interest. The activities undertaken by or on behalf of the District of Summerland pursuant to this bylaw are for the sole purpose of providing a limited and interim spot-checking and monitoring 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:

- (a) To the protection of owners, owner/builders, constructors or occupier from bodily injury or economic loss;
- (b) to the assumption by the District of Summerland or any Building Official of any responsibility for enduring the conformance by any owner, his or her agent 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;
- (c) To provide any person a warranty of design or workmanship with respect to any building or structure for which a building permit or occupancy certificate is issued under this bylaw;
- (d) to provide a warranty or assurance that construction undertaken pursuant to building permits issued by the District of Summerland is free from latent or any defects or complies with this bylaw;
- (e) to the assumption by the District of Summerland or any Building Official of any responsibility for ensuring that any construction will be geotechnically sound and will not be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence, avalanche or other geohazards.

## 1.2 METRIC UNITS

Metric units are used for all measurements in this bylaw. The approximate equivalent of those units in commonly used units of imperial measure (feet, inches, etc.) are shown in brackets following each metric measurement and such bracketed figures are included for convenience only and do not form part of this bylaw.

## 1.3 SCOPE AND EXEMPTIONS

1.3.1. This bylaw shall apply to:

- (a) The design, construction and occupancy of a building when a building, or part thereof, is constructed on site or is assembled or placed on site as a factory-built unit or component;
- (b) The work involved in the demolition when the whole or any part of a building is demolished or removed;
- (c) All parts of the building when the whole or any part of a building is moved;
- (d) All parts of the building affected by the change of use when occupancy and/or use of a building is changed;
- (e) The design and construction of retaining walls greater than 1.2 meters, measured between the elevation of the ground and the lowest and highest points 1m from the structure or any portion of the structure.
- (f) The design and installation and repair of the entire system when a plumbing system is installed, repaired, renovated or altered, except where the portion of the system affected is completely independent from any other part of the system;
- (g) The design and construction of a parking lot greater than 5 spaces.
- (h) The design, construction, or installation of solid fuel burning appliances, fireplaces and chimneys.
- (i) The design and construction of a swimming pool or artificial water feature in excess of 0.6m (23.5") in depth and an area larger than 5 sq. m (58.3 sq. ft.) in area.

1.3.2. This bylaw does not apply to:

- (a) buildings or structures exempted by sentence 1.1.1.1 (2), Division A, Part 1 of the Building Code except as expressly provided herein;

- (b) Single storey accessory buildings less than 10 sq. m (107 sq. ft.) in building area;
- (c) Unroofed decks attached to or adjacent to single and two-family dwellings if the deck surface is 600 mm (24 inches) or less, above the adjacent ground level.

#### 1.4 OTHER ENACTMENTS

Where any provincial act or regulation or any other **District of Summerland bylaw** (including the High **building** Bylaw, Fire Area Limit Bylaw as amended from time to time) may apply to any matter covered by this bylaw, conformance with this bylaw shall not relieve the **owner** or his or her **agent** from conforming with provisions of such other act, regulation or bylaw.

#### 1.5 SEVERABILITY

If any provision of this bylaw is found invalid, such provision is severable and shall not affect the validity of the remainder of this bylaw,

## 2.0 DEFINITIONS

All words and phrases shall have their normal or common meaning except where this is changed, modified, or expanded by the definitions set forth in this Division, of Division Part A, Part 1 of the British Columbia **Building Code**.

- “Accepted”** means accepted in writing.
- “Agent”** means a **person**, firm, or company representing the **owner**, by designation or contract, and includes a hired tradesman or contractor.
- “Building”** means any **structure** used or intended for supporting or sheltering and use of occupancy and includes plumbing.
- “Building Code”** means the current edition of the British Columbia **Building Code** 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 a **person** or **persons** designated by Council as **Building** Inspectors, Plumbing Inspectors, Plan Checkers, Bylaw Enforcement Officers and includes supervisors for these positions for the **District** of Summerland.
- “Complex building”** means:
- All **buildings** used for major occupancies classified as:
- Assembly occupancies;
  - Care or detention occupancies; or
  - High hazard industrial occupancies; and
- All **buildings** exceeding 600 sq. m (6458 sq. ft.) in **building** area or exceeding three storeys in **building** height used for major occupancies classified as:
- Residential occupancies;
  - Business and **personal** services occupancies;
  - Mercantile occupancies;
  - Medium and low hazard industrial occupancies.
- “Construction”** includes erection, repair, alteration, enlargement, addition, installation, demolition, removal, replacement, renovation, **reconstruction**, of a **building** or **structure** or relocation of the

plumbing or electrical system in a **building** or **structure** or the installation of a fuel burning appliance or chimney.

**“District”** means the **District of Summerland**

**“Health and Safety Aspects of the Work”** means design and **construction** regulated by Division B, Part 3, Part 4, Part 7 and Part 9 of the **Building Code**.

**“Monitor”** means the method by which a **Building Official** reviews the process of field reviews as conducted by **Registered Professionals** pursuant to the **Building Code** and this bylaw and may include:

- The **Building Official’s** receipt of the applicable letters of assurance submitted by the **Registered Professionals** as referred to in Subsection 2.2.7 of Division C of the **Building Code**.
- The **Building Official’s** review of the **Registered Professionals’** field inspection reports to ascertain field review frequency,
- **Site** visits from time to time to verify that **Registered Professional** reviews are taking place,

But does not include assessment of conformity with the **Building Code**, this bylaw or other enactments or the approval of any aspect of **construction**.

**“Occupancy certificate”** means a form, corresponding with the occupancy inspection, which shows that the inspector considered that no further inspections were necessary and that the project authorized by the **permit** was considered to be substantially complete in terms of meeting the minimum health and safety aspect of the work in accordance with this bylaw or any other statute and ready for use at the time of the occupancy inspection. This **occupancy certificate** should not be considered the final acceptance of the project.

**“Owner”** means any **person**, firm or company registered on the land title.

**“Permit”** means a **permit** required or issued pursuant to this bylaw.

**“Person”** means in addition to its ordinary meaning, a partnership, association, company, society and body corporate.



- “Registered Professional”** means a **person** who is registered or licensed to practice as an architect under the Architects Act, or a **person** who is registered or licensed to practice as a professional engineer under the Engineers and Geoscientists Act.
- “Site”** means a lot or lots upon which work regulated under this bylaw is undertaken or intended to be undertaken and includes the **construction** thereon.
- “Standard building”** means a **building** of three storeys or less in **building** height, having a **building** area not exceeding 600 sq. m (6458 sq. ft.) and used for major occupancies classified as:
- Residential occupancies;
  - Business and **personal** service occupancies;
  - Mercantile occupancies; or
  - Medium and low hazard industrial occupancies.
- “Structure”** means a **construction** or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving, and retaining **structures** less than 1.2m (4 ft.) in height.

## 3.0 PROHIBITIONS

### 3.1 No person shall, unless exempted by this bylaw or any enactment:

#### 3.1.1. NO PERMIT

Commence or continue any construction or change the occupancy of any **building** or **structure**, or other work related to **construction** unless a **Building Official** has issued a valid **permit** for the work;

#### 3.1.2. REMOVE NOTICE

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 any **building**, **structure** or **site** pursuant to this bylaw;

#### 3.1.3. DEVIATION FROM PLANS

Perform any **construction** that is substantially at variance with the reviewed design or plans and specifications for the **building**, **structure** or other **construction** for which a **permit** has been issued, unless that variance has been accepted by a **Building Official**;

#### 3.1.4. ILLEGAL OCCUPANCY

Occupy, use or allow the occupancy or use of any **building** or part thereof contrary to the terms of this bylaw or any **permit**, notice, certificate, or decision given or posted by the **Building Official**;

#### 3.1.5. FALSE OR MISLEADING INFORMATION

Knowingly or recklessly submit false or misleading information to a **Building Official** in relation to any **permit** application or **construction** undertaken pursuant to this bylaw;

#### 3.1.6. OBSTRUCTION OF ENTRY

Interfere with or obstruct the entry of a **Building Official** or other authorized official of the **District of Summerland** on property in the administration of this bylaw; or

#### 3.1.7. UNSAFE CONDITIONS

No **person** having authority over **construction**, on a **site** shall cause, allow, or maintain any unsafe condition.

## 4.0 AUTHORITY OF BUILDING OFFICIAL

### 4.1 THE BUILDING OFFICIAL:

#### 4.1.1. ADMINISTRATION

May administer this bylaw;

#### 4.1.2. RIGHT OF ENTRY

May enter any land, **building, structure**, or premises at any reasonable time for the purpose of ascertaining that the terms of this or any other **District of Summerland** bylaw are being observed;

#### 4.1.3. RECORD KEEPING

May 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;

#### 4.1.4. CONSTRUCT CONFORMANCE

May establish whether the **construction** of a **building** or **structure** for which a **permit** is sought or issued under this bylaw substantially conforms to the requirements of the **Building Code**; and

#### 4.1.5. PROPER CREDENTIALS

Shall carry proper credentials such as photo identification confirming his or her status as a **Building Official**.

### 4.2 THE BUILDING OFFICIAL MAY ORDER:

#### 4.2.1. EMPOWERED TO ORDER CONFORMANCE

A **person** who contravenes this bylaw to conform with the bylaw in a specified time period;

#### 4.2.2. ENCROACHMENT

The removal of any unauthorized encroachment on public property;

#### 4.2.3. ILLEGAL CONSTRUCTION

The removal of any **building** or part thereof constructed in contravention of this bylaw; and

#### 4.2.4. TERMINATE OCCUPANCY

The termination of any occupancy if in the opinion of the **Building Official** an unsafe condition exists because of **construction** undertaken or not completed.

#### 4.3 CERTIFICATION BEFORE OCCUPANCY

The **Building Official** may, before issuing an occupancy certificate, require the **owner** to provide a professional engineer's or other appropriate certification, at the expense of the **owner**, where, in the opinion of the **Building Official**, such evidence is necessary to determine that the requirements of this bylaw and other applicable enactments respecting safety have been substantially complied with.

#### 4.4 STOP WORK ORDER

The **Building Official** may direct the immediate cessation or correction of all or any portion of the **construction** on any **site**, by attaching an order to that effect on such premises, when, in his or her opinion such work is not being performed substantially in accordance with the provisions of the **Building Code** or any relevant bylaws of the **District** of Summerland. Such order shall remain posted on the premises until all work that is not being performed in accordance with the **Building Code** or this or any other relevant bylaw has been remedied to the satisfaction of the **Building Official**. No work, other than the required remedial measures, shall be carried out on the portion of the work affected by the order until such order has been removed, and shall only be removed by the **Building Official** in writing.

#### 4.5 RENEWAL PERMITS

The **Building Official** may upon expiration of a **building permit**, grant renewal **permits** for a period of twelve (12) months.

#### 4.6 PERMIT REFUSED

The **Building Official** may refuse to issue a permit:

- 4.6.1. If the information submitted is inadequate to determine substantial conformance with, or is contrary to the provisions of this bylaw or any other applicable enactment;
- 4.6.2. If the information submitted is incorrect; or
- 4.6.3. If issuance is prohibited by or is contrary to a provision in this bylaw or any other enactment.

## 5.0 DUTIES AND RESPONSIBILITIES OF THE OWNER

### 5.1 BEFORE CONSTRUCTION

It is the owner's responsibility, prior to commencing construction to:

#### 5.1.1. INVESTIGATE STATUS

Investigate the status of the **construction site** and ensure that any concerns relating to flooding, drainage, soil stability, or other potential hazards are addressed;

#### 5.1.2. STATE OF TITLE

Obtain a current State of Title Certificate from the Land Title Office to determine whether there are encumbrances, which may affect the proposed **construction**; and

#### 5.1.3. UTILITIES

Investigate the availability, location and capacity of utility services to determine whether the proposed **construction** can be accommodated and arrange the plumbing to suit the location of the connections provided for the lot in a manner satisfactory to the **Building Official**.

- (a) Obtain all permits (including a building permit from the District of Summerland or other approvals or permits from Provincial or Federal agencies) required in connection with the proposed work prior to commencing the work to which they relate.

### 5.2 DURING CONSTRUCTION

The **Owner** shall, during **construction**:

#### 5.2.1. BUILDING PERMIT

Keep posted in a conspicuous place on the property in respect of which the **permit** was issued, the building Permit provided by the Development Services Department; and

#### 5.2.2. REVIEWED PLANS ON SITE

Ensure that the reviewed plans and specifications on which the **permit** is based are continuously available at the site during working hours.

### 5.3 WORK BEYOND FOUNDATION STAGE SURVEYORS CERTIFICATE

The **owner** shall not continue **building construction** beyond the foundation stage until:

5.3.1. The owner has provided a current building location certificate prepared by a British Columbia Land Surveyor or a site improvement certificate prepared by an Applied Science Technician or Technologist or a Professional Engineer with certification in site improvement surveys to certify that the building and/or structure under construction is located on the property in conformance with District of Summerland regulations. Notwithstanding the requirements of this Division, where:

- (a) The building or structure is located on a large parcel such that setback distances to the nearest property line are obviously greater than 600 mm (2 feet) beyond the setback that is required and it is possible to obtain a site line along the parcel line; or
- (b) The owner has provided sufficient information to satisfy the Building Official that no utility right-of-way or other encumbrances are present which may affect the building site; then
- (c) The Building Official may accept a letter of certification from the Land Surveyor in lieu of a Certification of Location, or may waive the requirement entirely if satisfied that no certification is necessary.

5.3.2. A building location certificate or site improvement certificate provided in accordance with Section 5.3.1 shall show:

- (a) The shortest distance from the outer surfaces of the foundation to the adjacent parcel boundaries or easements, covenants or rights of way boundaries;
- (b) Where the parcel is adjacent to Okanagan Lake, Trout Creek or any other water body, the geodetic elevation of the underside of the lowest floor system (typically the top of the finished foundation walls) or in the case of a dwelling to be constructed on a concrete slab, the geodetic elevation of the underside of the concrete slab.

#### 5.4 UNCOVER AND REPLACE

The **owner**, when required by the **Building Official**, shall uncover and replace at his or her own expense any work that has been covered prior to successful completion of a required inspection report by the **Building Official** or **Registered Professional**.

## 5.5 TESTS

The **owner** when requested by the **Building Official** shall provide at his or her expense, tests or inspections necessary to establish substantial conformance with this bylaw in a form satisfactory to the **Building Official**.

## 5.6 CERTIFICATION

The **owner** when requested by the **Building Official** shall provide, in a form satisfactory to the **Building Official**, evidence to certify substantial conformance with the requirements of this bylaw, other applicable enactments respecting health and safety and any **permits** issued.

## 5.7 PROTECT ADJACENT PROPERTIES

5.7.1. the **owner** shall ensure that all work is confined within the boundaries of the property and does not adversely affect adjacent properties for which the **permit** has been issued.

5.7.2. Where work is being done subject to a permit under the provisions of this bylaw, the owner and his or her agent shall be completely responsible for any damage or cost to adjacent property arising out of or incidental to the work.

## 5.8 CORRECT UNSAFE WORK CONDITIONS

When a **site** is in an unsafe condition, the **owner** shall promptly take all action necessary to put the **site** in a safe condition.

## 5.9 NOTICE OF INTENT TO OCCUPY

The **owner** shall obtain an occupancy certificate from the **Building Official** prior to the occupancy or use of any **building** or **structure** or part thereof, after completion of **construction** or prior to any change in classification of occupancy of any **building**, or part thereof.

## 5.10 WORK IN ACCORDANCE WITH BYLAWS

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 **District of Summerland** shall in any way relieve the **owner** and his or her **agent** from full and complete responsibility to perform the work in strict accordance with this bylaw, the **Building Code** and other applicable enactments respecting safety.

## 6.0 GENERAL PERMIT REGULATIONS

### 6.1 PERMIT REQUIRED

A **building permit** is required whenever work regulated by this bylaw is to be undertaken.

### 6.2 SEPARATE BUILDING PERMIT

Each building or structure to be constructed on a site requires a separate building permit and shall be assessed a separate building permit fee as determined in accordance with the Fees and Charges Bylaw.

### 6.3 APPLICATION FOR PERMIT

To obtain a **building permit**, the **owner** or his or her **agent** shall apply in writing on the form available from the Development Services Department.

### 6.4 CONSTRUCTION CONFORMS WITH BYLAW

The person to whom the building permit is issued and his or her agents are wholly responsible for ensuring all construction conforms with this bylaw.

### 6.5 REGISTERED PROFESSIONAL REQUIRED

The **Building Official** may require a **Registered Professional** to provide design and plan certification and field reviews supported by letters of assurance in the form of Schedules A, B, C-A and C-B as referred to in Subsection 2.2.7 of Division C, Part 2 of the **Building Code**, if in the opinion of the **Building Official**:

- 6.5.1. The site conditions, soil types, contours or drainage require special foundation design: or
- 6.5.2. The proposed building or structure or part thereof is of a category requiring professional design.



## 6.6 COMPLETE DESCRIPTION OF WORK AND OCCUPANCY

Sufficient information shall be filed with each application to clearly identify the property to be developed and to establish that the proposed work will substantially conform to this bylaw and other applicable enactments.

## 6.7 SURVEY

The **Building Official** may require any **owner** to submit an up to date **building** location certificate prepared by a British Columbia Land Surveyor or a **site** improvement certificate prepared by an Applied Science Technician or Technologist or Professional Engineer which shall contain sufficient information regarding the **site** and the location of any **building** or **structure** to establish prior to **construction** that requirements of this bylaw and any other applicable enactments be complied with.

## 6.8 SERVICE COSTS AND PERMIT FEES

No **permit** shall be issued until:

6.8.1. Off-site utilities to service the subject property are constructed in accordance with District of Summerland's Subdivision and Development Servicing bylaw unless the owner of the land deposits with the District of Summerland security in a form and amount satisfactory to the Building Official and enters into an agreement with the District of Summerland to construct and install the required works and services by a specified date or forfeit the security to the District; and

6.8.2. The prescribed permit fee as detailed in Division 15 has been paid; and

### 6.8.3. SEWAGE DISPOSAL

In instances where sanitary sewer is not available, no permit will be issued until the Building Official is provided with written verification by a Registered Onsite Wastewater Practitioner (ROWP) or professional engineer that the proposed sewage disposal system is accepted by the Interior Health Authority or other authority charged with enforcement of prevailing sanitary regulations.

## 6.9 ISSUE PERMITS

The **Building Official** shall issue the **permit** for which the application is made when:

- 6.9.1. A completed application in conformance with Division 7, 8, 9 10 or 11 of this bylaw, including all required supporting documentation has been submitted and reviewed;
- 6.9.2. The owner or his or her agent has paid all applicable fees set out in this bylaw;
- 6.9.3. The owner or his or her agent has paid all charges and met all requirements imposed by any other applicable statute or bylaw; and
- 6.9.4. No covenant, agreement or regulation of the District of Summerland authorizes the permit to be withheld.

## 6.10 PERMIT EXPIRY

Every **permit** is issued upon the condition that the **permit** shall expire and the rights of the **owner** under the **permit** shall terminate if the work authorized by the **permit** is not commenced within six (6) months or is not completed within two (2) years of the issuance of a **permit**.

## 6.11 PERMIT REVOCATION

The Building Official may revoke a permit where:

- 6.11.1. There is a contravention of any term or condition under which the permit was issued;
- 6.11.2. There is a contravention of any provision of the Building Code or other applicable enactment; or
- 6.11.3. The permit was issued on the basis of incorrect information supplied by or on behalf of the applicant.

Where the **Building Official** has revoked a **permit**, the **permit** holder shall be notified in writing of the revocation.

## 6.12 RETAINING WALL GREATER THAN 1.2 M HIGH

A **Registered Professional** shall undertake the design and conduct field reviews of the **construction** of a retaining **structure** greater than 1.2 m (4 ft.) in height measured between the elevation of the ground and the lowest and highest points, one meter from any portion of the **structure**. Sealed copies of the design and plan certification and field reviews by means of letters of assurance in the form of

Schedule B and C-B as referred to in Subsection 2.2.7 of Division C, Part 2 of the **Building Code** shall be submitted to the **Building Official**.

#### 6.13 SITE IDENTIFICATION

For the purpose of identification and as a condition of occupancy, every parcel of real property containing a **building** subject to a **permit** under this bylaw must display the street address or other lot identification by means of a clear and legible sign.

#### 6.14 NOTICE REMOVAL FEE

Where the **District of Summerland** has caused a notice to be filed on the title of a property in accordance with Section 57 of the Community Charter, the notice may be removed provided:

- 6.14.1. The deficient construction has been corrected and completed so that the conditions which gave rise to the filing of the notice have been rectified; and
- 6.14.2. The owner has paid a title notice removal fee in accordance with the District's Fees and Charges Bylaw.

## 7.0 COMPLEX BUILDINGS

### 7.1 APPLICATION FOR PERMIT

An application for a building permit with respect to a complex building shall:

7.1.1. Be submitted to the Building Official in the form provided by the Building Official and signed by the owner, or a signing officer if the owner is a company;

#### 7.1.2. OWNER'S UNDERTAKING & APPOINTMENT OF AGENT

Be accompanied by the **owner's** acknowledgement of responsibility made in the form attached as Appendix "A" to this bylaw, signed the **owner**, or a signing officer if the **owner** is a company;

#### 7.1.3. TITLE SEARCH

Include a copy of a title search made within thirty (30) days of the date of the application;

#### 7.1.4. SITE PLANS

Include **site** plans drawn to suitable scale and referenced to the current registered legal survey for the subject property which shall show:

- (a) The legal description and address of the site;
- (b) The location of any proposed building or structure with dimensions from property lines;
- (c) Means of access and egress to service the property and a detailed parking layout;
- (d) The location of any other existing building or buildings on the site with dimensions from property lines;
- (e) Existing and finished ground levels to an established datum;
- (f) All easements and right-of-way, and the setbacks to the natural boundary of any lake, swamp, pond or watercourse;
- (g) Sight servicing drawings, including sufficient detail of off-site services to indicate service locations at the property line; prepared and sealed by a Registered Professional engineer;
- (h) Zoning Bylaw review including the proposed use, parcel coverage and floor area ratio calculations;

- (i) The Building Official may waive the requirement for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing building or structure; and
- (j) any other information required by the Building Official or the Building Code to establish substantial conformance with this bylaw, the Building Code and any other bylaws and applicable enactments relating to the building or structure.

#### 7.1.5. BUILDING PLANS AND SPECIFICATIONS

Include **building** plans drawn to suitable scale showing sufficient information to determine substantial conformance with this bylaw including but not limited to:

- (a) Foundation plans
- (b) Floor plans showing the dimensions and uses of all areas;
- (c) The dimensions and height of crawl and roof spaces;
- (d) The location, size and swing of doors;
- (e) The location, size and opening of windows;
- (f) Floor, wall ceiling, and roof finishes;
- (g) Components of fire protection including:
  - i. Firewalls;
  - ii. Degree of fire separations of storeys, shafts and rooms
  - iii. Fire detection, suppression and alarm system
- (h) All elements of the plumbing system including total fixture load, site services, drainage, water and sanitary sewer systems, fire sprinkler and irrigation systems.
- (i) Structural, mechanical, and electrical elements;
- (j) Stair, handrail and guard dimensions;
- (k) A cross section, through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;
- (l) Elevations of all sides of the building or structure showing finishes, roof slopes, roof top equipment screening, windows, doors, and finished grade; and
- (m) Cross sectional details drawn at sufficient locations to illustrate that the building or structure substantially conforms to the Building Code;

7.1.6. Building Code review including the occupancy classification, safety, health, accessibility and fire protection elements of the building.

7.1.7. APPROVALS FROM OTHER AGENCIES

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;

7.1.8. SCHEDULE A

include a letter of assurance

7.1.9. SCHEDULE B

include letters of assurance in the form of Schedule B as referred to in Subsection 2.2.7 of Division C, Part 2 of the **Building Code**, each signed by such **Registered Professionals** as the **Building Official** or **Building Code** may require to prepare the design and conduct field reviews of the construction of the **building** or **structure**.

7.1.10. NUMBER OF PLANS

Include one digital copy in pdf format and (1) copy of specifications and two (2) sets of drawings at a suitable scale of the design prepared by each **Registered Professional** and including the information set out in Section 7.1.5 of this bylaw in hard copy.

7.1.11. COMPLETE DESCRIPTION OF WORK AND OCCUPANCY

Include any other information required by the **Building Official** or the **Building Code** to establish substantial conformance with this bylaw, the **Building Code** and other applicable enactments relating to the **building** or **structure**.

7.2 OTHER INFORMATION MAY BE REQUIRED

In addition to the requirements of Section 7.1.4 & 7.1.5 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 in the opinion of the **Building Official** the complexity of the proposed **building** or **structure** or siting circumstances warrant:

7.2.1. Detailed design calculations for the proposed water distribution system to ensure that the minimum fire flows comply with the most recent publication by the Fire Underwriters Survey and the District's Subdivision and Development Servicing Bylaw.

## 8.0 STANDARD BUILDINGS

### 8.1 An application for a building permit with respect to a standard building shall:

#### 8.1.1. APPLICATION FOR PERMIT

Be submitted to the Building Official in the form provided by the Building Official and signed by the owner, or a signing officer if the owner is a company;

#### 8.1.2. OWNER'S UNDERTAKING & APPOINTMENT OF AGENT

Be accompanied by the owner's acknowledgement of responsibility made in the form attached as Appendix "A" to this bylaw, signed by the owner, or a signing officer if the owner is a company;

#### 8.1.3. TITLE SEARCH

Include a copy of a title search made within thirty (30) days of the date of application;

#### 8.1.4. SITE PLANS

Include **site** plans drawn to suitable scale and referenced to the current registered legal survey for the subject property which shall show:

- (a) The legal description and address of the **site**;
- (b) The location of any proposed **building** or **structure** with dimensions from property lines;
- (c) Means of access and egress to service the property and a detailed parking layout;
- (d) The location of any other existing **building** or **buildings** on the **site** with dimensions from property lines;
- (e) where the parcel is adjacent to Okanagan Lake, Trout Creek or any other water body, the geodetic elevation of the underside of the lowest floor system (typically the top of the finished foundation walls) or in the case of a dwelling to be constructed on a concrete slab, the geodetic elevation of the underside of the concrete slab.
- (f) All easements and rights-of-way, and the location of natural water courses;

- (g) For other than single and two family dwellings, provision for garbage containers, proposed method of screening and a detailed landscape treatment for the **site**
- (h) Zoning Bylaw review including the proposed use, parcel coverage and floor area ratio calculations

The **Building Official** may waive the requirements of a **site** plan, in whole or in part, where the **permit** is sought for the repair or alteration of an existing **building** or **structure**.

#### 8.1.5. BUILDING PLANS AND SPECIFICATIONS

Include two (2) paper sets and one (1) pdf copy of drawings at a suitable scale including - **building** plans drawn to suitable scale showing sufficient information to determine substantial conformance with this bylaw including but not limited to:

- (a) Foundation plans
- (b) Floor plans showing the dimensions and uses of all areas;
- (c) The dimensions and height of crawl and roof spaces;
- (d) The location, size and swing of doors;
- (e) The location, size and opening of windows;
- (f) Floor, wall ceiling, and roof finishes;
- (g) Components of fire protection including:
  - i. Firewalls;
  - ii. Degree of fire separations of storeys, shafts and rooms
  - iii. Fire detection, suppression and alarm system
- (h) All elements of the plumbing system including total fixture load, **site** services, drainage, water and sanitary sewer systems, fire sprinkler and irrigation systems.
- (i) Structural, mechanical, and electrical elements;
- (j) Stair, handrail and guard dimensions;
- (k) A cross section, through the **building** or **structure** illustrating foundations, drainage, ceiling heights and **construction** systems;
- (l) Elevations of all sides of the **building** or **structure** showing finishes, roof slopes, roof top equipment screening, windows, doors, and finished grade; and



(m) Cross sectional details drawn at sufficient locations to illustrate that the building or structure substantially conforms to the Building Code;

8.1.6. Building Code review including the occupancy classification, safety, health, accessibility and fire protection elements of the building.

8.1.7. APPROVALS FROM OTHER AGENCIES

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;

8.1.8. COMPLETE DESCRIPTION OF WORK AND OCCUPANCY

Include any other information required by the Building Official or the Building Code to establish substantial conformance with this bylaw, the Building Code and other applicable enactments relating to the building or structure.

8.2 **OTHER INFORMATION MAY BE REQUIRED**

In addition to the requirements of Section 8.1.4 & 8.1.5 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 in the opinion of the Building Official the complexity of the proposed building or structure or siting circumstances warrant:

8.2.1. Site servicing drawings, including sufficient detail to indicate service locations at the property line, prepared and sealed by a Registered Professional;

8.2.2. A section through the site showing grades, buildings, structures, parking areas and driveways;

8.2.3. A roof plan and roof height calculations;

8.2.4. Structural, electrical, mechanical, or fire suppression drawings prepared and sealed by a Registered Professional;

8.2.5. Letters of assurance in the form of Schedules B as referred to in Subsection 2.2.7 of Division C, Part 2 of the Building Code, signed by a Registered Professional; and

8.2.6. Detailed design calculations for the proposed water distribution system to ensure that the minimum fire flows comply with the most recent publication by the Fire Underwriters Survey and the District's Subdivision and Servicing Bylaw.

8.2.7. Any other information required by the Building Official or the Building Code to establish substantial conformance with this bylaw, the Building Code, and any other bylaw or enactments relating to the building or structure.

## 9.0 RELOCATION OF A BUILDING OR STRUCTURE

### 9.1 APPLICATION FOR PERMIT

An application for a permit with respect to the relocation of a building including a factory built or modular building or mobile home shall:

- 9.1.1. With respect to the relocation of residential occupancies shall only be permitted for buildings that:
  - (a) Comply with the current edition of the BC **Building Code**, or
  - (b) Were constructed no more than 15 years from the date of the **building permit** application, or
  - (c) Are existing on the property prior to submission of a subdivision application and will be relocated to another new lot on in the same subdivision, or
  - (d) Are factory built **buildings**, constructed no more than 15 years from the date of **building permit** application and comply with CSA Z-240 (mobile home) or CSA Z-277 (factory built modular home) placed in conformance with the **District** Zoning Bylaw;
  - (e) Structures on the Heritage Inventory list are exempt.
- 9.1.2. Be submitted to the Building Official in the form provided by the Building Official and signed by the owner, or a signing officer if the owner is a company;
- 9.1.3. OWNER'S UNDERTAKING & APPOINTMENT OF AGENT

Be accompanied by the owner's acknowledgement of responsibility made in the form attached as Appendix "A" to this bylaw, signed the owner, or a signing officer if the owner is a company;
- 9.1.4. TITLE SEARCH

Include a copy of a title search made within thirty (30) days of the date of application;
- 9.1.5. SITE PLANS

Include **site** plans drawn to suitable scale and referenced to the current registered legal survey for the subject property which shall show:

  - (a) The legal description and address of the parcel;
  - (b) The location of any proposed building or structure with dimensions from property lines;

- (c) Means of access and egress to service the property and a detailed parking layout;
- (d) The location of any other existing building or buildings on the site with dimensions from property lines;
- (e) All easements and rights-of-way, and the location of natural water courses;
- (f) Building Code review including the occupancy classification, safety, health, accessibility and fire protection elements of the building;
- (g) Zoning Bylaw review including the proposed use, parcel coverage and floor area ratio calculations.

#### 9.1.6. BUILDING PLANS AND SPECIFICATIONS

Include where applicable for new construction, building plans drawn to suitable scale showing sufficient information to determine substantial conformance with this bylaw including but not limited to:

- (a) Foundation plans;
- (b) Floor plans showing the dimensions and uses of all areas;
- (c) The dimensions and height of crawl and roof spaces;
- (d) The location, size and openings of doors;
- (e) The location, size and opening of windows;
- (f) Floor, wall, ceiling, and roof finishes;
- (g) Components of fire protection including:
  - (h) Firewalls;
  - (i) Degree of fire separation of storeys, shafts and rooms and;
  - (j) Fire detection, suppression and alarm system.
- (k) All elements of the plumbing system including total fixture load, site services, drainage, water and sanitary sewer systems, fire sprinkler and irrigation systems;
- (l) Structural, mechanical and electrical elements;
- (m) Stair, handrail and guard dimensions;
- (n) A cross section, through the building or structure illustrating foundations drainage, ceiling heights and construction systems;

(o) Elevations of all sides of the building or structure showing finishes, roof slopes, roof top equipment screening, windows, doors, and finished grade; and

(p) Cross sectional details drawn at sufficient location to illustrate that the building or structure substantially conforms to the Building Code.

9.1.7. Identify the existing location of the building or structure and proposed location to which the building or structure is to be moved.

## 10.0 DEMOLITION OF A BUILDING OR STRUCTURE

### 10.1 PERMIT REQUIRED

An application for a permit with respect to a demolition shall:

10.1.1. Be submitted to the Building Official in the form provided by the Building Official and signed by the owner, or a signing officer if the owner is a company;

10.1.2. OWNER'S UNDERTAKING & AUTHORIZATION

Be accompanied by the owner's acknowledgement of responsibility and undertaking made in the form attached as Appendix "A" to this bylaw, signed by the owner, or a signing officer if the owner is a company;

10.1.3. Include a copy of a title search made within thirty (30 days of the date of the application; and

10.1.4. SITE PLANS

Include site plans drawn to suitable scale and referenced to the current registered legal survey for the subject property which shall show:

(a) The legal description and address of the parcel;

(b) The location of any proposed **building** or **structure** with dimensions from property lines;

(c) Identify the **building** or **buildings** to be demolished.

### 10.2 EVIDENCE REQUIRED

Every person making application for a permit to demolish a building or structure shall, as part of his or her application, provide the Building Official with satisfactory evidence that:

10.2.1. No unsafe condition will be created or **permitted**.

## **11.0 PROFESSIONAL DESIGN AND FIELD REVIEW**

### **11.1 CERTIFICATION OF PLANS SCHEDULE B & SCHEDULE A**

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 supported by letters of assurance in the form of Schedule B and Schedule A referred to in Subsection 2.2.7 of Division C, Part 2 of the Building Code.

### **11.2 SCHEDULE C-A AND SCHEDULE C-B**

Prior to the issuance of an Occupancy Certificate for a complex building or standard building in circumstances where letters of assurance have been required in accordance with other provisions of this bylaw, the owner shall provide the District of Summerland with letter of assurance in the form of Schedule C-A and Schedule C-B, as is appropriate, referred to Subsection 2.2.7 of Division C, Part 2 of the Building Code.

## **12.0 PROFESSIONAL PLAN CERTIFICATION**

### **12.1 LETTERS OF ASSURANCE**

The letter of assurance in the form of Schedule B referred to Subsection 2.2.7 of Division C, Part 2 of the Building Code and provided in accordance with other provisions of this bylaw are relied upon by the District of Summerland and its Building Officials as certification that the design and plans to which the letters of assurance relate substantially conform to the Building Code and other applicable enactments relating to health and safety.

### **12.2 NOTICE OF RELIANCE TO THE OWNER**

A building permit issued pursuant to the requirements 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 conform with the Building Code and other applicable enactments relating to safety. As set out in Appendix "A".

### **12.3 FEE REDUCTION**

When a building permit is issued in accordance with the requirements of this Division the permit fee shall be reduced pursuant to the Fees and Charges Bylaw.



## 13.0 INSPECTIONS

### 13.1 RELY SOLELY ON LETTERS OF ASSURANCE

When a Registered Professional provides letters of assurance in accordance with other provisions of this bylaw, the District of Summerland will rely solely on the letters of assurance submitted pursuant to Section 13.2 of this bylaw as certification that the construction substantially conforms to the design, plans and specification and that the construction complies the Building Code, this bylaw and other applicable enactments.

### 13.2 MONITOR FIELD REVIEWS

Notwithstanding Section 13.1 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.

### 13.3 SITE VISITS

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.

### 13.4 NOTICE OF CONSTRUCTION STAGES

The owner, or his or her agent, shall give a minimum of one working days' notice to the District of Summerland of the following aspects of the work and, in the case of a standard building, shall obtain an inspection and receive a Building Official's acceptance of the following aspects of the work prior to continuing construction:

- 13.4.1.** While not limiting the generality of the foregoing, at the following stages of construction:
- (a) **Site & Footings** - When the forms for footings and foundations are complete, but prior to placing of any concrete;
  - (b) **Slab** - When concrete slab damp proofing or soil gas control measures have been installed, but prior to pouring a concrete slab;
  - (c) **Foundations Walls** - When foundation concrete damp proofing, water proofing and perimeter drains are complete, or after framing of a preserved wood foundation wall and floor assembly and application of damp proofing, but prior to backfill being placed. Submit a building location certificate prepared by a BC Land

Surveyor or a site improvement certificate prepared by an Applied Science Technician or Technologist with certification in site improvement surveys, after the installation of the foundations and prior to commencement of framing of a building or structure provided however the said building location certificate or the said site improvement is not required where the building or structure, as indicated on the plans submitted for the permit, has a setback that is a minimum of 1.2 meters greater than the setback that is required under the District of Summerland Zoning Bylaw No.2000-450, as amended from time to time and it is possible to obtain a site line along a parcel boundary;

- (d) Framing - When framing and sheathing of the building are complete, including the installation of roof membrane, all exterior doors and windows, fire stopping, bracing, chimneys, duct work, plumbing, gas venting and wiring, but before any insulation, drywall or other interior or exterior finish is applied which would conceal such work;
- (e) Plumbing - When the rough-in plumbing system, including interior water supply and drain waste and vent piping are complete, but before any such plumbing is covered;
- (f) Air Barrier - When the air barrier is complete but prior to placement of any exterior siding material thereon;
- (g) Insulation – After the placing of insulation and vapour barrier but before any interior finish is applied;
- (h) Masonry - During the construction of any masonry fireplace, when cantilevered hearth forms are in place but prior to pouring concrete; at the smoke chamber stage; for a free-standing masonry chimney, at the thimble stage; before any factory built or site constructed fireplace or chimney is enclosed by combustible material; and before the chimney cap is placed on a masonry chimney; and
- (i) Occupancy - When the building or structure is substantially complete and ready for occupancy and has met the minimum health & safety requirements of this bylaw and or any other statute but before occupancy takes place of the whole or part of the building or structure.
- (j) Final – All aspects of the work requiring inspection and acceptance pursuant to Section 13.4 of this bylaw are substantially complete

and have been inspected and accepted except as noted in 135.  
And 13.6 of this bylaw.

### 13.5 NO INSPECTION OBLIGATION FOR COMPLEX BUILDING

For greater certainty, in the case of complex buildings, the requirement under 13.4 to notify the District of Summerland of the listed stages of construction does not oblige the District of Summerland to attend the site for inspections, Monitoring or any other purpose.

### 13.6 EXEMPTIONS

The requirements of 13.4 of this bylaw do not apply to any aspects of the work that is subject of a Registered Professional's letter of assurance provided in accordance with this bylaw.

## **14.0 OCCUPANCY CERTIFICATE**

### **14.1 OCCUPANCY PROHIBITED**

No person shall occupy or use a building or structure or part of a building or structure until an occupancy certificate has been issued.

### **14.2 OCCUPANCY CERTIFICATE**

An occupancy certificate shall not be issued unless all letters of assurance have been submitted when required in accordance with other provisions of this bylaw.

## **15.0 FEES AND CHARGES**

### **15.1 PERMIT FEE CALCULATION**

In addition to applicable fees and charges required under other bylaws, a permit fee, calculated in accordance with the District's Fees and Charges Bylaw, shall be paid in full prior to issuance of any permit under this bylaw.

### **15.2 RE-INSPECTION FEE**

Where, due to non-conformance 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 the Fees and Charges Bylaw shall be paid prior to additional inspections being performed.

### **15.3 AFTER HOURS INSPECTIONS**

Where a required inspection is requested to be done after the hours during which the offices of the District of Summerland are normally open, an inspection charge shall be payable based on the time actually spent in making such inspection, including travel time.

### **15.4 EXISTING SECONDARY SUITE INSPECTION**

Where an inspection and code review is required to confirm conformance with the British Columbia Building Code and District Zoning Bylaw for an existing secondary suite, then the inspection fee will be \$100 in addition to any other fee related to the building permit application.

## **16.0 DISCLAIMER OF WARRANTY OR REPRESENTATION**

Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or specifications made by or on behalf of the District of Summerland constitute in any way a representation, warranty, assurance or statement that the Building Code, this bylaw or other applicable enactments have been complied with.

## **17.0 PENALTIES AND ENFORCEMENT**

### **17.1 STOP WORK ORDER**

A Building Official may order the cessation of any work that is proceeding in contravention of the Building Code or this bylaw, or other applicable enactments by posting a Stop Work Order.

### **17.2 STOP WORK ORDER CEASE ALL WORK**

The owner of property on which a Stop Work Order has been posted, and every other person, shall cease all construction work immediately and shall not do any work (other than work referred to in Section 17.3) until all applicable provisions of this bylaw have been substantially complied with and the Stop Work Order has been rescinded in writing by a Building Official.

### **17.3 SECURE THE CONSTRUCTION**

The owner shall within forty eight (48) hours of the posting of a Stop Work Order under Section 17.3 secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of any statute, regulation or order of the province or of a provincial agency.

### **17.4 STOP WORK ORDER REMAIN POSTED**

The Stop Work Order referred to in Section 17.3 shall remain posted on the premises until the work that is contrary to the Building Code or bylaws of the District or other enactments have been remedied to the satisfaction of the Building Official.

### **17.5 WORKING WITHOUT A PERMIT**

Every person who commences work requiring a building permit without first obtaining such a permit, shall pay double the value of the permit fee. Every person who continues past the first required inspection shall pay triple the value of the permit fee. Every person who continues construction while a Stop Work Order is in place shall pay five (5) times the value of the permit fee.

## 18.0 CLIMACTIC DATA

January	2 ½%	Design Temperature	-17°C
January	1%	Design Temperature	-20°C
July	2 ½%	Design Temperature, dry bulb	33°C
July	2 ½%	Design Temperature, wet bulb	20°C
Degree days below 18°C		3730	
15 minute rainfall		10mm	
One day rainfall		69mm	
Annual total precipitation		317mm	
Maximum snow load on the ground		Ss = 2.1 kPa	
Maximum rain load		Sr = 0.1 kPa	
Wind pressures probability		1/10 = 0.34 kPa	
Wind pressures probability		1/50 = 0.47 kPa	
Seismic data		Sa (0.2) = 0.28	
		Sa (0.5) = 0.18	
		Sa (1.0) = 0.11	
		Sa(2.0) = 0.065	
		PGA = 0.14	
Depth of frost		600mm	



## **19.0 APPENDICES**

The appendices attached to this bylaw form part of and are enforceable in the same manner as this bylaw.

## **20.0 REPEAL**

Building Bylaw No. 92-081 is repealed and replaced by this bylaw.

## **21.0 TITLE**

This bylaw may be cited for all purposes as "District of Summerland Building Regulations Bylaw No. 2013-017"

Read a first, second and third time this 26<sup>th</sup> day of August, 2013.

Adopted by District of Summerland Municipal Council this 9<sup>th</sup> day of September, 2013.

---

Mayor

---

Corporate Officer

## 22.0 APPENDIX A

### Acknowledgment and Owner's Undertaking Appointment of Agent Reliance on a Professional

**Note:** To be submitted prior to issuance of a **building permit**.

Re: Civic Address: \_\_\_\_\_

Legal Address: \_\_\_\_\_

---

Inconsideration of the **District** accepting and processing the above application for a **building permit**, as required by the **District's** Building Bylaw No.\_\_\_\_\_, the following representations, warranties, and indemnities are given to the **District**.

1. That I am:
  - the **Owner** of the above noted property; or
  - authorized by the **Owner** of the property described above to make this application

2. That I have authorized:

---

Print name

---

Address

To make an application for the above noted permit on my behalf.

3. That I will comply with or cause those whom I employ to comply with the **Building code** and all bylaws of the **District** and other statutes and regulations in force in the **District** relating to the development, **work**, undertaking or permission in respect of which this application is made
4. That I understand and acknowledge that I am fully responsible for carrying out the **work**, of having the **work** carried out, in accordance with the requirements of the **Building Code**, the Building Bylaw and all other bylaws of the **District**.

5. That I understand and acknowledge that neither the issuance of a permit under this bylaw, the review of plans and supporting documents nor inspections made by the Building Inspector shall in any way constitute a representation, warranty or statement that the **Building Code**, the Building Bylaw or any other bylaw of the **District** has been complied with.
6. That, when applicable, I confirm that I have relied only on the said **Registered Professional** for the adequacy of the plans and supporting documents submitted with this application.
7. That, when applicable, I confirm that I have been advised in writing by the **District** that it relied exclusively on the Letter of Assurance of “Professional Design and Commitment for Field Review” prepared by \_\_\_\_\_ (insert name of **Registered Professional**) in reviewing the plans and supporting documents submitted with this application for a **building permit**.
8. That I understand that were used herein the words “**work**” or “**work** or undertaking in respect of which this application is made” includes all electrical, plumbing, mechanical, gas and other **works** necessary to complete the contemplated construction.
9. That I am authorized to give these representations, warranties, assurance and indemnities to the **District**.

**Owner’s Information:**

\_\_\_\_\_

Name

\_\_\_\_\_

Signature

\_\_\_\_\_

Address

\_\_\_\_\_

Date

**Agent for Owner Information:**

\_\_\_\_\_

Name

\_\_\_\_\_

Signature

\_\_\_\_\_

Address

\_\_\_\_\_

Title

If **Owner** is company:

Witness:

\_\_\_\_\_  
Full name of signatory

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date

\_\_\_\_\_  
Occupation

The above must be signed by the **Owner** or his appointed Agent. The signature must be witnessed. If the **Owner** is a company, the authorized signatory (ies) must sign.

Please note the following provisions from the Building Bylaw:

**Duty of Care**

This bylaw does not create a duty of care in respect of the **District**, Council members, the Building Inspector, or employees or agents of the **District** in respect of:

- a) Issuance of a permit under this bylaw;
- b) Review of the plans and supporting documents;
- c) Inspections made by the Building Inspector or failure to make such inspections;  
or
- d) Enforcement or failure to enforce the **Building Code** or the provisions of this bylaw.

**Cause of Action**

Neither a failure to administer or enforce, nor incomplete or inadequate administration or enforcement of the **Building Code** or the provisions of the bylaw, nor any error, omission or other neglect in relation to the issuance of a permit under this bylaw, the review of the plans and supporting documents, or inspections made by the Building Inspector shall give rise to a cause of action in favour of any **Person**, including the **Owner**.

**Warranty of Representation**

Neither the issuance of a permit under this bylaw, the review of the plans and supporting documents, nor inspections made by the Building Inspector shall in any way

constitute a representation, warranty or statement that the building code or this bylaw has been complied with and no **Person** shall rely on any of the above listed matters as establishing compliance with the **Building Code** or this bylaw.

### **Owner's Responsibility**

It shall be the full responsibility of the **Owner** or his Agent to carry out the **work** or have the **work** carried out in substantial accordance with the requirements of the **Building Code**, this bylaw and the other bylaws of the **District** and neither the issuance of a permit under this bylaw, the review of plans and supporting documents, nor inspections made by the Building Inspector shall relieve the **Owner** or his Agent from this responsibility.