



**REGIONAL DISTRICT OF EAST KOOTENAY  
BUILDING REGULATION  
BYLAW NO. 3254, 2023**

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**INDEX**

<b>SECTION</b>	<b>TITLE</b>	<b>PAGE NO.</b>
1	Title	1
2	Definitions	1
3	Purpose of Bylaw	4
4	Scope and Exemptions	4
5	Prohibitions	5
6	Permit Conditions	6
7	Powers of a Building Official	6
8	Owner's Responsibilities	8
9	Obligations of Owner's Constructor	9
10	Registered Professional's Responsibilities	9
11	Building Application Requirements	11
12	Retaining Walls	20
13	Building Move	20
14	Numbering of Buildings	21
15	Swimming Pool Enclosures	21
16	Offences	22
17	Schedules	22
18	Severability and Application	22
19	Repeal	22
Schedule A	Fees	24
Schedule B	Climatic Information for Building Design	25
Schedule C	Stop Work Order	29

# REGIONAL DISTRICT OF EAST KOOTENAY

## BYLAW NO. 3254

A bylaw for the administration of the Building Code and Regulation of Construction

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WHEREAS the Regional District of East Kootenay provides a building regulation service in Electoral Areas A,B,C,E,F and G.

AND WHEREAS the Board of the Regional District of East Kootenay may by bylaw regulate, prohibit and impose requirements in respect to *buildings* and *structures* for the following:

- (a) the provision of access to a *building* or other *structure*, or to part of a *building* or other *structure*, for a person with disabilities;
- (b) the conservation of energy or water;
- (c) the reduction of greenhouse gas emissions;
- (d) the health, safety or protection of persons or property.

AND WHEREAS the Regional District of East Kootenay has employed trained *building officials* for the purposes of this bylaw;

AND WHEREAS the Board of the Regional District of East Kootenay is enacting this bylaw to regulate construction and administer the British Columbia Building Code in the *Regional District* pursuant to the *Local Government Act* and the *Building Act*;

NOW THEREFORE, the board of the Regional District of East Kootenay, in open meeting assembled, enacts as follows:

### 1. TITLE

- 1.1 This bylaw may be cited for all purposes as the "Regional District of East Kootenay – Building Regulation Bylaw No. 3254, 2023."

### 2. DEFINITIONS

- 2.1 In this bylaw the following words and terms have the meanings:

- (a) Pursuant to section 1.4.1.2 of the *building code* as of the date of the adoption of this bylaw: *accessible, assembly occupancy, building, building area, building height, business and personal services occupancy, care occupancy, coordinating registered professional, designer, detention occupancy, excavation, field review, firewall, first storey, grade, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, medium hazard industrial occupancy, mercantile occupancy, occupancy, post disaster occupancy, private sewage disposal system, registered professional, residential occupancy, treatment occupancy or unsafe condition*;
- (b) subject to this bylaw, pursuant to the Schedule to the *Community Charter*: *assessed value, highway, land, occupier, parcel, public authority, service and soil*; and subject to this bylaw, pursuant to section 29 of the *Interpretation Act*: *may, must, obligation, person, property, writing, written and year*.

- 2.2 Every reference to this bylaw in this or another bylaw of the *Regional District* is a reference to this bylaw as amended to the date of the reference.

- 2.3 Every reference to

- (a) the *building code* is a reference to the current edition as of the date of issuance of the *building permit*; and
- (b) a section of the *building code* is a reference to the applicable successor;
- (c) sections, as the code or section may be amended or re-enacted from time to time.

- 2.4 Definitions of words and phrases used in this bylaw that are not included in the definitions in this section have the meanings commonly assigned to them in the context in which they are used in this bylaw, considering the specialized use of terms with the various trades and professions to which the terminology applies.

2.5 In this bylaw:

**Accepted** means reviewed by the *building official* under the applicable provisions of the *building code* and this bylaw.

**Addition** means an *alteration* to any *building* which will increase the total aggregate floor area or the *building height* (in storeys), and includes the provision of two or more separate *buildings* with openings between each other for intercommunication.

**Agent** includes a firm, corporation or other person representing the *owner*, by written designation or contract, and includes a hired tradesperson or *constructor* who may be granted a *permit* for work within the limitations of his or her licence.

**Alternative Solution** means an alternative solution authorized under the *building code*.

**Alteration** means a change, repair or modification of the construction or arrangement of or use of any *building* or *structure*, or to an *occupancy* regulated by this bylaw.

**Building Code** means the *British Columbia Building Code* as adopted by the Minister responsible under provincial legislation, as amended or re-enacted from time to time.

**Building Official** means the person designated in or appointed to that position by the *Regional District*, and includes a building inspector, plan checker, or plumbing inspector designated or appointed by the *Regional District*, and for certainty the *building official* is the "building inspector" referred to in the *Community Charter and Local Government Act*

**Complex Building means:**

(a) a building used for a major occupancy classified as:

- (i) *assembly occupancy*;
- (ii) *care occupancy*;
- (iii) *detention occupancy*;
- (iv) *high hazard industrial occupancy*;
- (v) *treatment occupancy*; or
- (vi) *post-disaster building*.

(b) a *building* exceeding 600 square metres in *building area* or exceeding three storeys in *building height* used for a *major occupancy* classified as:

- (i) *residential occupancy*;
- (ii) *business and personal services occupancy*;
- (iii) *mercantile occupancy*; or
- (iv) *medium and low hazard industrial occupancy*.

**Coordinating Registered Professional** means a *registered professional* retained pursuant to the *building code* to coordinate all design work and *field reviews* of the *registered professionals* required for a development.

**Construct** includes build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, excavate or shore.

**Constructor** means a person who *constructs*.

**Existing**, in respect of a *building*, means that portion of a *building* constructed prior to the submission of a *permit* application required under this bylaw.

**Foundation** means a system or arrangement of *foundation* units through which the loads from a *building* are transferred directly to supporting soil or rock and includes any portion of the exterior walls of a *building* that lie below the finished *grade* immediately adjacent to the *building*.

**Health and Safety Aspects of the Work** means design and construction regulated by Parts 3, 4, 5, 6, 7, 8, 9 and 10, Division B, of the *building code*; and subject to Parts 1 and 2 in relation to Parts 3 through 10, Division B.

**Owner** means the registered *owner* in fee simple, or an *agent* duly authorized by the *owner* in writing in the form prescribed by the *building official*.

**Permit** means permission or authorization in writing by the *building official* to perform work regulated by this bylaw and, in the case of a final inspection notice, to occupy a building or part of a building

**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 depth at any point exceeding 0.6 metres, but does not include factory built hot tubs serving one or two dwelling units.

**Professional Design** means the plans and supporting documents bearing the date, seal or stamp, and signature of a *registered professional*.

**Project** means any construction operation.

**Regional District** means the Regional District of East Kootenay.

**Retaining Wall** means a *structure* exceeding 1.5 metres in height that holds or retains *soil* or other material behind it.

**Standard Building** means a *building* of three storeys or less in *building height*, having a *building area* not exceeding 600 square metres and used for a *major occupancy* classified as:

- (a) *residential occupancy*;
- (b) *business and personal services occupancy*;
- (c) *mercantile occupancy*;
- (d) *medium hazard industrial occupancy*; or
- (e) *low hazard industrial occupancy*.

**Structure** means a construction or portion of construction, of any kind, whether fixed to, supported by or sunk into land or water, except landscaping, fences, paving and retaining *structures* less than 1.5 metres in height.

**Value of the Work** means that amount that is calculated as follows:

- (a) The completed building value of all construction or work related to the *building* including the total value of: finishes, roofing, electrical, plumbing, mechanical systems, fire safety and prevention systems; the monetary worth of all plans and specifications, labour and fees for design, testing, consulting, management, contractors' profit and overhead and current monetary worth of all contributed labour and material and site works as declared by the *owner*;
- (b) The completed building value of all construction or work related to the building including the total value of: finishes, roofing, electrical, plumbing, mechanical systems, fire safety and prevention systems; the monetary worth of all plans and specifications labour and fees for design, testing, consulting, management, contractors' profit and overhead and current monetary worth of all contributed labour and material and site works as determined by the *building official* using the most recent available construction cost indexing, or
- (c) In the event that the *owner* does not agree with the value determined by the *building official*, the applicant may, prior to payment of the fees and issuance of the permit, retain a professional Quantity Surveyor registered in British Columbia to provide a written estimate of the value of the work, in which event, the value of the work will mean the value of work as determined by the Quantity Surveyor.

### 3. PURPOSE OF BYLAW

- 3.1 The bylaw, must, notwithstanding any other provision herein, be interpreted in accordance with this section.
- 3.2 This bylaw has been enacted for the purpose of regulating construction within the boundaries of the *Regional District* in the general public interest. The activities undertaken by or on behalf of the *Regional District* in accordance with this bylaw are for the sole purpose of providing a limited and interim spot-checking function for reason of health, safety and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of this bylaw extend to:
- (a) the protection of *owners*, designers, or constructors from economic loss;
  - (b) the assumption by the *Regional District* or any *building official* of any responsibility for ensuring the compliance by any *owner*, his or her representatives or any employees, constructors or designers retained by the *owner*, with the *building code*, the requirements of this bylaw or other applicable enactments, codes or standards;
  - (c) providing any person a warranty of design or workmanship with respect to any *building* or *structure* for which a *building permit* or *occupancy permit* is issued under this bylaw;
  - (d) providing a warranty or assurance that construction undertaken pursuant to *building permits* issued by the *Regional District* is free from latent, or any defects; or
  - (e) the protection of adjacent real property from incidental damage or nuisance.

### 4. SCOPE AND EXEMPTIONS

#### Application

- 4.1 This bylaw applies to the design, construction and *occupancy* of new *buildings*, *structures*, and the *alteration*, reconstruction, demolition, removal, relocation or *occupancy* of *existing buildings* and *structures*.
- 4.2 (a) This bylaw does not apply to:
- (i) except in accordance with section 12 *Retaining Walls* of this bylaw, a fence;
  - (ii) the repair or replacement of a valve, faucet, fixture or sprinkler head, or stoppage cleared or a leak repaired in a *plumbing system*, if no change in piping is required;
  - (iii) mechanical or other equipment and appliances not specifically regulated in these requirements;
  - (iv) accessory *buildings* not greater than 10m<sup>2</sup> in *building* area that are sized in accordance with the applicable *Regional District* regulations;
  - (v) a *building* or *structure* commonly known as "Canadian Standards Association Z240 MH series, Z241 series or A277 series", except as regulated by the *building code*;
  - (vi) a trellis, an arbour, a wall supporting soil that is less than 1.2 metres in height, or other similar landscape *structures* on a parcel zoned for single-family *residential occupancy* uses under the *Regional District's* zoning bylaw;
  - (vii) temporary *buildings* such as construction site offices, seasonal storage facilities, special events facilities, emergency facilities and such similar *structures* as authorized by the *building official*.
- (b) The Chief Inspector of Mines has the sole responsibility for administration and enforcement of the *building code* in respect of all *buildings* and *structures* used at a mine, as defined in the *Mines Act* of the Province of British Columbia.

### Limited Application to Existing Buildings

- 4.3 Except as provided in the *building code* or to the extent an *existing building* is under construction or does not have an *occupancy permit*, when an *existing building* has been *constructed* before the enactment of this bylaw, the enactment of this bylaw is not to be interpreted as requiring that the building must be reconstructed and altered, unless it is expressly so provided by this or another bylaw, regulation, or statute.
- 4.4 This bylaw applies if the whole or any part of an *existing building* is moved either within or into the *Regional District*, including relocation relative to parcel lines created by subdivision or consolidation. section 13 of this bylaw applies to *building moves*.
- 4.5 If an *alteration* is made to an *existing building* the *alteration* must comply with this bylaw and the *building code* and the entire *building* must be made to comply with this bylaw and the *building code*, but only to the extent necessary to address any new infractions introduced in the remainder of the *building* as a result of the alteration.
- 4.6 If an *alteration* creates an *addition* to an *existing building*, the *alteration* or *addition* must comply with this bylaw and the *building code* and the entire *building* must be made to comply with this bylaw and the *building code*, but only to the extent necessary to address any new infractions introduced in the remainder of the *building* as a result of the *alteration* or *addition*.

## 5. PROHIBITIONS

- 5.1 A person must not must not commence or continue any *construction, alteration, excavation, reconstruction, demolition, removal, relocation* or change the use or *occupancy* of any *building* or *structure*, including other work related to construction. It is not contemplated nor intended, nor does the purpose of this bylaw extend to:
- (a) except in conformity with the requirements ; of the *building code* and this bylaw; and
  - (b) unless a *building official* has issued a valid and subsisting *permit* for the work under this bylaw.
- 5.2 A person must not *occupy* or *permit* the *occupancy* of any *building* or *structure* or part of any *building* or *structure*
- (a) unless a subsisting *occupancy inspection* notice has been issued by a *building official* for the *building* or *structure* or the part of the *building* or *structure*; or
  - (b) contrary to the terms of any *permit* issued or any notice given by a *building official*.
- 5.3 A person must not knowingly submit false or misleading information to a *building official* in relation to any *permit* application or construction undertaken in accordance with this bylaw.
- 5.4 Except in accordance with this bylaw, including acceptance of revised plans or supporting documents, a person must not erase, alter or modify plans and supporting documents after the same have been reviewed by the *building official*, or plans and supporting documents which have been filed for reference with the *building official* after a *permit* has been issued.
- 5.5 A person must not 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 or affixed to a building or structure in accordance with this bylaw.
- 5.6 A person must not do any work that is substantially at variance with the accepted design or plans of a *building, structure* or other works for which a permit has been issued, unless that variance has been authorized in writing by a *building official*.
- 5.7 A person must not interfere with or obstruct the entry of a *building official* or other authorized official of the *Regional District* on property in the administration of this bylaw.

- 5.8 A person must not *construct* on a *parcel* unless the civic address is conspicuously posted in a position clearly visible from the highway at any time of day or night, and the Number must be not less than 4 inches in height placed on a contrasting background.
- 5.9 A person must not contravene an administrative requirement of a *building official* made under section 7.5 or any other provision of this bylaw.
- 5.10 A person must not change the use, *occupancy* or both of a *building* or *structure* or a part of a *building* or *structure* without first applying for and obtaining a *building permit* under this bylaw.
- 5.11 A person must not install, or allow to be installed, either indoors or outdoors, a new or replacement solid-fuel burning appliance, furnace or boiler which is used for the space heating of a *building*, the heating of water or other such purpose unless it meets the emissions standards or equivalent of CAN/CSA-B415.1 standard "Performance Testing of Solid-Fuel Burning Heating Appliances" published by the Canadian Standards Association (CSA) as amended from time to time or the emissions standards of the "New Source Performance Standards, Title 40, Part 60, Sub-Part AAA of the Code of Federal Regulations (USA) (7-1-92 Edition), published by the United States Environmental Protection Agency (EPA) as amended from time to time.

## 6. PERMIT CONDITIONS

- 6.1 A *permit* is required whenever work regulated under this bylaw is to be undertaken.
- 6.2 Neither the issuance of a *permit* under this bylaw, nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the *Regional District* will in any way;
- (a) relieve the *owner* or *agent* from full and sole responsibility to perform the work in respect of which the *permit* was issued in strict compliance with this bylaw, the *building code*, and all other applicable codes, standards and enactments;
  - (b) constitute a representation, warranty, assurance or statement that the *building code*, this bylaw or any other applicable enactments respecting safety, protection, land use and zoning have been complied with; or
  - (c) constitute a representation or warranty that the *building* or *structure* meets any standard of materials or workmanship.
- 6.3 No person must rely on any *permit* as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms.
- 6.3 Without limiting section 6.2(a), it is the full and sole responsibility of the *owner* and *agent* to carry out the work in respect of which the *permit* was issued in compliance with the *building code*, this bylaw and all other applicable codes, standards and enactments.

## 7. POWERS OF A BUILDING OFFICIAL

### Administration

- 7.1 Words defining the authority of a *building official* are to be construed as internal administrative powers and not as creating a duty. A *building official* may;
- (a) administer this bylaw, but owes no public duty to enforce or administer this bylaw;
  - (b) keep records of applications received, *permits*, notices and orders issued, inspections and tests made, and may retain copies of all papers and documents connected with the administration of this bylaw;
  - (c) establish or require an *owner* to establish whether a method or type of construction or material used in the construction of a *building* or *structure* complies with the requirements and provisions of this bylaw and the *building code*; and



- (d) direct that tests of materials, equipment, devices, construction methods, structural assemblies or *foundations* be carried out, or that sufficient evidence or proof be submitted by the *owner*, at the *owner's* sole expense, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or *foundation* condition complies with this bylaw and the *building code*.

### **Refusal and Revocation of Permits**

- 7.2 A *building official* may refuse to issue a *permit* if the proposed work will contravene the requirements of the *building code* or the provisions of this or any other bylaw of the *Regional District*, and must state the reason in writing.
- 7.3 A *building official* may revoke a *permit* if, in their opinion, the results of tests on materials, devices, construction methods, structural assemblies or *foundation* conditions contravene the *building code* or the provisions of this bylaw, or both, or if all *permits* required under this bylaw have not been obtained.

### **Right of Entry**

- 7.4 Subject to applicable enactments, a *building official* may enter on property at any time to ascertain whether the requirements of this bylaw are being met.

### **Powers**

- 7.5 Subject to applicable enactments, a *building official* may by notice in writing require;
  - (a) a person who contravenes any provision of this bylaw to comply with that provision within the time ordered;
  - (b) an *owner* to stop work on a *building* or *structure*, or any part of a *building* or *structure*, if the work is proceeding in contravention of this bylaw, the *building code*, or any other enactment of the *Regional District* or other applicable enactments, or if there is deemed to be an *unsafe condition*, and may enter on property to affix or post a stop work order in the form prescribed in Schedule C of this bylaw;
  - (c) an *owner* to remove or prevent any unauthorized encroachment on a public parcel, a statutory right of way or easement, or a setback or yard required under an enactment;
  - (d) an *owner* to remove any *building* or *structure*, or any part of a *building* or *structure*, *constructed* in contravention of a provision of this bylaw;
  - (e) an *owner* to have work inspected by a *building official* prior to covering;
  - (f) an *owner* to uncover any work that has been covered without inspection contrary to this bylaw or an order issued by a *building official*;
  - (g) a person to cease any *occupancy* in contravention of a provision of this bylaw;
  - (h) a person to cease any *occupancy* if any *unsafe condition* exists because of work being undertaken but not complete and where the *building official* has not issued a final inspection notice for the work;
  - (i) an *owner* to correct any *unsafe condition*; and
  - (j) an *owner* to correct any work that contravenes this bylaw, the *building code*, or any other enactment.
- 7.6 Every reference to *owner* in section 7.5 of this bylaw includes a reference to the *owner's agent* or *constructor*.
- 7.7 Every person served with a notice under this section must comply with that notice;
  - (a) within the time ordered, or
  - (b) if no time is ordered, immediately.

**8. OWNER'S RESPONSIBILITIES****Permit Requirements**

- 8.1 Subject to section 11 of this bylaw, every *owner* must apply for and obtain a *permit*, prior to:
- (a) *constructing, repairing or altering a building or structure, including a swimming pool or retaining wall;*
  - (b) *moving a building or structure into or within the Regional District;*
  - (c) *demolishing a building or structure;*
  - (d) *occupying a new building or structure;*
  - (e) *constructing a masonry fireplace or installing a wood-burning appliance or chimney, when attached to, or part of a building; and*
  - (f) *changing the use or occupancy of a building;*
- unless the works are the subject of another valid and subsisting *building permit*.
- 8.2 Every *owner* must ensure that plans submitted with a *permit* application include the name, phone number, address and email address of the *designer* of the *building or structure*.

**Owner's Obligations**

- 8.3 Every *owner* must:
- (a) comply with the *building code*, the requirements of this bylaw and the conditions of a *permit*, and must not omit any work required by the *building code*, this bylaw or the conditions of a *permit*;
  - (b) ensure that all *permits*, all plans and specifications and supporting documents on which a *permit* was based, all *Regional District* inspection certificates, and all professional *field reviews* are available at the site of the work for inspection during working hours by the *building official*, and that all *permits* are posted conspicuously on the site during the entire execution of the work; and
  - (c) prior to the issuance of a *building permit*, execute and submit to the *Regional District* an *owner's undertaking* in the form prescribed by *building official* as required.
- 8.4 Every *owner*, must carry out construction or have the construction carried out in accordance with the requirements of the *building code*, this bylaw and other bylaws of the *Regional District* and none of the issuance of a *permit* under this bylaw, the review of plans and supporting documents, or inspections made by a *building official* or a *registered professional* must relieve the *owner*, from full and sole responsibility to perform the work in strict accordance with this bylaw, the *building code* and all other applicable codes, standards and enactments.
- 8.5 Every *owner* must allow a *building official* to enter any building or premises at any reasonable time to administer and enforce this bylaw. Every *owner* to whom a *permit* is issued must, during construction:
- (a) post the civic address on the property so that it may be easily read from the public highway from which the property takes its address in accordance with section 14; and
  - (b) post the *permit* on the property so that it may be easily read from the public highway from which the property takes its address.

**Damage to Regional District Works**

- 8.6 Every *owner* to whom a *permit* is issued is responsible for the cost to repair any damage to *Regional District* works or land that occurs during and arises directly or indirectly from the work authorized by the *permit*.
- 8.7 In addition to payment of a *building permit* and application fee under sections 11.7 and 11.8, every *owner* must pay to the *Regional District*, within 30 days of receiving an invoice for same from the *Regional District*, the cost to repair any damage to public property or works located on public property arising directly or indirectly from work for which a *permit* was issued.

**Demolition**

- 8.8 Prior to obtaining a *permit* to demolish a *building* or *structure*, the *owner* must;
- (a) provide to the *Regional District* a vacancy date; and
  - (b) ensure that all *Regional District* services and other services are capped and terminated at the property line in accordance with the applicable *Regional District* service bylaw.
- 8.9 Every *owner* must ensure that, on completion of all demolition procedures, all debris and fill are cleared and the *site* is levelled or graded, or made safe if levelling and grading are not possible.

**Notice**

- 8.10 Every *owner* must, at least 48 hours prior to commencing work at a *building site*, give written notice to a *building official* of the date on which the *owner* intends to begin such work.
- 8.11 Every *owner* must give written notice to a *building official* of any change in or termination of engagement of a *registered professional*, including a *coordinating registered professional*, during construction, within 24 hours of when the change or termination occurs.
- 8.12 If an *owner* or a *registered professional* terminates the engagement of a *registered professional*, including a *coordinating registered professional*, the *owner* must terminate all work under a building permit until the *owner* has engaged a new registered professional, including a coordinating registered professional, and has delivered to a *building official* new letters of assurance.
- 8.13 Without limiting sections 11.26 to 11.29, every *owner* must give at least 72 hours written notice to a *building official*;
- (a) of intent to do work that is required or ordered to be corrected during construction;
  - (b) of intent to cover work that is required under this bylaw to be, or has been ordered to be inspected prior to covering; and
  - (c) when work has been completed so that a final inspection can be made.

**9. OBLIGATIONS OF OWNER'S CONSTRUCTOR**

- 9.1 Every *constructor* must ensure that all construction is done in compliance with all requirements of the *building code*, this bylaw and all other applicable, codes, standards and enactments.
- 9.2 Every *constructor* must ensure that no *excavation* or other work is undertaken on public property, and that no public is disturbed, no *building* or *structure* erected, and no materials stored thereon, in whole or in part, without first having obtained approval in writing from the appropriate authority over such public property.
- 9.3 For the purposes of the administration and enforcement of this bylaw, every *constructor* is responsible jointly and severally with the *owner* for all work undertaken.

**10. REGISTERED PROFESSIONAL'S RESPONSIBILITIES****Professional Design and Field Review**

- 10.1 The provision by the *owner* to provide the *Regional District* with letters of assurance in accordance with the requirements of the *building code* must occur prior to;
- (a) the pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
  - (b) an *occupancy* or final inspection for a *standard building* in circumstances where letters of assurance have been required in accordance with the requirements of the *building code*, in which case the *owner* must provide the *Regional District* with letters of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7, Division C, of the *building code*.

**Requirement for a Registered Professional**

- 10.2 The *owner* must retain a *registered professional* to provide a *professional design* and plan certification and letters of assurance in the form of Schedules A, B, C-A and C-B referred to in subsection 2.2.7, Division C, of the *building code*, in respect of a *permit* application:

- (a) prior to the pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
- (b) prior to an *occupancy* or final inspection for a *standard building* in circumstances where letters of assurance have been required pursuant to the requirements of the *building code*, in which case the *owner* must provide the *Regional District* with letters of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7, Division C, of the *building code*;
- (c) for a *building* that is designed with common egress systems for the occupants and requires the use of *firewalls* pursuant to the *building code*;
- (d) for *alterations* to a *building*, or to a structural component of a *building* described in section 10.2 (b);
- (e) for a *building* in respect of which the *building official* determines that site conditions, size or complexity warrant in the interests of safety of persons or protection of property under the *building code*;
- (f) where the *building official* may consider an *alternative solution* for a *project* in respect of which the *owner* has elected to retain a *registered professional*, the *alternative solution* must be proposed in writing by the *registered professional* using the prescribed form for review and consideration by the *building official* before the *building permit* application is approved;
- (g) if the *building* envelope components of the *building* fall under Division B Part 3 of the *building code*, and the *building* contains more than two dwellings, or if the *building* envelopes do not comply with the prescriptive requirements of Division B Part 9 of the *building code*; and
- (h) for a parcel of land on which a *building* or *structure* is proposed if the *building official* believes the parcel is or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche, and the requirement for a *professional design* is in addition to a requirement under Division 8 of Part 3 of the *Community Charter*;
  - (i) for a report certified by a professional engineer with experience in geotechnical engineering that the parcel may be used safely for the use intended, and
  - (ii) that the plans submitted with the application comply with the relevant provisions of the *building code* and applicable bylaws of the *Regional District*.

#### **Professional Plan Certification**

- 10.3 The letters of assurance in the form of Schedules A and B as referred to in subsection 2.2.7, Division C, of the *building code* referred to in sections 11.1 and 11.3 are relied upon by the *Regional District* and its *building officials* as certification that the design and plans to which the letters of assurance refer comply with the *building code*, this bylaw and other applicable enactment.
- 10.4 Letters of assurance must be in the form of Schedules A and B referred to in subsection 2.2.7, Division C, of the *building code*.
- 10.5 For a *building permit* issued for the construction of a *complex building*, the *building official* must provide the *owner* with a notice that the *building permit* is issued in reliance on the certification of the *registered professional* that the *professional design* and plans submitted in support of the application for the *building permit* comply with the *building code* and other applicable enactments. Any failure on the part of the *building official* to provide the *owner* with the notice will not diminish or invalidate the reliance by the *Regional District* or its *building officials* on the *registered professionals*.
- 10.6 If a *building permit* is issued for a construction of a *building* which is subject to reliance on *registered professionals*, the *permit fee* is reduced by 10% of the fees payable under Schedule A to this bylaw, up to a maximum reduction of \$500.00.

## 11. BUILDING APPLICATION REQUIREMENTS

### Requirements Before Applying for a Building Permit

- 11.1 Prior to issuance of a *building permit*, the *owner* must satisfy the following requirements or conditions:
- (a) the *owner* must apply for and obtain a development permit if the *building* or *structure* is in an area designated within a *Regional District* Official Community Plan as a development permit area;
  - (b) the *owner* must ensure that the proposed *building* or *structure* complies with all bylaws of the *Regional District*, except to the extent a variance of a bylaw is authorized by a development permit, development variance permit or order of the Board of Variance;
  - (c) an approving officer must have approved the subdivision plan that, once registered, would create the parcel on which the proposed *building* or *structure* will be *constructed*, and the subdivision plan must have been registered in the Land Title Office;
  - (d) the *owner* must provide evidence to the *building official* showing that the person applying for the *building permit* is either the *owner* of the parcel that is the subject of the proposed *building permit*, or is the *agent* of the *owner*;
  - (e) if the parcel that is the subject of the *building permit* application is not intended to be connected to the *Regional District's* sewage disposal system, the *owner* must apply for and obtain approval from other applicable public authorities for an alternate *private sewage disposal system*;
  - (f) if the parcel that is the subject of the *building permit* application is not intended to be connected to the *Regional District's* waterworks system, the *owner* must apply for and obtain approval from the *Regional District* and other applicable public authorities for an alternate water supply system;

### Building Permit Applications for Complex Buildings

- 11.2 An application for a *building permit* with respect to a *complex building* must:
- (a) be made in the form prescribed by the *building official* to this bylaw and signed by the *owner*, or agent;
  - (b) be accompanied by the *owner's* acknowledgement of responsibility and undertaking made in the form prescribed by the *building official* and signed by the *owner*, or agent;
  - (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
  - (d) include a *building code* compliance summary including the applicable edition of the *building code*, such as without limitation whether the *building* is designed under Part 3 or Part 9 of the *building code*, *major occupancy* classification(s) of the *building*, *building area* and *building height*, number of streets the *building* faces, and *accessible* entrances, work areas, washrooms, *firewalls* and facilities;
  - (e) include a copy of a survey plan prepared by a British Columbia land surveyor except that the *building official* may waive the requirement for a survey plan, in whole or in part, where conditions warrant;
  - (f) include a site plan showing:
    - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
    - (ii) the legal description and civic address of the parcel;
    - (iii) the location and dimensions of existing and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
    - (iv) the location and dimensions of existing and proposed buildings or structures on the parcel;
    - (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse;
    - (vi) north arrow;
    - (vii) if applicable, location of an approved existing or proposed private or other alternative sewage disposal system, water supply system or storm water drainage system;
    - (viii) zoning compliance summary;;

- (ix) the location, dimensions and gradient of parking and parking access;
  - (x) proposed and existing setbacks to property lines
  - (xi) natural and finished grade at building corners and significant breaks in the building plan and proposed grade around the building faces in order to ascertain foundation height;
  - (xii) first storey floor elevation;
  - (xiii) location, setbacks and elevations of all retaining walls, steps, stairs and decks;
  - (xiv) line of upper floors;
  - (xv) location and elevation of curbs, sidewalks, manholes, and service poles;
  - (xvi) location of existing and proposed service connections;
  - (xvii) location of top bank and water courses;
  - (xviii) emergency access routes;
  - (xix) *accessible* paths of travel from the street to the *building*;
  - (xx) geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the *Regional District's* land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation,
  - (xxi) except that the *building official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building* or *structure*;
- (g) include floor plans showing the dimensions and uses and occupancy classification of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall and ceiling finishes; fire separations; plumbing fixtures; structural elements and stair dimensions;
- (h) include a cross-section through the *building* or *structure* in sufficient detail and locations to illustrate *foundations*, drainage, ceiling heights and constructions systems;
- (i) include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, natural and finished *grade*, spatial separations and ridge height to comply with the *building code* and to illustrate that the *building* or *structure* conforms with the *Regional District* zoning bylaw and development permit;
- (j) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* conforms to the *building code*;
- (k) include all other requirements of sections 2.2.1, 2.2.3, 2.2.4, 2.2.5, 2.2.6 and 2.2.9, Division C of the *building code*;
- (l) 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 approvals;
- (m) include a letter of assurance in the form of Schedule A referred to in subsection 2.2.7 Division C of the *building code*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*;
- (n) include letters of assurance in the form of Schedule B referred to in subsection 2.2.7 Division C of the *building code*, each signed by such *registered professionals* as the *building official* or *building code* may require to prepare the design for and conduct *field reviews* of the construction of the *building*;
- (o) include two sets of drawings at a suitable scale of the design prepared by each *registered professional* containing the information set out in (g) to (k) of this section; and,
- (p) include illustration of any slopes on the subject parcel that exceed 30%.
- 11.3 In addition to the requirements of section 10.2 of this bylaw, a *building official* may require the following to be submitted with a *permit* application for the construction of a *complex building* if the complexity of the proposed *building* or *structure* or siting circumstances warrant:
- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the *Regional District's* Subdivision Servicing Bylaw No. 1954, 2008 section through the site showing *grades*, *buildings*, *structures*, parking areas and driveways; and
  - (b) any other information required by the *building official* or the *building code* to establish substantial compliance with this bylaw, the *building code* and other bylaws and enactments relating to the *building* or *structure*.

### Building Permit Applications for Standard Buildings

11.4 An application for a *building permit* with respect to a *standard building* must:

- (a) be made in the form prescribed by the *building official* and signed by the owner, or agent;
- (b) be accompanied by the *owner's* acknowledgment of responsibility and undertaking made in the form prescribed by the *building official* and signed by the *owner*, or agent;
- (c) include a copy of a title search for the relevant property made within 30 days of the date of the permit application;
- (d) include a copy of a survey plan prepared by a British Columbia land surveyor except that the *building official* may waive the requirement for a survey plan, in whole or in part, where conditions warrant;
- (e) include a site plan showing:
  - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
  - (ii) the legal description and civic address of the parcel;
  - (iii) the location and dimensions of *existing* and proposed statutory rights of way, easements and setback requirements, adjacent street and lane names;
  - (iv) the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
  - (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse;
  - (vi) north arrow;
  - (vii) if applicable, location of an approved *existing* or proposed alternative private or other sewage disposal system, water supply system or storm water drainage system;
  - (viii) the location, dimensions and gradient of parking and parking access;
  - (ix) proposed and *existing* setbacks to property lines;
  - (x) natural and finished *grade* at *building* corners and datum determination points;
  - (xi) *first storey* floor elevation;
  - (xii) location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
  - (xiii) line of upper floors;
  - (xiv) location and elevation of curbs, sidewalks, manholes and service poles;
  - (xv) location of *existing* and proposed service connections;
  - (xvi) location of top bank and water courses;
  - (xvii) emergency access routes;
  - (xviii) *accessible* paths of travel from the street to the *building*;
  - (xix) zoning compliance summary; and
  - (xx) the geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a building or structure where the *Regional District's* land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation, except that for a standard building the *building official* may waive, in whole or in part, the requirements for a site plan, if the permit is sought for the repair or alteration of an existing building;
- (f) include floor plans showing the dimensions and uses of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
- (g) include a cross-section through the building illustrating foundations, drainage, ceiling heights and construction systems;
- (h) include elevations of all sides of the building showing finish details, roof slopes, windows, doors, the grade, the maximum *building height* line, ridge height, spatial separations and natural and finished grade to comply with the *building code* and to illustrate that the building or structure conforms with the *Regional District* zoning and development permit;
- (i) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the building or structure substantially conforms to the *building code*;

- (j) include a foundation and excavation design, prepared and certified by a registered professional, when required by the *building official*, pursuant to the *building code*;
- (k) 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 approvals;
- (l) include geotechnical letters of assurance, in addition to a required geotechnical report, if the *building official* determines that the site conditions so warrant;
- (m) include a pre-construction report from an Energy Advisor qualified with NRCan confirming the building will meet, the minimum energy efficiency requirements as prescribed by the *building code*;
- (n) include two sets of drawings at a suitable scale of design including the information set out in (f) to (i) of this section; and
- (o) include a *building code* compliance summary including the applicable edition of the *building code*, such as, without limitation, whether the building is designed under Part 3 or Part 9 and compliance with article 2.2.2.1(2), Division C of the *building code* when project warrants these details as determined by the *building official*.

11.5 In addition to the requirements of section 11.4 of this bylaw, if a *project* involves:

- (a) two or more *buildings*, the gross floor areas of which in the aggregate total more than 1000 m<sup>2</sup>;
- (b) two or more *buildings* that will contain four or more dwelling units; or
- (c) otherwise if the complexity of the proposed *building* or *structure* or siting circumstances warrant;
- (d) a *building official* may require the following be submitted with a *permit* application for the construction of each *standard building* in the *project*:
- (e) a section through the site showing *grades*, *buildings*, *structures*, parking areas and driveways;
- (f) a roof plan and roof height calculations;
- (g) structural, electrical, plumbing, mechanical or fire suppression drawings prepared and sealed by a registered professional;
- (h) letters of assurance in the form of Schedule B referred to in Division C of the *building code*, signed by a registered professional;
- (i) any other information required by the *building official* or the *building code* to establish substantial compliance with this bylaw, the *building code* and other bylaws and enactments relating to the building or structure; and
- (j) plans incorporating the applicable climatic information for design of buildings and structures in accordance with Schedule B of this bylaw.

#### **Site and Location Information**

11.6 Without limiting sections 11.2(e) or 11.4(d) of this bylaw, the building official may in writing require an owner to submit an up-to-date plan or survey prepared by a registered British Columbia land surveyor which contains sufficient information respecting the site and location of any building to:

- (a) establish, before construction begins, that all the provisions of this bylaw in relation to this information will be complied with;
- (b) verify, on completion of the construction, and prior to granting of *occupancy*, that all provisions of this and other applicable bylaw have been complied with;



- (c) in relation to an *existing building*, substantiate its location, size, including appurtenances whether above, at or below ground level, relative to the site or its relationship to neighbouring grades; and
- (d) in relation to construction of a new *building*, or *addition* to an *existing building*, prior to and after the placement of concrete for *foundations* and footings, show the *elevation* at proposed top of concrete on all *building* elevations and at all significant changes of elevation to substantiate its size, location and elevation,

and every person served with a written requirement under this section must comply with the requirement.

### **Building Permit Fee**

- 11.7 Before receiving a *building permit* for a *building* or *structure*, the *owner* must first pay to the *Regional District*:
- (a) the *building permit* fee prescribed in Schedule A of this bylaw; and
  - (b) any fees, charges, levies or taxes imposed by the *Regional District* and payable under an enactment at the time of issuance of the *building permit*.

### **Application Fee**

- 11.8 An applicant for a *building permit* must pay to the *Regional District*, at the time of submission of an application, the application fee prescribed in Schedule A of this bylaw. The application fee must be used towards the total *permit* fee payable prior to issuance.

### **Permit Fee Refunds**

- 11.9 No fee or part of a fee paid to the *Regional District* may be refunded if construction of the *building* has started.
- 11.10 A *building permit* fee may be partially refunded in accordance with Schedule A of this bylaw, only if:
- (a) the *owner* has submitted a written request to cancel the Building Permit, and for a refund of fees;
  - (b) the *building official* has certified a start has not been made on the construction of the *building* or *structure*; and
  - (c) the *permit* has not expired.
- 11.11 A *building permit* or other *permit* fee is not refundable after the *permit* has been extended under section 11.40 of this bylaw.

### **Design Modification**

- 11.12 If an issued *building permit* or other *permit* is active and the *owner* proposes modification to the *building* design whereby the *value of the work* does not increase or the *value of the work* decreases, the *owner* must pay to the *Regional District* a *building permit* fee based on the plan review hourly rate in accordance with Schedule A of this bylaw.

### **Construction Before Permit Issued**

- 11.13 The *building permit* or other *permit* fee is doubled for every *permit* application if construction commenced before the *building official* issued a *permit*, to a maximum of \$10,000.

### **Expiration of Application for a Permit**

- 11.14 A *building permit* application expires 180 days from the date a complete application is received under section 11 of this bylaw if the *building permit* is not issued by the application expiration date, unless the *permit* is not issued only due to delays caused by the *Regional District*.

### **Issuance of a Building Permit**

- 11.15 The building official must issue the permit, in the form prescribed by the building official, for which the application is made when the following conditions have been satisfied:

- (a) a completed application in compliance with sections 11.2 and 11.3 or sections 11.4 and 11.5 of this bylaw, including all required supporting documentation, has been submitted;
- (b) the *owner* has paid all applicable fees set out in sections 11.7 to 11.13 of this bylaw and Schedule A of this bylaw;
- (c) the *owner* has paid all charges and met all requirements imposed by any other enactment or bylaw;
- (d) the *owner* has retained a *registered professional* if required under this bylaw;
- (e) no covenant, agreement, resolution or regulation of the *Regional District* requires or authorizes the *permit* to be withheld,

and the date of issuance is deemed to be the date the *Regional District* gives written notice to the *owner* that the *permit* is ready to be picked up by the *owner*.

#### **Compliance with the Homeowner Protection Act**

- 11.16 If the application is in respect to a *building* that includes, or will include, a *residential occupancy* governed by the *Homeowner Protection Act*, the *building permit* must not be issued unless the *owner* provides evidence under section 30(1) of the *Homeowner Protection Act*, that the proposed *building*:
- (a) is covered by home warranty insurance; and
  - (b) the *constructor* is a licenced “residential builder” as defined in the *Homeowner Protection Act*.
- 11.17 Section 11.16 of this part does not apply if the *owner* is not required to be licenced and to obtain home warranty insurance pursuant to sections 20(1) or 30(1) of the *Homeowner Protection Act*.
- 11.18 Every *permit* is issued subject to the *owner* and *constructor* maintaining compliance with the *Homeowner Protection Act* and negotiations under it during the term of the *permit*.

#### **Partial Construction**

- 11.19 If a site has been excavated under a *building permit* for *excavation* issued under this bylaw and a *building permit* is not subsequently issued or a subsisting *building permit* has expired under section 11.39, but without the construction of the *building* or *structure* for which the *building permit* was issued having commenced, the *owner* must fill in the *excavation* to restore the original gradients of the site within 60 days of being served notice by the *Regional District* to do so.
- 11.20 If a *building permit* has expired and partial construction has progressed, with no extension requested of the *building official* under section 11.40, permanent type fencing with privacy screen complying with the *Regional District's* Zoning Bylaws, must be erected around the *building site* for protection to the public.

#### **Conditions of a Building Permit**

- 11.21 A *building permit* or an application for a *building permit* that is in process may not be transferred or assigned until the *owner* has notified the *building official* in writing, the *building official* has authorized the transfer or assignment in writing and the *owner* has paid the non-refundable fee required under Schedule A of this bylaw. The transfer or assignment of a *building permit* is not an extension of a *building permit*.
- 11.22 The review of plans and supporting documents and issuances of a *building permit* do not prevent the *building official* from subsequently requiring the correction of errors in the plans and supporting documents, or from prohibiting *building construction* or *occupancy* being carried on when in violation of this or another bylaw.

### Inspection

- 11.23 If a *registered professional* provides letters of assurance with this section, the *Regional District* will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted in accordance with this bylaw and the *building code* as assurance that the construction substantially conforms to the design, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety.
- 11.24 Despite section 11.23 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*.
- 11.25 A *building official* may attend periodically at the site of the construction of *standard buildings* or *structures* to ascertain whether the work being carried out is in substantial conformance with the *building code*, this bylaw and any other applicable enactments concerning safety.
- 11.26 For all work in respect of *standard buildings* the owner must give at least 72 hours notice to the *Regional District* when requesting an inspection and must obtain an inspection and receive a *building official's* written acceptance of the following aspect of the work prior to concealing them:
- (a) *foundation* and footing forms, before concrete is poured;
  - (b) prior to inspection under section 11.26 (d), plumbing located below the finished slab level;
  - (c) the radon gas mitigation depressurization systems and soil gas barriers;
  - (d) installation of rough-in plumbing before it is covered;
  - (e) rough in of factory built chimneys and fireplaces and solid fuel burning appliances;
  - (f) framing, sheathing, fire stopping (including drywall in fire separations), bracing, chimney and ductwork, rough wiring, rough plumbing, rough heating, gas venting, exterior doors and windows, but prior to the installation of insulation, interior finishes, sheathing paper or exterior finishes which would conceal such work;
  - (g) insulation, air barrier and vapour barrier;
  - (h) the *health and safety aspects of the work* and the conservation and accessibility aspects of the work when the *building or structure* is substantially complete, ready for occupancy; and
  - (i) final inspection upon completion of all outstanding work with respect to the *building code*.
- 11.27 Despite the requirement for the *building official's* acceptance of the work in accordance with section 11.26, if a *registered professional* provides letters of assurance, the *Regional District* will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted in accordance with this bylaw as assurance that the aspects of the construction referenced by those letters of assurance substantially conform to the *design*, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety.
- 11.28 No person may conceal any aspect of the work listed in section 11.26 of this bylaw until a *building official* has accepted it in writing.
- 11.29 For work in respect of *complex buildings*, the owner must;
- (a) give at least 72 hours written notice to the *Regional District* when requesting a preconstruction meeting with the *building official* prior to the start of construction, and the owner or his or her representative must ensure that the coordinating registered professional, the constructor, as well as representatives of major trades, are in attendance;
  - (b) give at least 72 hours written notice to the *Regional District* when requesting a pre-occupancy coordinated by the coordinating registered professional or other registered professional to have the owner, the constructor

and the registered professionals demonstrate to the *building official* the compliance with the health and safety aspects of the work, the coordination and integration of the fire and life safety system, applicable *Regional District* requirements and other enactments respecting safety and the conservation, and accessibility aspects of the work.

### **Stop Work Order**

- 11.30 The *building official* may direct the immediate suspension or correction of all or a portion of the construction on a *building* or *structure* by attaching a stop work order notice in the form in accordance with Schedule C of this bylaw on the premises whenever it is found that the work is not being performed in accordance with the requirements of the *building code*, any applicable bylaw of the *Regional District* or the applicable provisions of the *Homeowner Protection Act*.
- 11.31 The *coordinating registered professional* may request, in writing, that the *building official* order the immediate suspension or correction of all or a portion of the construction on a *building* or *structure* by attaching a stop work order notice on the premises. The *building official* must consider such a request and, if not acted upon, must respond, in writing, to the *coordinating registered professional* and give reasons.
- 11.32 If a *registered professional's* services are terminated, the *owner* must immediately stop any work that is subject to his or her *design* or *field review* and the *building official* is deemed to have issued a stop work order under section 11.30.
- 11.33 The *owner* must immediately, after the posting of a notice under section 11.30, secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of every enactment, regulation or order of the Province or of a provincial agency and of every applicable bylaw of the *Regional District*.
- 11.34 Subject to section 11.30, no work other than the required remedial measures may be carried out on the parcel affected by the notice in accordance with section 11.30 until the stop work order notice has been removed by the *building official*.
- 11.35 The notice in accordance with section 11.30 must remain posted on the premises until that which is contrary to the enactments has been remedied.

### **Do Not Occupy Notice**

- 11.36 If a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of this bylaw, a *building official* may post a Do Not Occupy Notice in the form prescribed by the *building official* on the affected part of the *building* or *structure*.
- 11.37 If a notice is posted under section 11.36, the *owner* of a parcel on which a Do Not Occupy Notice has been posted, and every other person, must cease *occupancy* of the *building* or *structure* immediately and refrain from further *occupancy* until all applicable provisions of the *building code* and this bylaw have been substantially complied with and the Do Not Occupy Notice has been rescinded in writing by a *building official*.

### **Inspection and Other Fees**

- 11.38 In addition to the fees required under other provisions of this bylaw, the *owner* must pay the non-refundable fee in accordance with Schedule A of this bylaw for;
- (a) a second and each subsequent re-inspection where it has been determined by the *building official* that due to non-compliance with the provisions of this bylaw or due to non-complying work, more than one site visit is required for any required inspection;
  - (b) an inspection during the *Regional District's* normal business hours to establish the condition of a *building*, or if an inspection requires special arrangements because of time, location, or construction techniques; and
  - (c) inspection required under this bylaw which cannot be carried out during the *Regional District's* normal business hours.

### **Permit Expiration**

- 11.39 Every permit is issued on the condition that the permit expired and the rights of the owner under the *permit* terminate if;

- (a) the work authorized by the *permit* is not commenced within 180 days from the date of issuance of the *permit*;
- (b) is discontinued for a period of 180 days; or .
- (c) the work is not completed within two years of the date of the issuance of the *permit*.

#### **Permit Extension**

- 11.40 A building official may extend the period set out under section 11.39 for a period, not to exceed twelve months, if construction has not been commenced or has been discontinued due to adverse weather, strikes, material or labour shortages, other similar hardship beyond the *owner's* control, or if the size and complexity of the construction warrants, if;
- (a) application for the extension is made at least 30 days prior to the date of the *permit* expiration; and
  - (b) the non-refundable fee in accordance with Schedule A of this bylaw has been paid.

#### **Building Permit Revocation**

- 11.41 The *building official* may revoke a *building permit* if there is a violation of;
- (a) a condition under which the *permit* was issued; or
  - (b) a requirement of the *building code* or of this or another bylaw of the *Regional District*,
- such *permit* revocation must be in writing and sent to the *permit* holder by registered mail

#### **Building Permit Cancellation**

- 11.42 A building permit, or a building permit application, may be cancelled by the owner, or agent, on delivery of written notification of the cancellation to the *building official*.
- 11.43 On receipt of the written cancellation notice, the building official must mark on the application, and a *permit* if applicable, the date of cancellation and the word "cancelled".
- 11.44 If the *owner*, or *agent*, submits changes to an application after a *permit* has been issued and the changes, in the opinion of the *building official*, substantially alter the scope of the work, design or intent of the application in respect of which the *permit* was issued, the *building official* may cancel or amend the *permit* and mark on the *permit* the date of cancellation or amendment and the word "cancelled" or "amended".
- 11.45 If a *building permit* application or *permit* is cancelled, and construction has not commenced under the *permit*, the *building official* may, at request of the *owner* return any fees deposited under Schedule A of this bylaw, less
- (a) any non-refundable portion of the fee; and
  - (b) 15% of the refundable portion of the fee.

#### **Occupancy**

- 11.46 No person may occupy a *building* or *structure* or part of a *building* or *structure* until an *occupancy* certificate has been issued by a *building official*.
- 11.47 An *occupancy* certificate will not be issued unless;
- (a) all letters of assurance have been submitted when required in accordance with this bylaw;
  - (b) an as-built report from an Energy Advisor qualified with NRCan to confirm the *building* has met, the minimum energy efficiency requirements as prescribed by the *building code*;
  - (c) all aspects of the work requiring inspection and acceptance in accordance with sections 8.1 to 8.13 of section 8 of this bylaw have both been inspected and *accepted* or the inspections and acceptance are not required in accordance with this bylaw;
  - (d) the *owner* has delivered to the *Regional District* as-built plans of works and *services* in digital format as required by the *Regional District*;

- (e) the *owner* has provided to the *Regional District* a *building* survey prepared by a British Columbia Land Surveyor showing the *building* height, size, location and elevation determined in accordance with the *Regional District's* land use regulations;
  - (f) the *owner* has provided to the *Regional District* all other documentation required under applicable enactments;
  - (g) the *owner* has delivered to the *Regional District* as-built drawings of the *building* or *structure* in digital format as required by the *Regional District*.
- 11.48 When a *registered professional* provides letters of assurance in accordance with this bylaw, the *Regional District* will rely solely on the letters of assurance when issuing an *occupancy* certificate authorizing *occupancy* as assurance that the items identified on the letters of assurance substantially comply with the *design*, the *building code*, this bylaw and other applicable enactments respecting safety.
- 11.49 A *building official* may issue an *occupancy* certificate for partial *occupancy* of a portion of a *building* or *structure* under construction when
- (a) that portion of the *building* or *structure* is self-contained and provided with essential services respecting *health and safety* aspects of the work, and if applicable, accessibility, and conservation; and
  - (b) the requirements set out in section 11.48 have been met with respect to it.
- 11.50 A final inspection notice may not be issued unless;
- (a) all letters of assurance have been submitted when required in accordance with the requirements of this bylaw;
  - (b) all aspects of the work requiring inspection and review in accordance with section 10 and sections 11.23 through 11.29 of this bylaw have both been inspected and *accepted*;
  - (c) the *owner* has executed and delivered to the *Regional District* every agreement, instrument or form required by the *Regional District* in relation to the work or the site; and
  - (d) all required offsite works respecting safety have been completed.

### **Sanitary Facilities**

- 11.51 During the time a *building permit* has been issued and remains valid under this bylaw, the *owner* must provide on the parcel of land in respect of which the permit has been issued, sanitary facilities for the disposal of human waste from individual persons who enter on the parcel in relation to the work referred to in the *building permit*, which facilities must be *accessible* and unlocked when not occupied while work is being carried out on the parcel under this bylaw, and every sanitary facility that is not connected to;
- (a) A sanitary sewer, or
  - (b) A private septic disposal system approved under the *Health Act*,
- by plumbing that complies with the *building code* and this bylaw, must be provided at all times while the facility is required under this bylaw, and be maintained in good working order. Such facilities must be located so as not to create a nuisance to neighboring parcels or highways.

## **12. RETAINING WALLS**

- 12.1 No person may *construct*, or structurally repair, a *retaining wall* without a *building permit*.
- 12.2 Except as certified by a professional engineer with expertise in geotechnical engineering registered in the Province of British Columbia, fill material places on a parcel, unless restrained by permitted *retaining walls*, must not have a surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally.

## **13. BUILDING MOVE**

- 13.1 No person may move a *building* or *structure* into or within the *Regional District* building regulation service areas;

- (a) except where certified by a *registered professional* that the *building*, including its *foundation*, will substantially comply with the current version of the *building code*; and,
- (b) a *building permit* has been issued for the *building* or *structure*.

#### 14. NUMBERING OF BUILDINGS

- 14.1 Immediately upon issuance of a *building permit* governing the construction, *alteration* or repair of a *building*, or prior to and during the *occupancy* of a *building*, the *owner* or occupant must display the address number assigned to it by the *Regional District*:
- (a) in a secure position and in a position clearly visible from the highway at any time of day or night, and the number must be not less than 100 mm in height placed on a contrasting background; and
  - (b) remain in place until such time as the building is removed from the site or has been demolished.
- 14.2 Despite section 14.1, the *Regional District* may renumber or alter the assigned numbers in respect of any *building* on any parcel, including those already in existence or numbered in accordance with the *Regional District's* House Numbering Regulation and Fee Bylaw No. 2010, 2007.
- 14.3 Without limiting sections 14.1 or 14.2, on the issuance of a *building permit*, the *Regional District* will designate a house number or set of house numbers related to the *building* authorized by the *permit*. The *owner* or occupier must post the number or numbers on the site immediately after obtaining the *building permit* and keep the numbers posted in a conspicuous location at all times during construction.
- 14.4 Without limiting sections 14.1 through 14.3, on issuance of an *occupancy permit*, the *owner* or occupier of the parcel must affix the numbers permanently in accordance with the following requirements:
- (a) Affixed in a secure position and in a position clearly visible from highway at any time of day or night;
  - (b) Colour of numbers must highly contrast with background colour to maximize visibility; and
  - (c) Each number must be at least 100 mm in height and installed at least 1.8 m above *grade*.

#### 15. SWIMMING POOL ENCLOSURES

##### Swimming Pool Enclosure Permits

- 15.1 Every *swimming pool* must be totally enclosed by a fence in accordance with section 15.3 to 15.5 of this bylaw, a *building*, or a combination of fence and *building*.
- 15.2 Without limiting section 6.1 of this bylaw, a person must not construct, or structurally repair a *swimming pool* enclosure without a valid *building permit*.
- 15.3 Fences must be not less than 1.5m high. The base of every fence must be not more than 100mm above ground.
- 15.4 No horizontal or angled framing member may be located on the outside of the fence between 200mm and 1.0m above ground or adjacent finished *grade*. Fences composed of vertical members must have no openings of a size which will permit the passage of a spherical object having a diameter of 100mm. Fences composed of angled members must have no openings between adjacent members greater than 13mm. Notwithstanding the provisions of this section, standard chain link wire mesh that meets the minimum height requirements of section 15.3 provided the size does not exceed 50mm and the wire is not less than No. 11 gauge, may be used.
- 15.5 Access through required fences must be by means of self-closing gates so designed as to cause the gates to become secured with self-latching devices located on the *swimming pool* side of the fence and at a height of at least 1.0m above *grade* or on the outside of the fence at least 1.5m above *grade*.

15.6 The *swimming pool* fence must be completed in accordance with the approved plans and specifications. It must be the *owner's* responsibility to ensure that the *swimming pool* area is maintained in a safe, secure condition during the construction period and until a permanent enclosure approved by the *building official* is in place.

15.7 The *owner* must give a minimum of 72 hours' notice to the *building official* requesting a final inspection when the permanent fencing and gate(s) are in place.

## **16. OFFENCES**

### **Violations**

16.1 Without limiting section 5 of this bylaw, every person who:

(a) violates a provision of this bylaw;

(b) permits, suffers or allows any act to be done in violation of any provision of this bylaw; and

(c) neglects to do anything required to be done under any provision of this bylaw,

commits an offence and on summary conviction by a court of competent jurisdiction, the person is subject to a fine or not more than \$10,000, or a term of imprisonment not exceeding three months, or both, in addition to the costs of prosecution. Each day during which a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.

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

16.3 Every person who commences work requiring a *building permit* without first obtaining such a *permit* must, if a stop work order notice is issued, pay an additional fee in accordance with section 11.13 of this bylaw.

### **Deemed Offence**

16.4 An owner is deemed to have knowledge of and be liable under this bylaw in respect of any construction on that parcel the owner owns and any change in the use, occupancy or both of a building or structure or part of a building or structure on that parcel.

16.5 No person is deemed liable under section 16.4 who established, on a balance of probabilities, that the construction or change of use or *occupancy* occurred before he or she became the *owner* of the parcel.

16.6 Nothing in section 16.5 affects;

(a) the *Regional District's* right to require and the *owner's* obligations to obtain a *permit*; and

(b) the obligation of the *owner* to comply with this bylaw.

## **17. SCHEDULES**

Schedules A, B and C are attached to and form part of this bylaw.

## **18. SEVERABILITY AND APPLICATION**

18.1 If any portion of this bylaw is held to be illegal or invalid by a court of competent jurisdiction, the illegal or invalid portion must be severed and the decision that is illegal or invalid does not affect the validity of the remainder of this bylaw.

18.2 This bylaw must apply to all unincorporated areas of the *Regional District*.




19. REPEAL AND EFFECTIVE DATE

- 19.1 Bylaw No. 1735 cited as “Regional District of East Kootenay – Building Regulation Bylaw No. 1735, 2004” and all other bylaws enacted in amendment thereto are repealed as of April 1, 2024.
- 19.2 Bylaw No. 3254 cited as “Regional District of East Kootenay – Building Regulation Bylaw No. 3254, 2023” is to have an effective date of April 1, 2024.

READ A FIRST TIME the 10<sup>th</sup> day of November, 2023.  
READ A SECOND TIME the 10<sup>th</sup> day of November, 2023.  
READ A THIRD TIME the 10<sup>th</sup> day of November, 2023.

ADOPTED the 10<sup>th</sup> day of November, 2023.

  
\_\_\_\_\_  
CHAIR

  
\_\_\_\_\_  
CORPORATE OFFICER

SCHEDULE A  
BYLAW NO. 3254  
FEES

1. **Permit Application Fee:**  
Upon application for a *building permit*, a non-refundable application fee must be paid to the *Regional District*. This fee must be applied towards the calculated *building permit* fee owed prior to permit issuance as follows:

For a single detached dwelling, <i>accessory building</i> , addition, alteration, renovation, or demolition over \$5,000, but less than or equal to \$50,000	\$100.00
For a single detached dwelling, <i>accessory building</i> , addition, alteration, renovation, or demolition over \$50,000	\$200.00
For a new single detached dwelling or standard building	\$400.00
For a <i>complex building</i>	\$500.00

2. **Permit Fees and Charges:**  
*Permit* fees and charges must be paid to the *Regional District* at issuance of the *permit* and must be calculated on the total *value of the work* as follows:

For the first \$1,000 or fraction thereof	\$50.00
For each additional \$1,000 or fraction thereof up to \$50,000	\$10.00
For each additional \$1,000 or fraction thereof exceeding \$50,000	\$7.00
Base plumbing <i>permit fee</i>	\$50.00
For each plumbing fixture	\$10.00
For the installation of a manufactured home certified to the CSA Z240 or CSA A277 standards	\$250.00
For a <i>permit</i> to demolish a <i>building</i>	\$150.00
For a <i>permit</i> to move a <i>building</i>	\$250.00
For a <i>permit</i> for a solid fuel-burning appliance	\$75.00
For a <i>permit</i> for a <i>swimming pool</i> enclosure	\$75.00

3. **Other Fees and Charges:**

For a <i>building permit</i> renewal as per section 11.41:	\$75.00 or \$2.00 per \$1,000 of remaining <i>value of the work</i> to be completed, whichever is highest.
Minimum additional inspection fee:	\$75.00
Design modification plan review fee, per hour:	\$75.00
For discharge of a <i>Community Charter</i> section 57 Notice on Title	\$500.00

4. **Building Permit Fees** are exempt from GST and PST.

This is Schedule A referred to in Bylaw No. 3254 cited as "Regional District of East Kootenay - Building Regulation Bylaw No. 3254, 2023."

Chair

Corporate Officer

Date

*[Signature]*  
*[Signature]*  
November 10, 2023

SCHEDULE B

BYLAW NO. 3254

CLIMATIC INFORMATION FOR BUILDING DESIGN

DESIGN SNOW LOADS

There have been significant changes to design snow loads for *buildings* in some locations in the province. This is the result of the collection of an additional ten years of data as well as the addition of more measuring stations through the province. Suggested snow loads for various BC locations are listed in the supplement to the 1990 NBC. However, values established by a political jurisdiction such as a municipality or *Regional District*, by a local *building* bylaw, take precedent over values listed in the Supplement.

Snow loads are specified as “ground snow loads.” For *building* roof design these ground loads must be converted to roof loads. A new method of calculating roof snow loads has been incorporated in the 1992 BC *Building Code*. This new method accounts for the fact that the total snow loading has two components:

1.

A snow component, S(s) which is based on a 30-year probability; and
2.

A rain component, S(r) which accounts for an additional loading due to wetting of the snow by rain.

As before, a reduction factor to account for drifting snow is applied to the ground snow load to determine the roof snow load. This factor is not applied to the rain component since rain does not “drift.” This results in the following formula for calculating roof snow load:

$S = C(b) \times S(s) + S(r)$

Where C(b) = the basic snow load roof factor, 0.5 for the entire width of a roof less than 4.3m and 0.6 for all other roofs.

Example: What is the design snow load for a house (over 4.3m in width) located in Cranbrook? Use data from the Supplement.

From the Supplement, S(s) = 2.7 kPa S(r) = 0.2

$S = (0.6 \times 2.7) + 0.2$

$S = 1.82 \text{ kPa}$

SPECIFIC AREAS

The Fernie area displays a different climatology from other sites ascending the Rockies from the Columbia-Kootenay River Valley. Observations from this area (and perhaps to the south) indicate higher snow loads than might otherwise be expected; in addition, snow loads above 1100m increase with elevation more rapidly than farther north. As a result, we would need more data than currently available to be confident in defining the increase of snow load with elevation for the area. Based on three sets of observations from Fernie and three sets from the Morrissey Ridge area, it appears that snow loads might increase about .0089 kPa/m of elevation rise above about 1100m.

Atmospheric Environment Service, Environment Canada, would prefer that clients contact them for site specific recommendations when working with the Fernie area. The National Building Code of Canada value for Fernie at 1012m is 4.1 kPa with 0.2 kPa for the rain load component.

The Kimberley and Marysville area snow loads can be calculated as follows:

$S(s) = 1.16 \times (-2.3 + .0031 \times \text{elevation} + .00000103 \times \text{elevation}^2)$

This equation should not be applied to mountain top sites.

Thus:

Elevation (m)	S(s) (kPa)
1100	2.7
1150	3.0
1200	3.4
1250	3.7
1300	4.0

SCHEDULE B

BYLAW NO. 3254

CLIMATIC INFORMATION FOR BUILDING DESIGN

For the Panorama area, a ground snow load of 2.5 kPa is recommended below 1100m. Above 1100m, snow loads can be calculated as follows: ...

$S(s) = 0.79 \times (18.02 - .026 \times \text{elevation} + .0000114 \times \text{elevation}^2)$

This equation should not be applied to mountain top sites.

Thus: Elevation (m)	S(s) (kPa)
1100	2.5
1150	2.5
1200	2.6
1250	2.6
1300	2.8
1350	2.9
1400	3.1
1450	3.4
1500	3.7
1600	4.4

The rain component of the snow load can be calculated according to:

$S(s) = .0002 \times \text{elevation above sea level and varies as follows:}$

Thus: Elevation (m)	S(s) (kPa)
1100	0.2
1200	0.2
1300	0.3
1400	0.3
1500	0.3
1600	0.3

SCHEDULE B

BYLAW NO. 3254

CLIMATIC INFORMATION FOR BUILDING DESIGN

MUNICIPAL or RURAL AREA	GROUND SNOW LOAD (kPa)		TOTAL	GROUND SNOW/RAIN LOAD psf	DESIGN LOAD		ELEVATION		LATITUDE and LONGITUDE	
	S(s)	S(r)			kPa	psf	Metres	Feet		
BRISCO	2.8	0.2	3.0	63	1.7	36	794	2605	50° 116°	50°N 16°W
BULL RIVER	2.7	0.2	2.9	61	1.7	35	754	2478	49° 115°	28°N 27°W
CANAL FLATS	2.5	0.2	2.7	56	1.6	33	818	2683	50° 115°	9°N 49°W
COLUMBIA LAKE	2.5	0.2	2.7	56	1.6	33	810	2657	50° 115°	25°N 55°W
CRANBROOK	3.0	0.2	3.2	67	1.8	39	918	3013	49° 115°	30°N 46°W
EDGEWATER	2.7	0.2	2.9	61	1.7	35	797	2614	50° 116°	42°N 8°W
ELKFORD	3.7	0.3	4.0	84	2.3	49	1273	4175	50° 114°	1°N 55°W
ELKO	3.6	0.2	3.8	79	2.2	46	941	3086	49° 115°	18°N 7°W
FAIRMONT	2.5	0.2	2.7	56	1.6	33	810	2658	50° 115°	19°N 52°W
FERNIE	4.5	0.2	4.7	98	2.7	56	1012	3320	49° 115°	30°N 4°W
FERNIE SKI HILL	5.8	0.3	6.1	127	3.5	73	1372	4502	49° 115°	30°N 10°N
FORT STEELE	2.5	0.2	2.7	56	1.6	33	770	2525	49° 115°	37°N 38°W
GALLOWAY	3.3	0.2	3.5	73	2.0	42	869	2850	49° 115°	22°N 14°W
GRASMERE	2.7	0.2	2.9	61	1.7	35	832	2730	49° 115°	5°N 6°W
HOSMER	4.1	0.2	4.3	90	2.5	51	1049	3440	49° 114°	35°N 57°W
INVERMERE	2.5	0.2	2.7	56	1.6	33	825	2707	50° 116°	31°N 2°W
JAFFRAY	2.7	0.2	2.9	61	1.7	35	825	2705	49° 115°	22°N 18°W
KIMBERLEY	4.4	0.2	4.6	96	2.6	54	1300	4265	49° 115°	41°N 59°W
MEADOWBROOK	3.8	0.2	4.0	84	2.3	48	1219	3984	49° 115°	41°N 59°W
MOYIE	2.7	0.2	2.9	61	1.7	35	930	3050	49° 115°	17°N 50°W
NATAL	3.8	0.2	4.0	84	2.3	48	1134	3720	49° 114°	43°N 51°W
PANORAMA	2.8	0.2	3.0	63	1.7	36	1067	3501	50° 116	32°N 8°W
RADIUM HOT SPRINGS	2.7	0.2	2.9	61	1.7	35	900	2953	50° 116	38°N 4°W
ROOSEVILLE	2.7	0.2	2.9	61	1.7	35	823	2700	49° 115°	0°N 3°W
SKOOKUMCHUCK	2.4	0.2	2.6	54	1.5	32	797	2615	49° 115°	55°N 44°W
SPARWOOD	3.8	0.2	4.0	84	2.3	48	1140	3740	49° 114°	43°N 53°W
SPILLIMACHEEN	2.8	0.2	3.0	63	1.8	37	793	2600	50° 116	54°N 22°W
TA TA CREEK	2.4	0.2	2.6	54	1.5	32	884	2900	49° 115°	47°N 46°W
WARDNER	2.7	0.2	2.9	61	1.7	35	750	2460	49° 115°	24°N 26°W
WASA	2.4	0.2	2.6	54	1.5	32	773	2535	49° 115°	46°N 44°W
WILMER	2.7	0.2	2.9	61	1.7	35	878	2880	50° 116°	32°N 4°W
WINDERMERE	2.5	0.2	2.7	56	1.6	33	857	2810	50° 115°	28°N 58°W
WYCLIFFE	3.0	0.2	3.2	67	1.8	39	884	2900	49° 115°	36°N 51°W

DEFINITIONS: Snow Component - S(s)      Rain Component- (S(r))      Kilopascal – kPa      Pounds per Square Foot - psf

SCHEDULE B

BYLAW NO. 3254

CLIMATIC INFORMATION FOR BUILDING DESIGN

CLIMATE INFORMATION DESIGN DATA FOR SELECTED LOCATIONS																																						
MUNICIPAL OR RURAL AREA	DESIGN TEMPERATURE				DEGREE DAYS BELOW 18C °	15 MIN. RAIN				ONE DAY RAIN				ANNUAL PRECIPITATION				GROUND SNOW/RAIN LOAD				HOURLY WIND PRESSURES								SEISMIC ZONE	ELEVATION							
	JANUARY		JULY			2 %		1 %		DRY %		WET %		mm		in.		mm		in.		S(s)		S(l)		1/10 kPa/m²		1/30 kPa/m²			1/60 kPa/m²		1/100 kPa/m²		1/100 psf		Metres	Feet
	2 %	1 %	DRY	WET		mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.		mm	in.	mm	in.				
	2 %	1 %	DRY	WET		mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.	mm	in.		mm	in.	mm	in.				
Canal Flats	-26	-29	32	18	4557	11	0.43	41	1.61	369	14.53	2.5	0.2	0.25	5.22	0.32	6.68	0.41	8.56	0.05	818	2683																
Cranbrook	-27	-30	32	19	4762	10	0.39	43	1.69	438	16.85	3.0	0.2	0.22	4.60	0.29	6.07	0.37	7.73	0.05	918	3013																
Elko	-28	-31	29	19	4900	13	0.51	54	2.13	580	22.83	3.6	0.2	0.27	5.64	0.37	7.73	0.50	10.44	0.05	941	3086																
Fernie	-29	-32	29	19	4990	13	0.51	106	4.17	1082	42.60	4.5	0.2	0.33	6.89	0.43	8.98	0.55	11.49	0.05	1012	3320																
Golden	-28	-31	29	17	4950	8	0.31	59	2.32	473	18.62	3.7	0.2	0.27	5.64	0.32	6.68	0.38	7.94	0.05	790	2590																
Invermere	-29	-31	30	16	5100	11	0.43	49	1.93	410	16.14	2.5	0.2	0.25	5.22	0.32	6.68	0.41	8.56	0.05	825	2707																
Kimberley	-26	-29	31	19	4890	10	0.39	49	1.39	378	14.88	4.4	0.2	0.22	4.60	0.29	6.07	0.37	7.73	0.05	1219	3984																
Radium Hot Springs	-30	-32	30	16	5200	11	0.43	50	1.97	420	16.54	2.7	0.2	0.27	5.64	0.32	6.68	0.39	8.14	0.05	900	2953																
Windermere	-28	-30	30	16	5100	11	0.43	49	1.93	410	16.14	2.5	0.2	0.25	5.22	0.32	6.68	0.41	8.56	0.05	857	2810																

\* Average over 50-year period

This is Schedule B referred to in Bylaw No. 3254 cited as "Regional District of East Kootenay – Building Regulation Bylaw No. 3254, 2023."

Chair

Corporate Officer

Date

SCHEDULE C

BYLAW NO. 3254

LEGAL NOTICE OF  
STOP WORK ORDER

LEGAL NOTICE OF

STOP WORK ORDER

In accordance with the “Regional District of East Kootenay – Building Regulation Bylaw No. 3254, 2023” and amendments thereto, adopted under Section 298 of the *Local Government Act of BC*, as amended from time to time, a “STOP WORK ORDER NOTICE” has been placed on this construction.

Section \_\_\_\_\_ of the said Bylaw has been violated and must be corrected within **THIRTY (30) DAYS FROM THE DATE OF THIS NOTICE.**

This “**STOP WORK ORDER**” must not be removed by any person or persons until the Building Official has satisfied himself that the violation(s) has/have been corrected.

DATE: \_\_\_\_\_

BUILDING OFFICIAL \_\_\_\_\_

REGIONAL DISTRICT OF EAST KOOTENAY

MAIN OFFICE

19 – 24<sup>th</sup> AVENUE SOUTH

CRANBROOK BC V1C 3H8

PHONE: (250) 489-2791

COLUMBIA VALLEY OFFICE

1164 WINDERMERE LOOP ROAD

INVERMERE BC VOA 1K3

PHONE: (250) 342-0063

This is Schedule C referred to in Bylaw No. 3254 cited as “Regional District of East Kootenay – Building Regulation Bylaw No. 3254, 2023”

Chair \_\_\_\_\_

Corporate Officer \_\_\_\_\_

Date November 10, 2023