



CITY OF RICHMOND

## ***BUILDING REGULATION BYLAW***

### **BYLAW NO. 7230**

EFFECTIVE DATE – MARCH 11, 2002

#### **CONSOLIDATED FOR CONVENIENCE ONLY**

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>AMENDMENT BYLAW</u>	<u>DATE OF ADOPTION</u>	<u>EFFECTIVE DATE</u> (If different from Date of Adoption)
Bylaw No. 7265	January 27, 2003	
Bylaw No. 8314	September 8, 2008	
Bylaw No. 8542	December 14, 2009	
Bylaw No. 8637	January 10, 2011	February 9, 2011
Bylaw No. 9769	July 16, 2018	
Bylaw No. 10013	May 13, 2019	
Bylaw No. 10205	December 7, 2020	
Bylaw No. 10238	March 15, 2021	
Bylaw No. 10365	July 25, 2022	

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## CITY OF RICHMOND

**BUILDING REGULATION BYLAW NO. 7230**

The Council of the City of Richmond enacts as follows:

**PART ONE: GENERAL PROVISIONS****1.1 Application**

- 1.1.1 This bylaw applies to the geographical area of the **City**, and to land, the surface of water, air space, **buildings** and **structures** in the **City**.
- 1.1.2 The requirements of the **building code** and of this bylaw apply to **construction, use** and **occupancy** or a change in **use, occupancy** or both of a **building** or **structure**.

**PART TWO: PROHIBITIONS****2.1 Conformity with Provincial Codes, Statutes and Bylaws**

- 2.1.1 A person must not:
- (a) **construct** a **building** or **structure** except in compliance with the requirements of the **building code**;
  - (b) undertake **gas work** except in compliance with the requirements of the **gas code**; or
  - (c) undertake **plumbing** except in compliance with the requirements of the **plumbing code**.
- 2.1.2 In addition to the requirements of subsection 2.1.1, a person undertaking **construction, gas work** or **plumbing** must comply with this and any other applicable bylaws of the **City**, and any applicable Provincial statutes.

**2.2 General Prohibitions**

- 2.2.1 A person must not:
- (a) commence or continue:
    - (i) any **construction** unless the person has a **building permit**;
    - (ii) any **gas work** unless the person has a **gas permit**; or
    - (iii) any **plumbing** unless the person has a **plumbing permit**.
  - (b) change the **use, occupancy** or both of a **building** or **structure** without obtaining a **building permit**;

- (c) commence **construction** unless the civic address is conspicuously posted on the front of the premises, or on a signpost so it may be easily read from the **highway** from which it takes its address;
- (d) occupy or permit **occupancy** of a **building** or **structure** until the **building inspector** has issued a final inspection notice for it, except as permitted under section 13.7;
- (e) occupy or use any **building** or **structure** contrary to:
  - (i) the terms of a **gas permit** or a **plumbing permit**; or
  - (ii) a notice or certificate given by either the **gas inspector** or the **plumbing inspector**;
- (f) reverse, alter, deface, cover, remove or in any way tamper with a **construction** site identification card, stop work order, certificate, card or notice posted on, or affixed to, a **building** or **structure**, **gas work** or **plumbing**, pursuant to this bylaw, unless authorized by the **building inspector**, the **gas inspector**, or the **plumbing inspector**, whichever is applicable;
- (g) undertake any work which is not in accordance with the description, plans and supporting documents for a **building permit**, **gas permit** or, **plumbing permit** unless the **building inspector**, the **gas inspector**, or the **plumbing inspector**, respectively, has reviewed and authorized the work;
- (h) erase, alter or modify plans or supporting documents, after such plans or supporting documents have been:
  - (i) reviewed by the **building inspector**, the **gas inspector**, or the **plumbing inspector**, whichever is applicable, or
  - (ii) filed for reference with any such inspectors, after the **building permit**, **gas permit**, or **plumbing permit**, whichever is applicable, has been issued;
- (i) repair a **building** or **structure** damaged by fire, decay, storm or otherwise to an extent greater than 75% of its assessed value as of the date of damage above its foundations, unless the entire **building** or **structure** is brought into compliance with the **building code**, subject to the provisions of this bylaw; or
- (j) interfere with, or obstruct the entry of, the **building inspector**, the **gas inspector**, or the **plumbing inspector** in administering this bylaw.

## PART THREE: THE INSPECTOR

### 3.1 Refusal to Issue Permits

3.1.1 The **building inspector**, the **gas inspector**, and the **plumbing inspector** may refuse to issue a **building permit**, **gas permit**, or **plumbing permit** respectively:

- (a) where in such inspector's opinion, the proposed work will contravene the requirements of the **building code**, the **gas code**, or the **plumbing code** respectively, or the provisions of this or any other applicable bylaws of the **City**, or any applicable Provincial statutes; and
- (b) where the **owner** is in violation of this or any other applicable bylaws of the **City**, or any applicable Provincial statutes, with regard to the **construction** of another **building** or **structure**, **gas work** or **plumbing**.

### 3.2 Conformity to Codes

3.2.1 The **building inspector**, the **gas inspector**, and the **plumbing inspector** may establish, or require the **owner** to establish, whether a type of material or method used in:

- (a) the **construction** of a **building** or **structure** complies with the requirements of the **building code**;
- (b) **gas work** complies with the requirements of the **gas code**; or
- (c) **plumbing work** complies with the requirements of the **plumbing code**,

and with the provisions of this or any other applicable bylaws of the **City**, or any applicable Provincial statutes.

### 3.3 Right of Entry

3.3.1 The **building inspector**, the **gas inspector**, and the **plumbing inspector** are authorized to enter on property at any time to determine whether the requirements of this or other applicable bylaws of the **City**, or any applicable Provincial statutes are being met.

### 3.4 Credentials

3.4.1 The **building inspector**, the **gas inspector**, and the **plumbing inspector** must ensure that persons entering on property in accordance with section 3.3 carry identification to identify them as the authorized inspector.

### 3.5 Correction Orders and Cessation of Work

3.5.1 The **building inspector**, the **gas inspector**, and the **plumbing inspector** may order in writing, the cessation and correction of any work which contravenes the **building code**, the **gas code**, or the **plumbing code**, respectively, or this or any other applicable bylaws of the **City**, or any applicable Provincial statutes;

and may, when corrections ordered have been completed, authorize continuation of any work which was ceased or ordered corrected.

- 3.5.2 Where the appropriate inspector has directed an **owner** to undertake work to remedy an unsafe condition or to otherwise comply with this bylaw, such work may be undertaken without the necessity of full compliance with the provisions of this bylaw at the time it is undertaken, provided such work is later inspected for compliance with this and any other applicable bylaws of the **City**, and any applicable Provincial statutes.

### **3.6 Potable Water Cross Connection**

- 3.6.1 The **plumbing inspector** may disconnect the water service to a **parcel** which has a **cross connection** to **potable water** until the **plumbing inspector** confirms that the **cross connection** has been removed.

## **PART FOUR: CITY AND UTILITY SERVICES**

### **4.1 Emergency Vehicle Access, Sewer Systems and Potable Water**

- 4.1.1 The **building inspector**, and the **plumbing inspector**, must refuse to issue a **building permit** and a **plumbing permit** respectively, with respect to a **parcel** which does not have:
- (a) (i) service to the **parcel** line by a **City sanitary sewer** and **City storm sewer** system; or
  - (ii) approval for the installation of an alternative **sewage disposal system** or **storm water** disposal system; and
  - (b) service to the **parcel** line from a **City** water distribution system of sufficient size and capacity to supply the water required under Provincial statutes for **potable water** and fire protection services.
- 4.1.2 The **building inspector** must refuse to issue a **building permit** with respect to a **parcel** which does not have **emergency vehicle access**.

### **4.2 Electricity and Telecommunication**

- 4.2.1 Every **building, structure** or **occupancy** using, or designed to use, electric power or telecommunication services must have:
- (a) the electric power and telecommunication service lines placed and maintained in underground conduits beneath:
    - (i) the **parcels** it serves; and
    - (ii) a **highway**; and



- (b) transformers and appurtenances placed and maintained in ground kiosks or transformer vaults within the **building, structure** or **occupancy** served,

unless the **City** approves overhead power and telecommunication service lines, transformers and appurtenances.

4.2.2 The provisions of subsection 4.2.1 do not apply to overhead electric power and telecommunication service lines or overhead electrical transformers:

- (a) situated on a **highway**, and forming part of the distribution system of the area served by the utility;
- (b) which, in the opinion of the **building inspector**, are required to be placed or maintained over water outside the dyke system; or
- (c) placed or maintained to service:
  - (i) a **parcel** used in conformity with the **Zoning Bylaw** and on which is located:
    - a **one-family dwelling**;
    - a **two-family dwelling**;
    - a residential accessory **building** or **structure**; or
    - a **building** or **structure** used or occupied mainly for agricultural purposes or an occupancy mainly agricultural in nature;
  - (ii) temporary outdoor lighting on a **parcel** zoned and used for residential or agricultural purposes in conformity with the **Zoning Bylaw**;
  - (iii) a temporary classroom designed as part of a public school established under the *School Act*;
  - (iv) a **parcel** not served by an underground distribution system which is located in an Industrial (I) zone and used in conformity with the **Zoning Bylaw**;
  - (v) an active **construction** site which is temporary in nature;
  - (vi) properties on Moncton Street between No. One Road and Third Avenue; or
  - (vii) a **parcel** located and used in conformity with Part Seven.

4.2.3 Notwithstanding the requirements of this bylaw, the **building inspector** may grant permission for the temporary use of overhead electric power and telecommunication service lines and overhead electrical transformers to a **parcel** for a period up to 12 months.

## PART FIVE: PERMITS

### 5.1 Requirements and Exemptions

5.1.1 Every **owner** must obtain:

- (a) a **building permit** prior to commencement of **construction**, or prior to a change in the **use, occupancy** or both, of a **building** or **structure**;
- (b) a **gas permit** prior to undertaking any **gas work**; and
- (c) a **plumbing permit** prior to undertaking any **plumbing**.

5.1.2 The provisions of clause (a) of subsection 5.1.1 do not apply to **construction** on a **parcel**, of a single storage **building** or **structure** less than 10 square metres in area, in which there are no mechanical services.

5.1.3 A **plumbing permit** is not required for the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, when such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures or hot water tanks.

### 5.2 Separate Application for Each Building or Structure

5.2.1 Subject to the provisions of section 5.3:

- (a) each **building** or **structure** to be **constructed** on a **parcel**;
- (b) all **gas work**; and
- (c) all **plumbing**,

must be the subject of a separate **building permit, gas permit** and **plumbing permit** application and separate permit respectively, and must be assessed separate permit fees in the amount set from time to time in the Consolidated Fees Bylaw No. 8636.

5.2.2 The provisions of clause (a) of subsection 5.2.1 do not apply to **construction** of the foundation for a cellular telecommunications tower and its accessory **building** or **structure**, for which one combined **building permit** can be issued.

### 5.3 Form of Application

5.3.1 An application for a plan review for a **building permit, gas permit, or plumbing permit**, must:

- (a) be made to the **building inspector**, the **gas inspector** or the **plumbing inspector** respectively;
- (b) be in the form prescribed by the appropriate inspector;
- (c) be signed by the **owner**;

- (d) state the intended **use** or **uses** of the **building** or **structure**, or part of the **building** or **structure** in which the **construction** is to be undertaken, or in which the **gas work** or **plumbing** is to be located;
- (e) when required by the **building inspector**, include a minimum of two complete sets of plans, drawn to scale, and supporting documents for the **building**, **structure** or part of such **building** or **structure** to be **constructed**, and must indicate the nature and extent of the work or proposed **construction**;
- (f) when required by the **plumbing inspector**, include a minimum of three complete sets of plans showing the location and size of every **building drain** and every trap, sump, and **plumbing** fixture that is on a **building drain**, and a sectional drawing showing the size and location of every soil or waste pipe, trap and plumbing vent pipe; and
- (g) contain any other information necessary to satisfy the **building inspector**, the **gas inspector**, and the **plumbing inspector** that when completed, the proposed **construction**, **gas work**, or **plumbing**, respectively, will comply with the requirements of this, or other applicable bylaws of the **City**, and any applicable Provincial statutes.

#### 5.4 Plan Processing Fee for a Building Permit Application

##### 5.4.1 A **building permit** application for a plan review:

- (a) must be accompanied by the plan processing fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636 for a **building permit** application; and
- (b) is cancelled and of no force and effect if a **building permit** has not been secured and paid for by the **owner** within 60 days of notification that such **building permit** is ready to be issued.

##### 5.4.2 The plan processing fee specified in clause (a) of subsection 5.4.1 for a **building permit** application:

- (a) is non-refundable, and is a credit toward the **building permit** fee levied at the time such **building permit** is issued; and
- (b) is forfeited to the **City** if the **building permit** has not been secured and paid for within 30 days of notification that the **building permit** is ready to be issued.

##### 5.4.3 If a **building permit** for the salvage of building materials has been issued for a property pursuant to subsection 12.1.2, then the time periods set out in section 5.4.1(b) and 5.4.2(b) for a **building permit** application for plan review related to such property may be extended by the **building inspector** for such amount of time as the **building inspector** determines is required to accommodate the salvage activities.

## 5.5 Permit Fee Requirements

- 5.5.1 Before a **building permit**, a **gas permit**, or a **plumbing permit** will be issued, the **owner** must pay:
- (a) the applicable permit fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636; and
  - (b) in the case of a **building permit**, any fees, charges, levies or taxes imposed by the **City** or payable under a Provincial statute.
- 5.5.2 Where a permit application is received prior to the date of adoption of this bylaw, the **owner** must pay the applicable permit fees which applied at the time the permit application was made, provided such payment is made within 30 days of the **owner** being notified by the applicable inspector that such permit is ready to be issued.
- 5.5.3 Where an **owner** proposes to modify a **building** or **structure** design or **plumbing** design which is the subject of an existing permit and the value of **construction** is not increased by such modification, the **owner** must submit the proposed modifications for plan review and pay a **building permit** fee or a **plumbing permit** fee respectively, based on the plan review hourly rate in the amount set from time to time in the Consolidated Fees Bylaw No. 8636.
- 5.5.4 Where **construction** commenced before the **building inspector** issued the **building permit**, the **building permit** fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636 is doubled.
- 5.5.5 Where the **building inspector** is satisfied that a **building permit** application is for a **Certified Passive House**, the **building permit** fee payable by the **owner** pursuant section 5.5.1(a) above is waived.

## 5.6 Permit Fee and Inspection Fee Refunds

- 5.6.1 Except as specified in subsections 5.6.2, 5.6.3, 5.6.5 and 5.6.6, all fees in the amount set from time to time in the Consolidated Fees Bylaw No. 8636” associated with a **building permit**, a **gas permit**, or a **plumbing permit** pursuant to this bylaw are non-refundable.
- 5.6.2 A **building permit** fee, a **gas permit** fee, or a **plumbing permit** fee may be partially refunded when:
- (a) the **owner** has submitted a written request for such refund;
  - (b)
    - (i) the **building inspector** has certified that the **construction** has not been started on the **building** or **structure**;
    - (ii) the **gas inspector** has certified that the **gas work** has not been started; or
    - (iii) the **plumbing inspector** has certified that the **plumbing** has not been started, and

- (c) the applicable permit has not expired.
- 5.6.3 Where a refund of a **building permit** fee, a **gas permit** fee, or a **plumbing permit** fee is approved in accordance with subsection 5.6.2, such refund is to be calculated at 70% to the nearest dollar, of:
- (a) in the case of **construction**, the amount of the **building permit** fee less the non-refundable plan processing fee;
  - (b) in the case of **gas work**, the amount of the **gas permit** fee less the minimum **gas permit** fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636; or
  - (c) in the case of **plumbing**, the amount of the **plumbing permit** fee less the minimum **plumbing permit** fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636.
- 5.6.4 A **building permit** fee, **gas permit** fee, or **plumbing permit** fee will not be partially refunded in accordance with subsection 5.6.2:
- (a) if a start has been made on the **construction** of a **building** or **structure**; on **gas work**; or on **plumbing**; or
  - (b) where the applicable permit has been extended under section 5.11.
- 5.6.5 A **building permit** fee may be refunded, in whole or in part, when:
- (a) the **owner** has submitted a written request for such refund;
  - (b) the **building permit** is for a **single family** home or **duplex**;
  - (c) either:
    - (i) the building inspector is satisfied that the completed (as-built) **building** achieves Step 4 of the **Energy Step Code**, and such **building permit** application was submitted prior to January 1, 2022; or
    - (ii) the building inspector is satisfied that the completed (as-built) **building** achieves Step 5 of the **Energy Step Code**, and such **building permit** application was submitted prior to January 1, 2025; and
  - (d) the applicable **building permit** has not expired.
- 5.6.6 Where a refund of a **building permit** fee is approved in accordance with subsection 5.6.5, such refund is to be calculated at:
- (a) 50% of the nearest dollar the amount of the **building permit** fee, less the non-refundable plan processing fee, in the case of a refund in accordance with subsection 5.6.5(c)(i); or

- (b) 100% of the nearest dollar the amount of the **building permit** fee, less the non-refundable plan processing fee, in the case of a refund in accordance with subsection 5.6.5(c)(ii).

## 5.7 Issuance of Permits

- 5.7.1 If the **building inspector**, **gas inspector**, or **plumbing inspector** is satisfied that the **construction**, **gas work**, or **plumbing** respectively, will comply with the **building code**, the **gas code**, and the **plumbing code** respectively, and with the provisions of this and any other applicable bylaws of the **City**, and applicable Provincial statutes, the inspector must issue a **building permit**, a **gas permit**, or a **plumbing permit** respectively, to the **owner**.
- 5.7.2 The **building inspector** may issue a **building permit** for the **construction** of a part of a **building** or **structure** before the plans and supporting documents for the whole **building** or **structure** have been submitted or reviewed, provided the necessary information and detailed statements for the **building** or **structure** have been filed in accordance with the requirements of this bylaw.
- 5.7.3 Notwithstanding the issuance of a **building permit** in accordance with subsection 5.7.2, the requirements of this bylaw apply to the remainder of the **building** or **structure** as if the **building permit** had not been issued.
- 5.7.4 A **gas permit** or **plumbing permit** must only be issued to:
  - (a) an **owner**, in the case of a **one-family dwelling**; or
  - (b) an **agent** who is a **gas fitter**, in the case of **gas work**, or a certified plumber in the case of **plumbing**.

## 5.8 Conditions of Permits

- 5.8.1 The **owner** must keep a copy of the plans and drawings submitted to the **City** in accordance with subsection 5.3.1 with the **building permit**, the **gas permit**, and the **plumbing permit**, on the **parcel** for which the permit has been issued.
- 5.8.2 The review of plans and supporting documents and issuance of a **building permit** or a **plumbing permit** does not prevent the appropriate inspector from:
  - (a) subsequently requiring the correction of errors in the plans and supporting documents required under subsection 5.3.1; or
  - (b) prohibiting **building construction** or **occupancy** or **plumbing** being carried on when in violation of this or any other applicable bylaws of the **City**, or applicable Provincial statutes.

## 5.9 Transfer or Assignment of Permits

- 5.9.1 A **building permit**, **gas permit**, or **plumbing permit**, or an application for such a permit, which is in process, may not be transferred or assigned unless:
  - (a) the **owner** has notified the appropriate inspector in writing;

- (b) the appropriate inspector has authorized the transfer or assignment in writing; and
- (c) the **owner** has paid the fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636.

5.9.2 The transfer or assignment of a **building permit, gas permit, or plumbing permit** in accordance with subsection 5.9.1 is not an extension of such permit.

## 5.10 Expiration of Permits

5.10.1 Subject to the provisions of section 5.11, a **building permit, gas permit, or plumbing permit** expires and is invalid and of no force or effect when:

- (a) to the knowledge of the appropriate inspector, **construction, gas work, or plumbing** pursuant to the applicable permit has not commenced within 180 days of the date the permit was issued; or
- (b) **construction, gas work, or plumbing** pursuant to the applicable permit is discontinued or suspended for a period of more than 180 days from the date of the last mandatory inspection by the appropriate inspector.

5.10.2 Where a permit has expired under the provisions of clause (b) of subsection 5.10.1, any inspections completed prior to the expiration of such permit remain valid and in effect.

## 5.11 Extension of Permits

5.11.1 The **building inspector, the gas inspector, and the plumbing inspector** may extend a **building permit, a gas permit or a plumbing permit** respectively, for a period of not greater than 180 days from the expiration date of the original permit, provided:

- (a) **construction, gas work, or plumbing** respectively, has not commenced;
- (b) an application to extend the permit is made within 30 days of the permit expiration date; and
- (c) the permit extension fees in the amount set from time to time in the Consolidated Fees Bylaw No. 8636 have been paid.

## 5.12 Revocation of Permits

5.12.1 The **building inspector, the gas inspector, and the plumbing inspector** may revoke a **building permit, gas permit, or plumbing permit**, respectively, where in the inspector's opinion:

- (a) tests reveal that materials, devices, methods, structural assemblies or foundation conditions contravene:
  - (i) the **building code, the gas code, or the plumbing code**, whichever is applicable; or

- (ii) the provisions of this bylaw;
- (b) all **building permits, gas permits, or plumbing permits**, whichever are applicable, required under this bylaw have not been obtained; or
- (c) there is a violation of:
  - (i) a condition under which the permit was issued, or
  - (ii) a requirement of the **building code**, the **gas code**, or the **plumbing code**, whichever is applicable, or this or any other applicable bylaws of the **City**, or applicable Provincial statutes.

5.12.2 The revocation of a permit in accordance with subsection 5.12.1 must be in writing and be sent to the holder of the permit by registered mail or by personal service.

### 5.13 Requirement for Registered Professional

5.13.1 The **owner** must provide **professional design** and **field review** with respect to a **permit** for:

- (a) a **building** or **structure**:
  - (i) that falls within the scope of Part 3 of the **building code**;
  - (ii) that is designed with common egress systems for the occupants and requires the use of firewalls according to the **building code**; and
  - (iii) in respect of which the **building inspector** determines that site conditions, size or complexity so warrant;
- (b) structural components of **buildings** or **structures** that fall within the scope of Part 4 of the **building code**; or
- (c) the **building** envelope for all **buildings** or **structures** under Part 3 of the **building code**, complex **buildings** or **structures** under Part 9 of the **building code**, and all residential **buildings** or **structures** under Part 9 of the **building code** that contain more than two dwelling units.

5.13.2 The **registered professional** carrying out the **professional design** and **field review** of the building envelope must provide evidence to the **building inspector** that he or she has experience and expertise in respect of the **design** and **field review** of building envelopes.

5.13.3 Prior to:

- (a) the issuance of a **building permit**; or
- (b) the **occupancy** of a **building** or **structure**,



in respect of which a **building inspector** has required **professional design** and **field review**, the **owner** must submit letters of assurance in the form set out in the **building code**.

5.13.4 If the **building inspector** determines that the site conditions so warrant, the **building inspector** may require the **owner** to submit a letter of assurance of subsurface investigation in the form specified by the **City**, incorporating the assurance of a **registered professional** in the applicable discipline that he has carried out a subsurface investigation of the site in accordance with the **building code**.

5.13.5 Where an **owner** is required to submit letters of assurance pursuant to subsections 5.13.3 or 5.13.4, such **owner** must also submit written confirmation of insurance coverage of the **registered professional** in the form specified by the **City**.

5.13.6 Where the **owner** has retained:

- (a) the services of **registered professionals** to carry out the **professional design** and **field reviews** for architectural, structural, mechanical, **plumbing**, fire suppression systems, electrical and geotechnical disciplines as referenced in the Consolidated Fees Bylaw No. 8636 of the **building code**; and
- (b) a co-ordinating **registered professional**;

and the **City** has relied on the certification by the **registered professionals** and the co-ordinating **registered professional** that the plans comply with the **building code** or applicable statutes, the **building permit** fee will be reduced as specified in the Consolidated Fees Bylaw No. 8636.

## 5.14 Use of Equivalent

5.14.1 An **owner** may provide an **equivalent** to satisfy one or more of the requirements of the **building code** or this bylaw by:

- (a) submitting evidence satisfactory to the appropriate inspector to demonstrate that the proposed **equivalent** will provide the level of performance required by the **building code** or this bylaw; and
- (b) paying the fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636.

5.14.2 Where an **equivalent** referred to in subsection 5.14.1 is approved by the appropriate inspector, it must be registered as a covenant in favour of the **City** against the title to the **parcel** under the *Land Title Act*.

## 5.15 Undertakings of the Owner

5.15.1 Notwithstanding the other provisions of this bylaw, the **building inspector** may require the **owner** to execute and submit to the **City**, the owner's undertaking form provided by the **City** as a condition of the issuance of a **building permit**.

## PART SIX: FOUNDATIONS

### 6.1 Crawl Space Floors

- 6.1.1 In addition to the requirements of the **building code**, a crawl space floor must be finished with a continuous membrane of an approved moisture-resistant material beneath a continuous layer of concrete having a thickness of at least 50 millimetres.

[6.2 Deleted]

### 6.3 Survey Certificate

- 6.3.1 The **owner**, after the foundation of the **building** or **structure** has been placed, but prior to **constructing** any portion of the **building** or **structure** on the foundation, must submit to the **building inspector** for review, a plan of non-encroachment prepared by a British Columbia Land Surveyor, showing:

- (a) (i) the **parcel** line dimensions;
- (ii) the foundation dimensions; and
- (iii) the shortest distances from the outer surfaces of the foundation to the **parcel** lines; and
- (b) the elevation of the top of the finished concrete wall or, in the case of a **building** or **structure constructed** on a concrete slab, the elevation at the top of the concrete slab.

- 6.3.2 The **owner** must deliver to the **building inspector**, prior to final inspection, a plan of non-encroachment prepared by a British Columbia Land Surveyor, showing the elevation of the top of a finished **building** or **structure** exceeding 45 metres in height.

### 6.4 Elevations

- 6.3.1 All elevations referred to in section 6.3 must be measured from geodetic datum.

## PART SEVEN: TEMPORARY BUILDINGS FOR OCCUPANCY

### 7.1 Building Permit Application

- 7.1.1 The application for a **building permit** to erect or place a temporary **building** or **structure** for **occupancy** must be:

- (a) made in the form prescribed by the **building inspector**; and
- (b) signed by the **owner** and accompanied by:
  - (i) plans and supporting documents showing the location of the **building** or **structure** on the site; and **construction** details of the **building** or **structure**, and

- (ii) a written statement by the **owner** indicating the intended **use** and duration of the **use**.

## 7.2 Issuance of Building Permit

- 7.2.1 The **building inspector** may issue a **building permit** for a period of up to one year to erect or place a temporary **building** or **structure** for **occupancy** if :
- (a) the **building** or **structure** is:
    - (i) located in compliance with the **Zoning Bylaw**;
    - (ii) **constructed**, where applicable, in compliance with the **building code**, this and any other applicable bylaws of the **City**; and
    - (iii) connected to **City** utility services as required by any applicable Provincial statutes; and
  - (b) the **owner** pays the applicable **building permit** fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636.

## PART EIGHT: SEWAGE HOLDING TANKS

### 8.1 Permits for Sewage Holding Tanks

- 8.1.1 The provisions of Part 5 apply, with the necessary modifications, to applications for a **permit to construct a sewage holding tank**.
- 8.1.2 The **plumbing inspector** may refuse to issue a **plumbing permit** for a **sewage holding tank** where:
- (a) a **City sanitary sewer** connection will not be available within three years of the date the **plumbing permit** for the **sewage holding tank** is issued; or
  - (b) space is available on the **parcel** for a **sewage disposal system** after the maximum **building** footprint and minimum geotechnical requirements for the **building** or **structure** have been established.

### 8.2 Requirement for Registered Professional

- 8.2.1 The **owner** must provide **professional design** and a **field review** for a **sewage holding tank**.
- 8.2.2 Prior to **occupancy** of a **building** or **structure** served by a **sewage holding tank**, the **registered professional** carrying out the **professional design** and **field review** in accordance with the provisions of subsection 8.2.1 must submit a letter to the **City** confirming that:
- (a) the **field review** has been conducted; and
  - (b) the **sewage holding tank** substantially complies with the applicable requirements of the **building code**, **Sewage Disposal Regulation**,

other applicable statutes, and with the plans and supporting documents submitted in support of the application for the **plumbing permit** for the **sewage holding tank**.

8.2.3 The **owner** must submit written confirmation of insurance coverage by the **registered professional** in the form specified by the **City**.

### 8.3 Sewage Holding Tank Design

8.3.1 A **sewage holding tank system** must:

- (a) be used for storage only; and
- (b) receive all the **sewage** generated from the **building** or **structure** to which it is connected.

8.3.2 The **sewage holding tank** design must:

- (a) conform to the **Sewage Disposal Regulation** and any other requirements of the **Medical Health Officer**; and
- (b) be submitted to the **plumbing inspector** for approval, with the **plumbing permit** application.

### 8.4 Sewage Holding Tank Capacities

8.4.1 **Sewage** flows for any **sewage holding tank** must:

- (a) conform to the **Sewage Disposal Regulation**; or
- (b) where the proposed **building** or **structure** is not referenced in the **Sewage Disposal Regulation**, the estimated daily **sewage** flow may be calculated using flows deemed appropriate by the **plumbing inspector**.

8.4.2 The volume of any **sewage holding tank** must be a minimum of seven times the litres per day indicated in the **Sewage Disposal Regulation**.

### 8.5 Technical Requirements

8.5.1 All **sewage holding tanks** must:

- (a) be **constructed** of reinforced fibreglass or concrete;
- (b) have a sloped or rounded bottom to allow for the complete removal of contents;
- (c) when installed partially or completely below grade, have a support slab underneath and non-corrosive hold down straps;
- (d) have a minimum 50 millimetre vent connected to the top portion of the tank and terminated in accordance with the **building code**;

- (e) maintain ready access to the pump-out opening in all weather conditions;
- (f) be located outside any **building** or **structure** and in an area accessible to pumping trucks;
- (g) be located so as to minimize the impact on adjacent **parcels** regarding noise and odours associated with pumping; and
- (h) have a method acceptable to the **plumbing inspector**, for determining the effluent level within the **sewage holding tank**.

## 8.6 Hauling Contract

8.6.1 Every **owner** of a **parcel** served by a **sewage holding tank** must:

- (a) maintain a **hauling contract** with a licenced **pumping contractor** which identifies the location for discharge of the contents of the **sewage holding tank**; and
- (b) deposit a copy of the current **hauling contract** with the **City**.

8.6.2 A **hauling contract** must not be modified or cancelled without the prior approval of the **plumbing inspector**.

8.6.3 The **owner** and **pumping contractor** must maintain a log of frequency and volume of pumping and hauling which must be made available to the **City** upon request.

## 8.7 Unsanitary Conditions

8.7.1 If the **City** is made aware that the **sewage holding tank system** is in an **unsanitary condition**, and the **pumping contractor**:

- (a) cannot or will not perform the corrective work; or
- (b) cannot be contacted,

then the **City** may arrange for pump-out and clean-up and the costs will be charged to the **owner**.

8.7.2 If the charges levied under subsection 8.7.1 remain unpaid on December 31 in any year, such charges are to be added to and form part of the taxes payable on the **parcel** as taxes in arrears.

## 8.8 Indemnity and Insurance

8.8.1 The **owner** of a **parcel** served by a **sewage holding tank** must:

- (a) indemnify the **City** from any loss or damage caused directly or indirectly by the installation, operation or maintenance of the **sewage holding tank**; and

- (b) maintain adequate insurance coverage for this indemnity.

8.8.2 The insurance required under subsection 8.8.1 must be endorsed to add the **City** as an additional named insured and contain a provision requiring that at least 30 days' notice be given to the **City** prior to cancellation or expiry.

## 8.9 Covenant

8.9.1 For every **sewage holding tank system** installation, a covenant must be registered against the title to the **parcel** in question in accordance with Section 219 of the *Land Title Act* stating that:

- (a) the **owner** will maintain a **hauling contract** with a licenced **pumping contractor** at all times and deposit a copy of the current contract with the **City**;
- (b) if the **City** is made aware that the **sewage holding tank system** is in an **unsanitary condition** and the **pumping contractor**:
  - (i) cannot or will not perform the corrective work; or
  - (ii) cannot be contacted,

the **City** may arrange for pump-out and clean-up and the costs will be charged to the **owner** and added to and form part of the taxes payable on the **parcel** as taxes in arrears, if such charges remain unpaid on December 31 in any year; and

- (c) the **owner** will indemnify the **City** from any loss or damage caused directly or indirectly by the installation, operation or maintenance of the **sewage holding tank** and maintain adequate insurance coverage for this indemnity, such insurance to be endorsed to add the **City** as an additional named insured and contain a provision requiring that at least 30 days' notice be given to the **City** prior to cancellation or expiry.

## 8.10 Prohibitions

8.10.1 An **owner** must not:

- (a) connect roof downspouts, exterior foundation drains, drains or other sources of surface run-off or groundwater to a **building sewer** or **building drain** which is connected, directly or indirectly, to a **sewage holding tank**;
- (b) modify, expand, or otherwise alter a **sewage holding tank system** without prior approval of the **plumbing inspector**;
- (c) install any form of bypass or overflow, either temporary or permanent, of a **sewage holding tank**; or
- (d) cause or permit an **unsanitary condition** to exist.

- 8.10.2 A **person** must not wilfully or negligently break, damage, destroy, uncover, deface, or tamper with any **structure**, appurtenance, or equipment which is part of any **sewage holding tank system**.

## PART NINE: SWIMMING POOLS

### 9.1 Siting, Fencing and Access Requirements

9.1.1 A **swimming pool**, unless contained within a **building** or **structure**, must:

- (a) be located a minimum of 1.2 metres from the **parcel** line of such **building** or **structure**; and
- (b) be enclosed by a **fence** which:
  - (i) in the opinion of the **building inspector**, does not facilitate climbing;
  - (ii) has a minimum height of 1.2 metres;
  - (iii) has no openings greater than 100 millimetres at their least dimension; and
  - (iv) can be accessed only through a self-closing gate designed and **constructed** or installed so as to cause the gate to return to a closed position when not in use and secured by a latch located on the **swimming pool** side.

### 9.2 Access to Other Types of Pools

9.2.1 Other types of pools, used or intended to be used for swimming, bathing, wading or diving which are exempt from the of definition **swimming pool**, must:

- (a) be enclosed by a **fence** which complies with the requirements of clause (b) of subsection 9.1.1; or
- (b) be otherwise secured to prevent access by unauthorized persons.

9.2.2 Any access through a **fence** referred to in subsection 9.2.1 must be through a self-closing gate which complies with the requirements of clause (b)(iv) of subsection 9.1.1.

## PART TEN: ENERGY STEP CODE\*

### 10.1 Energy Step Code Requirements

10.1.1 Part 3 and Part 9 **buildings** and **structures** must be designed and **constructed** in compliance with the applicable step of the **energy step code**, as set out in the schedule below:

***Buildings subject to Part 9 of the Building Code***

Building Type	Building permit application filed on or after September 1, 2018	Building permit application filed on or after December 15, 2020	Building permit application filed on or after July 1, 2022
<b>Townhomes and apartments</b>	Step 3	Step 3 OR	Step 5 OR
<b>Single family, duplex and other dwelling units</b>	Step 1	Step 2 for <b>buildings</b> that implement a <b>low carbon building energy system.</b>	Step 4 for <b>buildings</b> that comply with the <b>building envelope performance requirement</b> using <b>absolute metrics</b>  OR Step 3 for buildings that comply with the <b>building envelope performance requirement</b> using <b>absolute metrics</b> , and that implement a <b>low carbon building energy system.</b>

<b><i>Buildings subject to Part 3 of the Building Code</i></b>			
Building Type	Building permit application filed on or after September 1, 2018	Building permit application filed on or after December 15, 2020	Building permit application filed on or after July 1, 2022
<b>Hotels and Motels</b>	n.a.	Step 3 OR Step 2 for <b>buildings</b> that implement a <b>low carbon building energy system.</b>	Step 3 OR Step 2 for <b>buildings</b> that implement a <b>low carbon building energy system.</b>
<b>Other Group C Residential occupancies</b> greater than 6 stories or <b>non-combustible</b>	Step 3 OR		Step 3 OR



<p><b>construction</b> (not including hotel and motel occupancies)</p>	<p>Step 2 for <b>buildings</b> that implement a <b>low carbon building energy system</b>.</p>	<p>Step 2 for <b>buildings</b> that implement a <b>low carbon building energy system</b>.</p>
<p><b>Other Group C Residential occupancies</b> 6 stories or less and <b>combustible construction</b> (not including hotel and motel occupancies)</p>	<p>Step 3</p>	<p>Step 4 OR Step 3 for <b>buildings</b> that implement a <b>low carbon building energy system</b>.</p>
<p><b>Group D Business and personal services occupancies</b> or <b>Group E mercantile occupancies</b></p>	<p>Step 2</p>	<p>Step 3 OR Step 2 for <b>buildings</b> that implement a <b>low carbon building energy system</b>.</p>

10.1.2 For a Part 9 **building** or **structure** that is designed in compliance with the applicable step of the **energy step code** but where the **constructed building** or **structure** does not meet the performance requirements of the applicable step of the **energy step code**, after all reasonable mitigation measures are implemented to the satisfaction of the **building inspector**, the **building inspector** may issue an inspection notice for **provisional occupancy**, or final, of the **building** or **structure** if it is constructed in compliance with alternative energy efficiency performance or prescriptive requirements set out in the **building code** for Part 9 construction, as applicable.

## 10.2 Requirement for Energy Advisor

10.2.1 With respect to a **building permit** for a **building** or **structure** that falls within the scope of Part 9 of the **building code**, the **owner** must provide, to the satisfaction of the **building inspector**, the all the materials and documentation required by the **energy step code**, prepared and signed by an **energy advisor**, and such other reports and materials as required by the **building inspector**.

10.2.2 The **energy advisor**, providing the required materials and documentation set out in the **energy step code**, must provide evidence to the **building inspector** that he or she is an energy advisor registered and in good standing with Natural Resources Canada in accordance with the EnerGuide Rating System Administrative Procedures and adheres to the technical standards and procedures of the ERS.

### 10.2.3 Prior to:

- (a) the issuance of a **building permit**; and
- (b) the **provisional occupancy** of a **building** or **structure**,

in respect of which a **building inspector** has required the materials and documentation set out in the **energy step code**, the **owner** must submit written confirmation of insurance coverage of the **energy advisor** in the form specified by the **City**.

- 10.2.4 For certainty, and notwithstanding section 10.2.1 above, where a **registered professional** is required under section 5.13.1 of this bylaw, in respect of a **building permit** for a **building** or **structure** that falls within the scope of Part 3 or Part 9 of the **building code**, the **professional design** and **field review** shall include the materials and documentation required by applicable step of the **energy step code**, and such other reports and materials as required by the **building inspector**.

## PART ELEVEN: DELAYED DEMOLITIONS

### 11.1 Demolition Agreement

- 11.1.1 Where an **owner** wishes to continue to use an existing dwelling as a residence while **constructing** another dwelling on the same **parcel**, the **owner** must, prior to issuance of the **building permit**, provide an undertaking to the **City** to do the following upon completion of the new dwelling:

- (a) remove the existing dwelling; or
- (b) convert the existing dwelling to a non-residential **use** to the satisfaction of the **building inspector**.

- 11.1.2 The undertaking referred to in subsection 11.1.1 must be registered in the form of a covenant in favour of the **City** against the title to the **parcel** under the *Land Title Act*.

## PART TWELVE: BUILDING MOVE

### 12.1 Building Permit Application and Fee

- 12.1.1 A **building** or **structure** must not be moved into or within the **City** without the **owner** obtaining a **building permit** and paying the applicable building move inspection fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636.
- 12.1.2 Salvage for **reuse** of building materials from an existing **building** or **structure** that is to be demolished requires a **building permit**. In addition to any other conditions prescribed by this bylaw, the issuance of such a **building permit** will require the applicant to satisfy the same conditions as those required for a **building permit** for demolition, and to submit a certificate, in the form prescribed by the **building inspector**, confirming that all hazardous materials have been removed from the **building** or **structure**.

The amount of salvaged material will be considered as contributing to the required recycled content as required by the *Demolition Waste and Recyclable Materials Bylaw 9516*.

## PART THIRTEEN: INSPECTIONS

### 13.1 Inspection Schedule – Buildings and Structures

13.1.1 The **owner** must obtain an inspection of the **construction** after each of the following:

- (a) forms for the footings and foundations are complete, but prior to the placing of concrete;
- (b) forms for the floor slab, vapour barrier, perimeter insulation on inside of concrete foundation walls, reinforcing steel, heating ductwork or pipes for radiant heat are complete, but prior to the placing of concrete; **plumbing** located below the finished slab level must be inspected and approved prior to this inspection;
- (c) all exterior doors, windows and roof membrane are completed, including the installation of flashing, but prior to installation of sheathing paper or exterior finish which would conceal such work;
- (d) framing, fire stopping, bracing, chimney and duct-work, rough wiring, **gas venting**, and rough **plumbing**, but before the insulation, lath or other interior finish is applied which would conceal such work;
- (e) the insulation and the vapour barrier are in place, but prior to the concealing of such work; and
- (f) the **building** or **structure** has been completed and is ready for **occupancy**, but prior to **occupancy**.

13.1.2 The **building inspector** will only carry out inspections under subsection 13.1.1:

- (a) in the order specified in clauses (a) to (f) inclusive of subsection 13.1.1; and
- (b) where the **owner** has requested such inspections.

### 13.2 Inspection Schedule – Sewage Holding Tank

13.2.1 With respect to **construction** of a **sewage holding tank**, the **owner** must obtain an inspection after:

- (a) the concrete base and **sewage holding tank**, including hold down straps, are in place and the inlet pipes have been installed, but prior to backfill; and
- (b) backfill has been completed and the pump out access and level indicator have been installed.

### 13.3 Inspection Schedule – Gas Work

13.3.1 The **owner** must obtain an inspection of **gas work** after each of the following:

- (a) **gas vents** and all required fire stopping have been installed, but before the insulation, lath or interior finish is applied which would conceal such work;
- (b) (i) **gas** piping for commercial or multiple unit residential buildings, including townhouse units, and underground piping are complete;
- (ii) all required banding identification has been provided; and
- (iii) a **visual air test** has been conducted, but prior to concealing such work;
- (c) **gas** piping for **one-family dwellings**, excluding underground piping, are complete and:
  - (i) a **visual air test** has been conducted; or
  - (ii) an Air Test Certificate, PG-19 current edition, has been submitted, but prior to **occupancy**;
- (d) all new and replacement **gas** appliances, such as hot water tanks, furnaces, boilers, ranges and fireplaces have been installed and are operating, but prior to **occupancy**; and
- (e) all **gas work**, other than that specified in clauses (c) and (d), has been completed, but prior to **occupancy**.

13.3.2 The **gas inspector** will only carry out inspections under subsection 13.3.1:

- (a) in the order specified in clauses (a) to (e) inclusive of subsection 13.3.1; and
- (b) where the **owner** has requested such inspections.

### 13.4 Inspection Schedule – Plumbing

13.4.1 The **owner** must obtain an inspection of the **plumbing** after each of the following:

- (a) water/firemain, **sanitary sewer** and **storm sewer** piping, where applicable, including all bedding material, are complete and the water test is ready, but prior to covering such work;
- (b) drainage, venting or water distribution system piping are complete and the water test is ready, but prior to concealing such work; and

- (c) all **plumbing** in the **building** or **structure** has been completed and the **building** or **structure** is ready for **occupancy**, but prior to **occupancy**.

13.4.2 The **plumbing inspector** will only carry inspections under subsection 13.4.1:

- (a) in the order specified in clauses (b) and (c) of subsection 13.4.1; and
- (b) where the **owner** has requested inspections as specified in subsection 13.4.1.

### 13.5 Inspection Schedule – Potable Water Backflow Preventer

13.5.1 The **owner** of a **parcel** having a **backflow preventer** is required to have the **backflow preventer** tested annually commencing on the date of the final inspection for the device, issued by the **plumbing inspector**.

13.5.2 The annual test required under the provisions of subsection 13.5.1 must be undertaken by a **certified tester** and the test results, bearing a **City** issued decal, must be submitted to the **plumbing inspector**.

13.5.3 The **certified tester** must pay the applicable fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636 and obtain the **City** issued decal.

### 13.6 Inspection Requests

13.6.1 The **owner** must give at least 24 hours' notice to the **building inspector**, **gas inspector**, or **plumbing inspector** in order to obtain a **building** inspection, **gas work** inspection, or **plumbing** inspection, respectively.

### 13.7 Provisional Occupancy and Provisional Plumbing Compliance

13.7.1 The **building inspector** may issue an inspection notice for provisional **occupancy** for part of a **building** or **structure**, other than a **building** or **structure** used or intended to be used as a **one-family dwelling** or **two-family dwelling**.

13.7.2 The **plumbing inspector** may issue an inspection notice for provisional **plumbing** compliance in support of a provisional **occupancy** for part of a **building** or **structure**.

13.7.3 Before receiving an inspection for:

- (a) a provisional **occupancy**; or
- (b) a provisional **plumbing** compliance,

the **owner** must pay the applicable site inspection fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636.

13.7.4 Subject to the provisions of subsection 13.7.5 an inspection notice for provisional **occupancy** or provisional **plumbing** compliance expires and is

invalid when the **construction** or **plumbing** pursuant to the notice has not been issued a final within 90 days of the date the notice was issued.

13.7.5 The **building inspector** or the **plumbing inspector** may extend an inspection notice for provisional **occupancy** or provisional **plumbing** compliance respectively, for a period of not greater than 90 days from the expiration date of the original notice, provided the notice extension fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636 has been paid.

### 13.8 Stop Work Order

13.8.1 The **building inspector**, the **gas inspector**, or the **plumbing inspector**, may direct the immediate suspension or correction of all or a portion of **construction**, **gas work**, or **plumbing** respectively, by posting a stop work order on the premises where the work in question is not being performed in accordance with the requirements of the **building code**, the **gas code**, the **plumbing code**, this or any other applicable bylaws of the **City**, or applicable Provincial statutes.

13.8.2 An **owner** must, within 48 hours of the posting of a stop work order under subsection 13.8.1, secure both:

- (a) the **building** or **structure** and the **parcel** surrounding such **building** or **structure**;
- (b) the **gas work** and the area surrounding the **gas work**; or
- (c) the **plumbing** and the area surrounding the **plumbing**,

whichever is applicable, in compliance with the safety requirements of every applicable statute, regulation or order of the Provincial Government, a Provincial Agency, or the **City**.

13.8.3 Subject to the provisions of subsection 13.8.2, no work other than required remedial measures may be carried out on a **parcel** affected by a stop work order referred to in subsection 13.8.1 until the stop work order has been removed by the appropriate inspector.

12.8.4 The stop work order referred to in subsection 13.8.1 must remain posted on the premises until full compliance with the required standards have been achieved.

### 13.9 Re-Inspections

13.9.1 In addition to the fees referenced under other provisions of this bylaw, the **owner** must pay the re-inspection fee in the amount set from time to time in the Consolidated Fees Bylaw No. 8636 where it has been determined by the appropriate inspector that due to non-compliance with the provisions of this bylaw or due to non-complying workmanship, more than two inspections are required for each stage specified for **construction** in subsection 13.1.1, for **gas work** in subsection 13.3.1, or for **plumbing** in subsection 13.4.1

### 13.10 Special Inspections and Building Demolition Inspections

13.10.1 Where the **owner** has applied for:

- (a) a **special inspection**; or
- (b) a **building** or **structure** demolition inspection,

such **owner** must pay the **special inspection fee** or the building demolition inspection fee, whichever is applicable, in the amount set from time to time in the Consolidated Fees Bylaw No. 8636.

### 13.11 Dangerous Buildings

13.11.1 If a **building** is found to be dangerous or potentially dangerous due to modifications to the electrical or **gas** services, or to any structural components, or due to a condition that causes a health hazard or potential health hazard, the **Building Inspector** may order that:

- (a) if the supply of electricity or **gas** has been disconnected that it must not be reconnected;
- (b) the **owner** must not permit the **building** to be occupied; and
- (c) a **City** notice indicating that the building is not safe to occupy be affixed, and remain affixed, to the **building** in a clearly visible location,

until:

- (i) the **owner** has obtained any permits required to carry out the work necessary to bring the **building** into compliance with the requirements specified in clause (iii), and has paid the applicable permit fees;
- (ii) all of the work referred to in clause (i) has been completed and the **building** has been brought into compliance with the requirements specified in clause (iii); and
- (iii) the **building** has been inspected and approved by the **Building Inspector**, the **Electrical Inspector**, the **Medical Health Officer** and where applicable, the **Fire Chief**, for compliance with this bylaw, other bylaws of the **City**, and any provincial statute or regulation relating to **building**, electrical, **gas**, health or fire safety, and the owner has paid any costs relating to those inspections, and any initial inspections carried out to ascertain the condition of the **building**.

### 13.12 Offences Relating to Dangerous Buildings

13.12.1 A person must not:

- (a) remove any notice affixed pursuant to clause (c) of subsection 13.11.1 unless authorized to do so by the **building inspector**; or

- (b) occupy, or permit to be occupied, any **building** while there is a notice pursuant to clause (c) of subsection 13.11.1 affixed to the said **building**.

## PART FOURTEEN: MISCELLANEOUS PROVISIONS

### 14.1 Responsibility of the Owner - General

14.1.1 It is the responsibility of the **owner** to carry out or have carried out **construction, gas work, and plumbing** in substantial accordance with the requirements of the **building code**, the **gas code**, and the **plumbing code** respectively, as well as this and any other applicable bylaws of the **City**, and applicable Provincial statutes.

14.1.2 The issuance of a **building permit**, a **gas permit**, or a **plumbing permit**, the review of plans and supporting documents, or inspections made by a **building inspector**, a **gas inspector**, a **plumbing inspector**, or a **registered professional**, do not relieve the **owner**, or an **agent**, from the responsibility specified in subsection 14.1.1.

### 14.2 Responsibility of the Owner - Plumbing

14.2.1 Every **owner** must:

- (a) where it is proposed to conduct waste from **plumbing** fixtures, trade waste or surface or roof water to a **sanitary sewer** or **storm sewer**:
  - (i) ensure, by obtaining confirmation from the **plumbing inspector**, that the **sanitary sewer** and **storm sewer** are at a sufficient depth and of a sufficient capacity to receive the discharge; and
  - (ii) arrange the **plumbing** to suit the location of the **sanitary sewer** and **storm sewer** connections provided for the **parcel**;
- (b) where it is proposed to connect a **sanitary sewer** or **storm sewer** with a **sanitary sewer** or **storm sewer** extension, deliver to the **City**, all information required to show that the proposed sewers will be laid at such depth and in such a position as to connect the **parcel** with the **sanitary sewer** or **storm sewer** extension;
- (c) not install or use a domestic garbage disposal in connection with a sanitary waste disposal system other than:
  - (i) a public **sanitary sewer**; or
  - (ii) a private sanitary sewer system having treatment facilities and means of effluent disposal licenced by the Province of British Columbia; and
- (d) during **construction** of a **one-family dwelling** or a **two-family dwelling**, connect all rainwater conductors to a **City storm drainage system** if the system is contiguous to the **parcel** on which the **construction** is taking place, by means of a **storm drainage system** or



other means permitted by this bylaw, and the **drainage system** must extend to the rear **parcel** line, or a maximum of 46 metres from the front **parcel** line.

#### 14.3 Administrative Directions

14.3.1 Words defining the authority of the **building inspector**, **gas inspector**, or **plumbing inspector** are to be construed as internal administrative directions and not as creating a duty.

#### 14.4 Approval

14.4.1 The word "Approved" on a **City** document related to a permit, a permit application, or a requirement under this bylaw:

- (a) means only that the **City** has inspected or reviewed for compliance with this bylaw; and
- (b) does not mean, signify or imply that the **City** has confirmed, sanctioned or approved the design or **construction**.

### PART FIFTEEN: OFFENCES AND PENALTIES

15.1 Any person who:

- (a) violates or who causes or allows any of the provisions of this bylaw to be violated;
- (b) fails to comply with any of the provisions of this, or any other bylaw or applicable statute;
- (c) neglects or refrains from doing anything required under the provisions of this bylaw; or
- (d) makes any false or misleading statement in connection with this bylaw,

is deemed to have committed an infraction of, or an offence against, this bylaw, and is liable on summary conviction to a penalty of not more than \$10,000 in addition to the costs of the prosecution, and each day that such violation is caused or allowed to continue constitutes a separate offence.

15.2 For the purposes of subsection 5.1.1, the **owner** is deemed to have knowledge of and be liable under this bylaw for:

- (a) any **construction**, **gas work**, or **plumbing**; and
- (b) any change in the **use**, **occupancy** or both of a **building** or **structure** on the **parcel** the **owner** owns.

15.3 A person is not deemed liable under section 15.2 if such person establishes, on a balance of probabilities, that the **construction**, **gas work** or **plumbing**, or change of **use** or **occupancy**, occurred before such person became the **owner** of the **parcel**.

**15.4** Nothing in section 15.3 affects:

- (a) the **City's** right to require, and the **owner's** obligation to obtain, a **building permit**, a **gas permit**, or a **plumbing permit**; and
- (b) the obligation of the **owner** to comply with this bylaw.

## **PART SIXTEEN: INTERPRETATION**

**16.1** In this bylaw:

### **ABSOLUTE METRICS**

means:

- a) the thermal energy demand intensity listed under the "Performance Requirement of Building Envelope" column of Table 9.36.6.3.A in the British Columbia Building Code, or
- b) the thermal energy demand intensity requirement calculated using the formula in Sentence 4 of Section 9.36.6.3 in the British Columbia Building Code.

### **AGENT**

means a person representing the **owner** by written consent.

### **APARTMENT**

means apartment housing as defined in the **zoning bylaw**.

### **BACKFLOW PREVENTER**

means a device or a method which prevents backflow in a water system and which prevents a **potable water cross connection**

### **BASEMENT**

means a storey located beneath the first full storey of a **building** or **structure**, such first full storey having a floor level of not more than 2 metres above grade.

### **BUILDING**

means a **structure** or portion of a **structure**, including foundations and supporting **structures** for equipment or machinery or both, which is used or intended to be used for supporting or sheltering a **use, occupancy**, persons, animals, or property.

### **BUILDING CODE**

means the current edition of the British Columbia Building Code established by regulation under the

*Local Government Act.*

<b>BUILDING DRAIN</b>	means that part of the lowest horizontal piping that conducts <b>sewage</b> , clear water waste or <b>storm water</b> to a <b>building sewer</b> .
<b>BUILDING ENERGY USE</b>	means the total modelled annual energy requirements of an occupied building, including space heating, cooling, hot water heating, ventilation, appliances and electrical plug loads.
<b>BUILDING ENVELOPE PERFORMANCE REQUIREMENT</b>	means the requirements listed under the "Performance Requirement of Building Envelope" column of Table 9.36.6.3.A in the British Columbia Building Code.
<b>BUILDING INSPECTOR</b>	means the Manager, Building Approvals Department or those positions or persons designated by <b>Council</b> to act under this bylaw in the place of the manager.
<b>BUILDING PERMIT</b>	means permission or authorization in writing by the <b>building inspector</b> under this bylaw to perform <b>construction</b> regulated by this bylaw.
<b>BUILDING SEWER</b>	means a pipe that connects a <b>building drain</b> to a <b>public sewer</b> or private <b>sewage disposal system</b> or <b>sewage holding tank</b> .
<b>BUSINESS AND PERSONAL SERVICES OCCUPANCY</b>	means a business and personal services occupancy as defined in the <b>building code</b> .
<b>CARBON DIOXIDE EQUIVALENT</b>	has the meaning given to that term in the <i>Greenhouse Gas Industrial Reporting and Control Act</i> , <b>[SBC 2014] Chapter 29</b> .
<b>CERTIFIED PASSIVE HOUSE</b>	has the meaning given to that term in the <b>Zoning bylaw</b> .
<b>CERTIFIED TESTER</b>	means the holder of a Certificate of Competency as recognized by the American Water Works Association, BC Section, as a Certified Cross Connection Control Active Tester or Specialist.

<b>CITY</b>	means the City of Richmond and includes the land, air space and surface of water which comprise the City of Richmond.
<b>CONDITIONED SPACE</b>	has the meaning given to that term in the <b>Building Code</b> .
<b>CONSTRUCT/CONSTRUCTION</b>	means to build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, excavate or shore.
<b>COMBUSTIBLE CONSTRUCTION</b>	means combustible construction as defined in the <b>building code</b> .
<b>COUNCIL</b>	means the Council of the <b>City</b> .
<b>CROSS CONNECTION</b>	means any actual or potential physical connection between a potable water line and any pipe, vessel, or machine containing a non-potable fluid or has the possibility of containing a non-potable fluid, solid or gas, such that it is possible for the non-potable fluid, solid or gas to enter the water system by backflow.
<b>DRAINAGE SYSTEM</b>	means an assembly of pipes, fittings, fixtures, traps and appurtenances which is used to convey <b>sewage</b> , clear water waste or <b>storm water</b> to a <b>public sewer</b> or a private <b>sewage disposal system</b> .
<b>DUPLEX</b>	means two-unit housing as defined in the <b>zoning bylaw</b> .
<b>DWELLING UNIT</b>	means a dwelling or dwelling unit as defined in the <b>building code</b> .
<b>ELECTRICAL INSPECTOR</b>	means the electrical inspector as defined in the <i>Electrical Safety Act</i> .
<b>EMERGENCY VEHICLE ACCESS</b>	means a <b>highway</b> or private street approved under the <i>Condominium Act</i> having: <ul style="list-style-type: none"><li>(a) a maintained minimum width of 6 metres of sufficient strength to carry a fire truck of</li></ul>

9 tonnes single-axle loading, and

- (b) ditches or **storm sewers** for required drainage, and for which a crossing can be approved to serve the **building** or **structure** in question, and

includes a secondary access such as a lane serving real property in respect of which access is not permitted from another **highway**.

#### **ENERGY ADVISOR**

means a person is registered as an energy advisor, and in good standing, with Natural Resources Canada, and who conducts EnerGuide home evaluations on behalf of service organizations licenced by Natural Resources Canada.

#### **ENERGY STEP CODE**

means the requirements set out in Sections 10.2.3 and 9.36.6 of the **building code**, and includes Step 1, Step 2, Step 3, Step 4 and Step 5.

#### **EQUIVALENT**

means a method, assembly or material that satisfies one or more of the requirements of the **building code** and is submitted to the **building inspector** under Section 2.5, Equivalents of the **Building Code**.

#### **FENCE**

means a **structure** bounding an area of land designed to limit access to or from the area or to screen the area from view.

#### **FIELD REVIEW**

means a review of the work:

- (a) at a project site of a development to which a **building permit** relates, and
- (b) where applicable, at fabrication locations where building components are fabricated for use at the project site,

by a **registered professional** to ascertain whether the work substantially complies in all material respects with the plans and supporting documents for which the **building permit** was issued, which were prepared by the **registered professional**.

#### **FIRE CHIEF**

means the Fire Chief of the **City** or his designate.

<b>GAS</b>	means natural or manufactured or mixed gas, but does not include undiluted, liquefied petroleum gas.
<b>GAS CODE</b>	means the current edition of the Natural Gas and Propane Installation Code established by regulation under the <i>Gas Safety Act</i> .
<b>GAS FITTER</b>	means a person holding a gas fitter's licence under the <i>Gas Safety Act</i> .
<b>GAS INSPECTOR</b>	means the local inspector as defined in the <i>Gas Safety Act</i> .
<b>GAS PERMIT</b>	means permission or authorization in writing by the <b>gas inspector</b> under this bylaw to perform <b>gas work</b> regulated by this bylaw.
<b>GAS VENT/GAS VENTING</b>	means a conduit or passageway for conveying the products of combustion from a <b>gas</b> appliance to the outer air.
<b>GAS WORK</b>	means installing, altering or repairing appliances or other piping, fittings and accessories of any kind, including <b>gas vents</b> using <b>gas</b> .
<b>GROUP C RESIDENTIAL OCCUPANCY</b>	means a residential occupancy as defined in the <b>building code</b> .
<b>GROUP D BUSINESS AND PERSONAL SERVICE OCCUPANCIES</b>	means business and personal services occupancies as defined in the <b>building code</b>
<b>GROUP E MERCANTILE OCCUPANCY</b>	means a mercantile occupancy as defined in the <b>building code</b> .
<b>HAULING CONTRACT</b>	means a contract with a <b>pumping contractor</b> for removing contents from a <b>sewage holding tank</b> and transporting same to a <b>sewage</b> treatment facility.
<b>HOTEL</b>	has the meaning given to that term in the <b>Richmond</b>

**Zoning Bylaw No. 8500.**

**HIGHWAY**

includes a street, road, land, bridge, viaduct and any other way open to public use, but does not include a private right-of-way on private property.

**LOW CARBON BUILDING  
ENERGY SYSTEM**

means:

- a) for buildings subject to Part 3 of the Building Code, a building's space heating, cooling and domestic hot water heating mechanical system that is supplied energy through:
  - (i) a connection to a district energy utility system owned by the City or a corporate subsidiary of the City; or
  - (ii) on-site energy supply equipment designed to meet a minimum 70% of each of the building's A) annual heating demand, B) annual cooling demand, and C) domestic hot water energy demand, from a renewable energy source, approved by the City's General Manager of Engineering and Public Works. Applicable renewable energy source technologies include, but are not limited to, air and ground source heat pump systems, waste heat recovery systems, solar collectors, or other systems as approved by the City's General Manager of Engineering and Public Works. The building's energy system must be designed and constructed such that it is ready to connect to a future district energy utility system owned by the City or a corporate subsidiary of the City. For sites outside district energy utility service areas and the City Centre Area (as defined in Bylaw No. 9000, Official Community Plan), the City's General Manager of Engineering and Public Works may exempt the building's energy system from the requirement to be ready to connect to a future district energy utility system.
  
- b) for buildings subject to Part 9 of the Building Code, annual GHG emissions from building energy use, per metre of conditioned floor space, of no more than the amount defined below:



	<b>Submission date of complete Building Permit Application</b>	
	On or after December 15, 2020, and before July 1, 2022	On or after July 1, 2022
<b>Part 9 Residential buildings</b>	1200 kg CO <sub>2</sub> e per dwelling unit per year  OR  no more than 6 kg CO <sub>2</sub> e per spare meter of conditioned floor space per year	440 kg CO <sub>2</sub> e per dwelling unit per year  OR  no more than 2.5 kg CO <sub>2</sub> e per spare meter of conditioned floor space per year, <u>and</u> no more than 800 kg CO <sub>2</sub> e per dwelling unit per year

**MEDICAL HEALTH OFFICER**

means the Medical Health Officer appointed under the *Health Act*, or his designate, to act within the limits of the jurisdiction of any local board, or within any health district.

**MOTEL**

has the meaning given to that term in the **Richmond Zoning Bylaw No. 8500**.

**NON-COMBUSTIBLE CONSTRUCTION**

means non-combustible construction as defined in the building code.

**OCCUPANCY**

means the occupancy classification referenced in the **building code**.

**ONE-FAMILY DWELLING**

means a detached **building** or **structure** used exclusively for residential purposes, containing one dwelling unit only.

**OTHER GROUP C RESIDENTIAL**

has the meaning given to that term in the **Building**

**OCCUPANCY****Code.****OWNER**

means the registered **owner** of an estate in fee simple and includes:

- (a) the tenant for life under a registered life estate;
- (b) the registered holder of the last registered agreement for sale;
- (c) the holder or occupier of land held in the manner mentioned in Sections 356 and 357 of the *Local Government Act*;
- (d) an Indian who is an **owner** under the letters patent of a municipality, incorporated under Section 12 of the *Local Government Act*;
- (e) a lessee or licensee with authority to build on land;
- (f) an occupier, tenant or holder of an interest in respect of the surface of water;
- (g) the Province or Canada, or a crown corporation or agency of either of them, if the government, corporation or agency applies for a **building permit**, a **gas permit**, or a **plumbing permit** under this bylaw, in respect of **parcel** in which it holds an interest; and
- (h) an **agent**.

**PARCEL**

means a lot, block, or other area in which land is held, or into which land is legally subdivided.

**PLUMBING**

means installing, altering or repairing plumbing systems including septic tanks, sewer connections, sprinklers and fire lines.

**PLUMBING CODE**

means the current edition of Part 7 of the British Columbia Building Code established by regulation under the *Local Government Act*.

<b>PLUMBING INSPECTOR</b>	means <b>building inspector</b> .
<b>PLUMBING PERMIT</b>	means permission or authorization in writing by the <b>plumbing inspector</b> under this bylaw to perform <b>plumbing</b> regulated by this bylaw.
<b>POTABLE WATER</b>	means water which has been approved for drinking purposes by the <b>Medical Health Officer</b> .
<b>PROFESSIONAL DESIGN</b>	means the plans and supporting documents bearing the date, seal or stamp, and signature of a <b>registered professional</b> .
<b>PUBLIC SEWER</b>	means a sewer located within a <b>highway</b> or easement that is installed and maintained by the <b>City</b> , and includes <b>storm sewer</b> and <b>sanitary sewer</b> .
<b>PUMPING CONTRACTOR</b>	means a person or company hired to remove the contents of <b>sewage holding tanks</b> and transport such contents to a <b>sewage</b> treatment facility.
<b>REGISTERED PROFESSIONAL</b>	means a person who is registered or licenced to practise: <ul style="list-style-type: none"> <li>(a) as an architect under the <i>Architects Act</i>, or</li> <li>(b) as a professional engineer under the <i>Engineers and Geoscientists Act</i></li> </ul>
<b>REUSE</b>	means the use of previously used building materials for the types of use referenced in the <b>building code</b> .
<b>SANITARY SEWER</b>	means a pipe or conduit for conveying <b>sewage</b> .
<b>SEWAGE</b>	means human excretion or the water-carried wastes from drinking, culinary purposes, ablutions, laundering, food processing or ice producing.
<b>SEWAGE REGULATION</b>	<b>DISPOSAL</b> means the Sewage Disposal Regulation passed pursuant to the <i>Health Act</i> .
<b>SEWAGE DISPOSAL SYSTEM</b>	means a privately-owned plant for the treatment and disposal of <b>sewage</b> , including a septic tank with an

absorption field.

**SEWAGE HOLDING TANK**

means a tank or series of tanks for storing **sewage** conveyed by a **building sewer**.

**SEWAGE HOLDING TANK SYSTEM**

means the system for conveying **sewage** from a **building** to a **sewage holding tank**, including the **building drain**, **building sewer**, **sewage holding tank**, and all related components.

**SINGLE FAMILY**

means single detached housing as defined in the **zoning bylaw**.

**SPECIAL INSPECTION**

means:

- (a) an inspection made during the **City's** normal business hours at the request of an **owner**:
  - (i) to determine whether an unsafe condition exists;
  - (ii) to be carried out outside the **City's** normal inspection hours;
  - (iii) on a **parcel** other than on the **parcel** for which a permit was issued; or
  - (iv) because of construction techniques not specifically described in the **building code**; or
- (b) a required permit inspection carried out outside of the **City's** normal business hours

**STORM SEWER**

means a sewer that conveys **storm water**.

**STORM WATER**

means water which is discharged from a surface as the result of rainfall or snowfall.

**STRUCTURE**

means all or part of a **construction**, whether fixed to, supported by, sunk into, or located in, land, water or airspace, and includes freestanding sign structures over 3.0 m in height and supporting structures for such signs, and includes a **sewage holding tank**, but excludes landscaping, paving, a **fence**, or a retaining wall under 1.0 m in height.

**SWIMMING POOL**

means a **structure** or **constructed** depression used or intended to be used for swimming, bathing, wading or diving which is designed to contain water and has a surface area exceeding 15 m<sup>2</sup> and a depth exceeding 1.0 m, but does not include a **structure** having its base at or less than 300 mm below grade.

**TOWNHOUSE**

means town housing as defined in the **zoning bylaw**.”

**TWO-FAMILY DWELLING**

means a detached **building** or **structure** used exclusively for residential purposes containing two dwelling units only, which is not readily convertible into additional dwelling units and the plans for which have been filed with the **building inspector** showing all areas of the **building** or **structure** finished, and with the design of the **building** or **structure** conforming to one of the following classifications:

- (a) each dwelling unit consisting of one storey only, not set upon another storey or upon a **basement**; or
- (b) each dwelling unit consisting of two storeys only, the upper storey not containing a kitchen; not set upon another storey or upon a **basement**; or
- (c) each dwelling unit consisting of a split level arrangement of two storeys only, the upper storey not containing a kitchen; not set upon another storey or upon a **basement**.

**UNSANITARY CONDITION**

means seepage, leakage, overflow, or escape of **sewage** from a **sewage holding tank**.

**USE**

means the type of use referenced in the **building code**.

<b>VEHICLE</b>	means the interpretation given in the <i>Motor Vehicle Act</i> and includes motor vehicle and motorcycle, as defined in that <i>Act</i> .
<b>VISUAL AIR TEST</b>	means the test required by the C.S.A. Standard, CSA-49.100.
<b>ZONING BYLAW</b>	means the current <b>Zoning Bylaw</b> of the <b>City</b> .

## **PART SEVENTEEN: PREVIOUS BYLAW REPEAL**

**17.1** Building Bylaw No. 6920 (adopted June 8<sup>th</sup>, 1998) and Amendment Bylaw No. 7214 (adopted April 9<sup>th</sup>, 2001) are repealed.

**17.2** Gas Fitting Bylaw No. 2236 (adopted July 1<sup>st</sup>, 1966) and the following amendment bylaws are repealed:

<u>AMENDMENT BYLAW</u>	<u>EFFECTIVE DATE</u>
Bylaw 6395	June 13, 1995
Bylaw 6717	February 24, 1997
Bylaw 6919	June 8, 1998

**17.3** Plumbing Bylaw No. 3078 (adopted December 9, 1974) and the following amendment bylaws are repealed.

<u>AMENDMENT BYLAW</u>	<u>EFFECTIVE DATE</u>
3798	November 27, 1979
3864	June 23, 1980
4037	January 11, 1982
4152	December 13, 1982
4256	November 28, 1983
4555	January 13, 1986
5884	April 13, 1992
6394	June 13, 1995
6718	February 24, 1997
6918	June 8, 1998

## **PART EIGHTEEN: SEVERABILITY & CITATION**

**18.1** If any part, section, sub-section, clause, or sub-clause of this bylaw is, for any reason, held to be invalid by the decision of a Court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this bylaw.

**18.2** This bylaw is cited as “**Building Regulation Bylaw No. 7230**”.

## **PART NINETEEN: FEES BYLAW**

- 19.1** The Consolidated Fees Bylaw No. 8636, as may be amended from time to time, applies to this bylaw.