



## **THE CORPORATION OF THE CITY OF DAWSON CREEK**

### **BUILDING REGULATION BYLAW NO. 4287, 2016**

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

This is a consolidation of the bylaws listed below. Amendments have been incorporated with the parent 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 subject bylaw.

Amendment Bylaw 4315, 2016 incorporated  
Amendment Bylaw 4484, 2021 incorporated

## **THE CORPORATION OF THE CITY OF DAWSON CREEK**

### **BYLAW NO. 4287**

A Bylaw of the Corporation of the City of Dawson Creek (hereinafter called "The City") to regulate Building and Plumbing within the City.

**WHEREAS**, the *Community Charter* authorizes the City, for the health, safety and protection of persons and property to regulate the construction, alteration, repair or demolition of buildings and structures by bylaw;

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

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

**NOW THEREFORE**, the Municipal Council of the Corporation of the City of Dawson Creek, in open meeting assembled, enacts as follows:

#### **SECTION 1 - TITLE**

1.1 This Bylaw may be cited for all purposes as "**BUILDING REGULATION BYLAW NO. 4287, 2016**".

#### **SECTION 2 - DEFINITIONS**

2.1 In this bylaw the following words and terms have the following meanings assigned to them:

"**Agent**" means a person authorized in writing by an Owner to represent the Owner for the purposes of this bylaw.

"**Building**" means any structure used or intended for supporting or sheltering any use or occupancy, and includes plumbing.

"**Building Code**" means the British Columbia Building Code established pursuant to the Building Regulations of British Columbia, B.C. Regulations 351/92, as amended or re-enacted from time to time, and includes the British Columbia Plumbing Code.

"**Bylaw Enforcement Officer**" means a person or persons appointed from time to time by resolution of City Council pursuant to Section 36 of the Police Act, the purpose of which is to enforce regulatory bylaws of the municipality.

"**City**" means the Corporation of the City of Dawson Creek.

"**General Manager of Development Services**" means the person appointed by the Chief Administrative Officer to be in charge of the Development Services Department for the City of Dawson Creek, or their designate.

"**Occupancy**" means the use or intended use of a building or part thereof for the shelter or support of persons, animals or property.

**“Occupancy Permit”** means a permit issued in accordance with Section 15.2 of this bylaw.

**“Owner”** means the owner of land and includes a lessee with authority to build on land.

**“Parcel”** means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway.

**“Professional Designer”** means a person who is registered in the Province of British Columbia as a member in good standing of the Architectural Institute or the Association of Professional Engineers and Geoscientists of the Province of British Columbia.

**“Professional Field Review”** means the inspection of work at a construction site by or under the supervision of a professional designer in order to ascertain that the work conforms to the approved plans for the building, and includes certification of conformance by the professional designer.

**“Professional Plan Certification”** means certification by a professional designer that the plans submitted with an application for a building permit comply with the Building Code and other applicable enactments respecting safety.

**“Retaining Wall”** means a wall constructed of concrete, steel, treated wood, stone, masonry, or a combination thereof, designed to support, confine, retain, or keep in place earth material.

**“Site”** means a parcel or parcels upon which structures are constructed or placed or intended to be constructed or placed.

**“Structure”** includes buildings, paving, signs, tanks, swimming pools, docks, wharves, canopies, and awnings.

**“Swimming Pool”** means structure or excavation used or intended to be used for swimming, bathing, or wading, which is greater than 45.75 cm in depth and has a surface area greater than 9.3m<sup>2</sup> (100 sq. ft.).

### **SECTION 3 - PURPOSE OF BYLAW**

- 3.1 This bylaw, shall, notwithstanding any other provision herein, be interpreted in accordance with this subsection.
- 3.2 This bylaw is enacted and retained for the purpose of regulating construction within the City in the general public interest. The activities undertaken by or on behalf of the City pursuant to this bylaw are for the sole purpose of providing a limited and interim spot checking function for reasons of public health and safety. It is not contemplated nor intended, nor does the purpose of this bylaw extend
  - a. to the protection of owners, owner/builders or builders from economic loss;
  - b. to the assumption by the City of any responsibility for ensuring the compliance by any Owner, his representatives or any employees, contractors or design professionals retained by him, with the current edition of the British Columbia Building Code, the requirements of this bylaw or any other applicable codes or standards;

- c. to providing to any person a warranty of design or workmanship with respect to any building or structure for which a building permit is issued under this bylaw;
- d. to providing a warranty or assurance that construction undertaken pursuant to building permits issued by the City is free from latent, or any defects.

#### **SECTION 4 - SCOPE AND EXEMPTIONS**

- 4.1 This Bylaw applies to all of the area within the City.
- 4.2 This Bylaw does not apply to:
  - a. the buildings and structures listed in Section 1.1.1.1(2) of Division A of the Building Code except as expressly provided herein;
  - b. retaining walls.

#### **SECTION 5 - THE APPLICATION**

- 5.1 To obtain a permit the Owner shall file an application in writing with the building inspector in the prescribed form.
- 5.2 Every application for a permit shall include, the following acknowledgements by the permit applicant:
  - a. I acknowledge that if I am granted a building permit pursuant to this application that I am responsible for compliance with the current edition of the British Columbia Building Code, this bylaw and any other applicable enactment, code, regulation or standard relating to the work in respect of which the permit is issued, whether or not the said work is undertaken by me or by those whom I may retain or employ to provide design and/or construction services.
  - b. I acknowledge that neither the issuance of a permit under this bylaw, the acceptance nor review of plans, specifications, drawings or supporting documents, nor inspections made by or on behalf of the City constitute a representation, warranty, assurance or statement that the current edition of the British Columbia Building Code, the Building Bylaws of the City of Dawson Creek or any other applicable enactment, code, regulation or standard has been complied with.
  - c. Where the City requires that Letters of Assurance be provided by a Registered Professional pursuant to Section 10 of the City of Dawson Creek Building Bylaw and the *Community Charter* I confirm that I have been advised in writing by the City that it relied exclusively on the Letter of Assurance of "Professional Design and Commitment for Field Review" prepared by \_\_\_\_\_ in reviewing the plans, drawings, specifications and supporting documents submitted with this application for a building permit.
  - d. I confirm that I have relied only on the said Registered Professional for the adequacy of plans, drawings, specifications and supporting documents submitted with this application.
  - e. I understand that I should seek independent legal advice in respect of the responsibilities I am assuming upon the granting of a building permit by the City pursuant to this application and in respect of the execution of this acknowledgement.

**SECTION 6 - APPLICATIONS**

- 6.1 Subject to Section 4.2, every person shall apply for and obtain a permit before excavating for, construction, repairing, altering, moving, or demolishing a building or structure, and before installing, repairing, or altering any plumbing, sewers, drains, tanks, pumps or similar works.
- 6.2 An application for a building permit shall:
- a. be signed by the Owner or Agent;
  - b. state the intended use or uses of the building or structure;
  - c. include two copies of the specifications and two sets of drawings to scale including:
    - (i) a site plan showing the following information:
      1. the dimensions of the parcel taken from the registered plan of subdivision;
      2. the legal description and civic address of the parcel if it has been designated;
      3. the location and dimensions of all statutory rights of way, easements and setback requirements;
      4. the location and dimensions of all existing buildings or structures on the parcel;
      5. for residential buildings containing 3 or more dwelling units, commercial and industrial buildings, the location of all services in the roadway fronting the parcel, including pavement surface, ditch line, water connection, sanitary sewer connection and the electrical and telephone connection;
      6. existing and finished ground levels to an established datum at or adjacent to the site;
      7. the location and dimensions of the proposed construction on the site showing the nearest measurement to each parcel boundary;
      8. the location and grade of driveway access including the geodetic elevation of the existing edge of road at the centre line of the proposed driveway access, and all necessary routes for firefighting;
      9. a directional arrow indicating north;
    - (ii) floor plans, showing the dimensions and use of all rooms and other areas, the location, size, and swing of doors, and location and size of windows;
    - (iii) cross sections of the building taken at sufficient locations to adequately illustrate all structural details and finishes, including a roof plan and roof height calculation;

- (iv) specifications detailing all materials to be used including roof and wall sheathing, roofing materials, siding materials, insulation and vapour barrier details, subflooring, interior finish materials, and species and grade of lumber framing materials;
  - (v) copies of approvals required under any enactment relating to health or safety, including without limiting the generality of the foregoing sewage disposal permits and highway access permits;
  - (vi) such other information as is necessary to illustrate all essential features of the design of the building and to establish compliance with this bylaw, the Building Code and other bylaws of the City; and
- 6.3 An application for a permit for plumbing work shall be accompanied by a plan drawn to scale that shows the proposed work and the location and size of every building drain and of every trap or inspection piece on a building drain, and a sectional drawing showing the size and location of every soil or waste pipe, trap and vent pipe.
- 6.4 No permit is 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 re-arrangement of valves, pipes, or fixtures.
- 6.5 An application for a permit for moving or demolition of a building shall be made in writing to the Building Inspector and shall be signed by the Owner or Agent. An applicant for such permit shall pay the estimated costs of capping off municipal water and sewer services prior to the issuance of the permit.
- 6.6 All plans submitted with permit applications shall bear the name and address of the designer of the building, structure, or plumbing.

## **SECTION 7 - PERMITS**

- 7.1 When:
- a. a completed application including all required supporting documentation has been submitted;
  - b. the proposed work set out in the application conforms with the Building Code, this bylaw, and all other applicable bylaws and statutes;
  - c. the applicant has paid the fee prescribed in the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time;
  - d. the applicant has paid all charges and met all requirements imposed by any other statute or bylaw that may be applicable;

The Building Inspector shall issue the applicable permit for which the application is made by entering the permit number and date and signing the permit application.

- 7.2 Every permit is issued upon the condition that the permit shall expire and the rights of the Owner under the permit shall terminate if:

- a. the work authorized by the permit is not commenced within 6 months from the date of issuance of the permit;
  - b. the work authorized by the permit is not completed within 24 months of the date of issuance of the permit; or
  - c. the work authorized by the permit is discontinued or suspended for a period of more than one year from the date of the last inspection by the Building Inspector.
- 7.3 The Building Inspector may issue a permit for the construction of a portion of a building before the plans and specifications for the entire building have been approved, provided adequate information has been provided to the Building Inspector to ensure the portion authorized to be constructed complies with this bylaw and the permit fee applicable to that portion of the building has been paid. The issuance of the permit notwithstanding, the requirements of this bylaw apply to the remainder of the building, as if the permit had not been issued.
- 7.4 The Building Inspector may revoke a permit where in his opinion, materials, devices, construction methods, structural assemblies or foundation conditions contravene the Building Code or the provisions of this bylaw or both, or where all permits required under this bylaw have not been obtained. Notice of revocation of a permit shall be given to the Owner in writing.
- 7.5 In the event that a building permit is issued but the project does not proceed to construction, the City shall upon application by the refund a portion of the building permit fee calculated in the same manner as prescribed in the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time, whereby the value of the work remaining is calculated and the corresponding permit fee is refunded.

## **SECTION 8 - PERMIT CONDITIONS**

- 8.1 A permit is required whenever work regulated by this bylaw is to be undertaken.
- 8.2 Neither the issuance of a permit under this bylaw nor the acceptance and/or review of plans, drawings or specifications and/or supporting documents, nor any inspections made by or on behalf of the City shall in any way relieve the Owner and/or his Agents from full and sole responsibility to perform the work in strict accordance with this bylaw, the current edition of the British Columbia Building Code and all other codes, standards and applicable enactments.
- 8.3 Neither the issuance of a permit under this bylaw nor the acceptance and/or review of plans, drawings or specifications and/or supporting documents, nor any inspections made by or on behalf of the City constitute in any way a representation, warranty, assurance, or statement that the current edition of the British Columbia Building Code, this bylaw or any other applicable codes, standards or enactments have been complied with.
- 8.4 No person shall rely upon any permit as establishing compliance with the bylaw or assume or conclude that the bylaw has been administered or enforced according to its terms. The person to whom the building permit is issued and his or her agents are responsible for making such determinations.

**SECTION 9 - NO DUTY OF CARE**

- 9.1 This bylaw does not create any duty of care whatsoever on the City, the Council or its member, the Building Inspector, or any employees or agents of the City in respect of:
- a. the issuance of a permit under this bylaw;
  - b. the review and approval of drawings, plans and specifications submitted with the application for a permit;
  - c. inspections made by the Building Inspector or failure to make such inspections; or
  - d. the enforcement or failure to enforce the Building Code or the provisions of this bylaw.
- 9.2 Neither the issuance of a permit under this bylaw, the review and approval of the drawings, plans and specifications, or inspections made by the Building Inspector, shall constitute a representation, warranty or statement that the Building Code or this bylaw has been complied with or that the building or structure meets any standard of materials and workmanship, and no person shall rely on any of those acts as establishing compliance with the Building Code or this bylaw or any standard.

**SECTION 10 - PROFESSIONAL DESIGN AND FIELD REVIEW**

- 10.1 Where the Building Inspector considers that the site conditions or the size or complexity of the development or aspects of the development warrant, or where an application is made to construct a building to be used for an occupancy described in Section 1.3.3.2 of Division A of the Building Code or Section 1.3.3.3 of Division A where the structural requirements are not already specified in Section 9.4 of the Building Code, the Building Inspector may require Professional Plan Certification and Professional Field Review.
- 10.2 When the Building Inspector requires Professional Plan Certification and Professional Field Review, the Owner shall prior to the issuance of a building permit, submit letters of assurance to the Building Inspector in the form of:
- a. Schedule "A" to Part 2 of Division C of the Building Code, confirming that the Owner has retained the necessary professional designers for all the applicable disciplines for Professional Plan Certification and Professional Field Review; and
  - b. Schedules B and C-A of Part 2 of Division C of the Building Code, incorporating the assurances of the professional designers that the plans, specifications drawings and related documents submitted with the application for a building permit comply substantially with the Building Code and other applicable safety enactments and confirming their commitment to undertake professional field review.
- 10.3 Prior to occupancy of a building that is subject of Professional Field Review, the Owner shall submit letters of assurance in the form of Schedule C-B of Part 2 of Division C of the Building Code, incorporating the assurances of the professional designers that:
- a. the Professional Field Review has been completed for all applicable disciplines; and
  - b. the construction of the project substantially complies with the plans, specifications, and related documents for which the building permit was issued.



**SECTION 11 - RESPONSIBILITIES OF THE OWNER**

- 11.1 The City assumes no responsibility and it shall be the full responsibility of the Owner or his Agent to carry out the construction or have the construction carried out in accordance with the requirements of the Building Code, this bylaw and all other bylaws of the City and neither the issuance of a permit under this bylaw, the review and approval of drawings, plans and specifications, nor inspections made by the Building Inspector, shall relieve the Owner or his Agent from this responsibility.
- 11.2 Every Owner to whom a permit is issued shall be responsible for the cost of repair of any damage to the City property or works that occurs in the course of the work authorized by the permit.
- 11.3 Every Owner or Agent to whom a permit is issued shall, during construction:
- a. post and maintain the permit in a conspicuous place on the property in respect of which the permit is issued;
  - b. keep a copy of the approved drawings and specifications on the property;
  - c. have a minimum 3 cubic yard commercial waste container with a closeable secured lid (or an approved alternate) on site for rubbish and debris and keep the building site in a neat and tidy condition;
  - d. keep roadways and sidewalks clear of mud and debris on a daily basis;
  - e. failure to contain rubbish or debris on a construction site
- 11.4 The Owner shall not continue building construction beyond the foundation stage until:
- a. the Owner has provided a current Certificate of Location by a registered British Columbia land surveyor to certify that the building and/or structure under construction is located on the property in compliance with City regulations; and
  - b. the building official may accept a letter of certification from the land surveyor in lieu of a Certificate of Location, or may waive the requirement entirely if satisfied that no certification is necessary.

**SECTION 12 - FEES AND CHARGES**

- 12.1 A permit fee calculated in accordance with the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time shall be paid in full prior to the issuance of any permit under this bylaw. Single family and duplex dwellings and buildings accessory to them shall have the construction value determined by the Building Inspector.
- 12.2 When professional plan certification is required, the permit fees shall be reduced in accordance with the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time.
- 12.3 In addition to applicable fees and charges required under other bylaws, a permit fee, calculated in accordance with the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time, shall be paid in full prior to issuance of any permit under this bylaw.

- 12.4 An application made for a building permit shall be accompanied by the appropriate plan-processing fee as set out in the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time.
- a. the plan processing fee is non-refundable and shall be credited against the building permit fee when the permit is issued.
  - b. an application shall be cancelled and the plan-processing fee forfeited if the building permit has not been issued and the permit fee paid within 180 days of the date of written notification to the Owner that the permit is ready to be issued.
  - c. when an application is cancelled, the plans and related documents submitted with the application may be destroyed.
- 12.5 The Owner may obtain a refund of the permit fees set out in the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time when a permit is surrendered and cancelled, provided;
- a. the refund shall not include the plan processing fee paid pursuant to Section 12.4 of this bylaw.
- 12.6 Where, due to non-compliance with this bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time shall be paid prior to additional inspections being performed.
- 12.7 For a required permit inspection requested to be done after the hours during which the offices of the City of Dawson Creek are normally open, an inspection charge shall be payable based on the time actually spent in making such inspection, including travel time, as set out in the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time.
- 12.8 An inspection charge, as set out in the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time, shall be payable in advance for a voluntary inspection to establish compliance of or to obtain a report on the status of an existing building or structure for which a permit is sought under this bylaw.

### **SECTION 13 - BUILDING INSPECTOR**

- 13.1 The Building Inspector shall:
- a. keep records of applications received, permits and orders issued, and inspections and tests made, and retain copies of the all papers and shall retain documents kept in connection with the administration of this bylaw according to the provisions of the City of Dawson Creek Records Management Bylaw as amended or replaced from time to time.
  - b. establish or require the Owner to establish whether the methods or types of construction and types of materials used in the construction of buildings or structures conform with the requirements of the Building Code.

### 13.2 The Building Inspector:

- a. may enter any land, building, or premises between the hours of 8:00 a.m. and 6:00 p.m. for the purpose of ascertaining that the regulations of this bylaw are being observed;
- b. where any residence is occupied, shall obtain the consent of the Occupant or provide written notice 24 hours in advance of entry; and
- c. shall carry proper credentials confirming his or her status as a Building Inspector.

13.3 The Building Inspector may order the correction of any work which is being done or has been done in contravention of this bylaw.

## **SECTION 14 - INSPECTIONS**

14.1 Every Owner shall give at least 24 hours' notice to the Building Inspector prior to the start of work on the building site.

14.2 Every Owner shall give at least 24 hours' notice to the Building Inspector requesting an inspection and shall obtain an inspection and receive approval of the work:

- a. after the forms for footings and foundations are complete and if applicable reinforcing steel has been placed but prior to the placing of concrete (the Owner must submit Certificate of Location prior to concrete placement);
- b. after removal of formwork from a concrete foundation and installation of perimeter drainage systems and damp-proofing but prior to the backfilling against the foundation;
- c. after underground piping or plumbing has been installed and testing completed, including a water service, building drain, sanitary sewer or storm sewer, and below slab piping, but prior to covering;
- d. when framing and sheathing of the building are complete, include fire-stopping, bracing, chimney, duct work, plumbing, gas venting, and wiring, but before any insulation or other interior or exterior finish is applied which would conceal such work;
- e. after all piping and venting is secured, waste line is connected and testing is completed, but before any finish is applied which would conceal such work;
- f. after the completion of the foundation for a masonry chimney but before masonry work has begun, during construction through combustible framing, and before the drip cap is installed;
- g. after the smoke chamber of a fireplace has been constructed but before the drip cap is installed;
- h. after the placing of insulation and vapour barrier but before any interior finish is installed;
- i. after installation of plumbing fixtures and the building or portion thereof is complete and ready for occupancy, but before any occupancy of the building.

**SECTION 15 - OCCUPANCY INSPECTIONS AND OCCUPANCY PERMITS**

- 15.1 An occupancy inspection is required prior to occupancy of:
- a. every new building;
  - b. every existing building which has been altered, added to or partially destroyed or reconstructed; and
  - c. every building before any change in the class of occupancy under the Building Code of all or part of the building.
- 15.2 No person shall occupy a building which requires occupancy inspection until an occupancy inspection has been completed and an occupancy permit has been issued by the Building Inspector.
- 15.3 Every applicant for an occupancy inspection required pursuant to Section 15.1 of this bylaw shall provide the following information prior to occupancy inspection:
- a. classification of the proposed occupancy under Section 3.1.2 of Division B of the Building Code;
  - b. number of stories in the building;
  - c. gross floor area of each storey, and allowable live loads for each floor area;
  - d. use category and off-street parking and loading requirements as regulated by the applicable City of Dawson Creek Zoning Bylaw as amended from time to time; and
  - e. such other information as may be required to ascertain compliance with this bylaw.
- 15.4 An Occupancy Permit shall not be taken to imply or certify that the building or structure complies in all respects with the Building Code.

**SECTION 16 - PROHIBITIONS**

- 16.1 Subject to Section 8.1 to 8.3, no person shall commence or continue construction, alteration or repair of a building or structure, including excavation or other work related to construction, unless a permit has been issued for the work by the Building Inspector under Section 7.
- 16.2 No person shall commence or continue the installation or repair or alteration of plumbing, sewers, drains, tanks, swimming pools, pumps and similar works unless a permit has been issued for the work by the Building Inspector under Section 7.
- 16.3 No person shall move or demolish a building or structure unless a permit has been issued for the moving or demolition by the Building Inspector under Section 7.
- 16.4 No person shall occupy, use, construct, alter, or repair a building or structure contrary to the terms of a permit issued or a notice given by a Building Inspector.

- 16.5 No person shall, unless authorized by the Building Inspector, reverse, alter, deface, cover, remove, or in any way tamper with a notice, permit, or certificate posted upon or affixed to a building or structure pursuant to this bylaw.
- 16.6 No person shall do work that is at variance with the approved descriptions, plans and specifications of a building, structure, work, or thing for which a permit has been issued, unless that variance has been approved in writing by the Building Inspector.
- 16.7 No person shall obstruct the entry of the Building Inspector on property in the administration of this bylaw.
- 16.8 No person shall commence or continue construction, alteration, or repair of a building or structure, including excavation or other work related to construction, where the work is at variance with:
- a. City bylaw;
  - b. a decision of the Board of Variance.
- 16.9 No person shall install an outdoor wood burning or coal burning furnace or boiler on any property within the corporate limits of the City of Dawson Creek.
- 16.10 No person shall knowingly submit false or misleading information to a building inspector in relation to any permit application or construction undertaken pursuant to this bylaw.

#### **SECTION 17 - SEWER CONNECTIONS**

- 17.1 In all cases where it is proposed to conduct the waste from plumbing fixtures, trade waste or surface or roof water to a public sewer the Owner shall ensure that such public sewer is at a sufficient depth and of a capacity to receive such discharge, and shall arrange the plumbing to suit the location of the connection provided for the lot.

#### **SECTION 18 - MOVING BUILDINGS**

- 18.1 No person shall move or cause any building to be moved into the City or from one location to another in the City without:
- a. obtaining a Building Moving Permit;
  - b. obtaining a Building Permit for the site to which the building is to be moved;
  - c. providing the Building Inspector with copies of all required approvals for the transport of the building obtained from regulatory agencies having jurisdiction, including the Ministry responsible for Highways and the Royal Canadian Mounted Police; and
  - d. providing a Building Moving Permit fee in the amount specified in the City of Dawson Creek Fees and Charges Bylaw as amended or replaced from time to time.
- 18.2 Every application for a Building Moving Permit shall identify the site of the building to be moved and the site to which the building is to be moved.

- 18.3 No building shall be moved to a site within the City unless the building will comply with the health and safety requirement of the Building Code upon completion of relocation.
- 18.4 Every application for a Building Moving Permit shall be accompanied by an irrevocable letter of credit established in favour of the City in the amount of \$10,000, which letter of credit will expire not less than six (6) months from the date of application for the Building Moving Permit and which letter of credit is to secure the obligations of the applicant, such obligations to include:
- a. Property from which the building is being removed:
    - (i) environmental clean up if required;
    - (ii) remove all debris including foundation material;
    - (iii) lot to be left in condition for reconstruction
  - b. Property onto which the building is to be placed:
    - (i) proper drainage;
    - (ii) landscaped or grassed.

### **SECTION 19 - TEMPORARY BUILDINGS**

- 19.1 Where a building permit has been issued for a building, occupancy may be permitted prior to completion provided the building or part thereof complies with the health and safety requirements of this bylaw or any other statute or regulation made pursuant thereto.
- 19.2 An Owner wishing to continue to occupy an existing dwelling while constructing another dwelling on the same parcel shall enter into an agreement with the City undertaking to:
- a. remove the existing dwelling upon completion of the new dwelling; or
  - b. convert the existing dwelling to a non-residential use to the satisfaction of the Building Inspector upon completion of the new dwelling, and shall deposit security in the form of a certified cheque or letter of credit in a form satisfactory to the City, in the amount of \$2,000.00 to guarantee the completion of the work specified in the agreement.

### **SECTION 20 - SWIMMING POOLS**

- 20.1 Every application for a building permit for a swimming pool shall be accompanied with a plan showing the location, depth and dimensions of the proposed pool and all water supplying piping, waste piping and appurtenances, and all structural detail.
- 20.2 Pool waste water shall be disposed of as approved by the Municipal Engineer. The type of disposal proposed shall be approved by the Building Inspector prior to the commencement of any work.
- 20.3 Every swimming pool shall be enclosed within a fence at least 1.83m (6 ft) from the pool and having a minimum height of 1.83m (6 ft) and no openings greater than 100mm (4 inches) at their greatest dimension.
- 20.4 Access through required fences shall 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 (3.3 ft) above grade or, on the outside of the fence at 1.5m (4.9 ft) above grade.

- 20.5 Notwithstanding Section 20.3, a pool the rim of which is 1.07m (3.5 ft) or more above the grade of surrounding ground need only be protected by a fence enclosing the ladder or other access points to the pool and conforming to the requirements of Section 20.3.
- 20.6 Every fence enclosing a swimming pool shall be maintained by the Owner or occupier in good order. All sagging gates, loose parts, worn latches and locks and broken or binding members shall be promptly replaced or repaired.
- 20.7 The design and installation of any drains, vents, pipes, valves or any other plumbing fixtures shall comply with the provisions of the British Columbia Plumbing Code.

### **SECTION 21 - CANOPIES AND AWNINGS**

- 21.1 Any canopy or awning projecting over public property shall:
- a. be supported entirely from the structure to which it is attached;
  - b. be capable of bearing a live load of not less than one point nine kilonewtons per square metre (1.9kN/m<sup>2</sup>);
  - c. consist of non-combustible or protected combustible material;
  - d. not project over a lane or roadway where a sidewalk or curb does not exist;
  - e. be no less than 2.5m (8 ft) above the sidewalk;
  - f. project no more than 1.8m (6 ft) over public property or to within 0.3m (1 ft) of any curb, whichever is less;
  - g. not interfere with standpipes, fire escapes, traffic lights, traffic signs, traffic, utilities or City works;
  - h. in the case of awnings, be constructed on a metal frame supported entirely from the structure to which it is attached.
- 21.2 No person shall cause or permit all or part of an awning structure, canopy structure or sign structure attached to lands or to improvements to land that the person who owns or occupies to project on, or under all or part of:
- a. a highway other than a highway designated as “arterial” under the *Transportation Act* unless the person first enters into an encroachment agreement with the City; or
  - b. a highway designated as “arterial” under the *Transportation Act* unless the person first obtains a permit in writing from the Minister responsible for Highways Part 5 of the *Transportation Act*.

**SECTION 22 - BUILDING NUMBERING**

22.1 The General Manager of Development Services, or designate is authorized to number, renumber or alter the numbering of any building as he or she deems expedient, according to a grid system of building numbering approved by resolution of Council, and no more than one number shall be designated for any principal building.

22.2 Number Requirements

a. Commercial and Multi Residential Properties

Commercial and multi residential property owners shall post the civic address on the building. The numbers used shall be a minimum of 100 mm in height and must be of a colour that contrasts with the surface on which they are mounted. The address shall be clearly visible from the main road.

b. Individual Units within Commercial and Multi Residential Properties

Unit numbers for units within commercial and multi-residential properties shall be posted in a visible location, at the entry to the unit. The numbers used shall be a minimum of 100 mm in height and must be of a colour that contrasts with the surface on which they are mounted.

c. Single Family Dwellings

Single family dwelling owners shall post their civic address in a location that is clearly visible from the main road. The numbers used shall be a minimum of 100 mm in height and must be of a colour that contrasts with the surface on which they are mounted. Single family dwellings that are accessed by a common driveway shall have the addresses posted where the unique driveway serving each dwelling intersects with the common driveway.

d. Multi Residential Complex Site Plans

A site plan must be posted at the main driveway entry to all multi residential complexes. The site plan shall be clearly visible upon entry to the complex and shall clearly indicate the location, address or number of each unit and access to the units within the complex

22.3 Where the General Manager of Development Services, or designate renumbers or alters the number of any building, the Owner or Occupant of the building shall, within 30 days after the receipt of a notice in writing from the General Manager of Development Services, or designate indicating the change in numbering, remove any existing building number and display the new number in the manner required under Section 22.2.

**SECTION 23 - CLIMATIC DATA**

23.1 Climatic data for the design of buildings in the City shall be as per Appendix C of Division B of the BC Building Code.



**SECTION 24 - EQUIVALENTS**

24.1 The provisions of this bylaw are not intended to limit the appropriate use of materials, equipment, methods of design or construction procedures not specifically authorized herein or by the Building Code provided an equivalent is accepted in writing by the Building Inspector. An Owner proposing to provide an equivalent material, appliance, system equipment or method of design or construction not specifically authorized by this bylaw or by the Building Code shall submit to the Building Inspector sufficient evidence to satisfy the Building Inspector that the proposed equivalent will provide the level of performance required by this bylaw or by the Building Code.

**SECTION 25 - ENFORCEMENT**

25.1 The Building Inspector may order the cessation of any work that is proceeding in contravention of the Building Code, a building permit issued pursuant to this bylaw, or any bylaw of the City by posting a Stop Work Order on the property on which such work is undertaken.

25.2 Every Owner of real property on which a Stop Work Order has been posted, and every other person, shall cease all construction work immediately and shall not do any work other than the work referred to in Sections 25.3 and 25.4 until all provisions of the Building Code, the building permit and this bylaw have been fully complied with and the Stop Work Order has been removed by the Building Inspector.

25.3 The Owner shall within 48 hours of the posting of a Stop Work Order under Section 25.1 secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of any statute, regulation or order of the Province or of a provincial agency.

25.4 The Stop Work Order referred to in Section 25.1 shall remain posted on the premises until the work that is contrary to the Building Code, the building permit, or the bylaw has been remedied to the satisfaction of the Building Inspector.

25.5 Any person designated as a Bylaw Enforcement Officer pursuant to the City of Dawson Creek's Bylaw Enforcement Notice Bylaw or Dawson Creek's Municipal Ticket Information Bylaw is hereby authorized and empowered to enforce the provisions of this Bylaw by the Bylaw Notice Enforcement Bylaw No. 4277, 2016 or by the Municipal Ticket Information System Bylaw No. 4278, 2016.

25.6 No person shall do any act or suffer or permit any act to be done in contravention of this bylaw.

25.7 No person shall obstruct or impede a bylaw officer in lawful performance on any property, at all reasonable times, in order to ascertain whether such regulations are being observed as per Section 16 of the *Community Charter*.

25.8 Each day that an offence against this bylaw continues shall be deemed a separate and distinct offence.

25.9 A person who contravenes any provision of this bylaw is liable to a fine of not more than \$10,000.00 and not less than \$100.00 for each offence.

25.10 Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitute for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation.

**SECTION 26 - ADMINISTRATIVE**

- 26.1 If any provision of this bylaw is declared or held to be illegal, invalid, or ultra vires, in whole or in part, then the provision shall not apply and the remainder of this bylaw shall continue in full force and effect and be construed as if it had been enacted without the illegal, invalid, or ultra vires provision.
- 26.2 “Building Bylaw No. 2516, 1986 as amended” and “Building Regulation Bylaw No. 3282, 1997 as amended”, is repealed and replaced by this bylaw.
- 26.3 That Building Regulation Bylaw No. 6, 1936 be repealed.
- 26.4 This bylaw shall come into effect on the date of adoption.

**READ** a first time this      21<sup>st</sup>      day of      March      , 2016.

**READ** a second time this      21<sup>st</sup>      day of      March      , 2016.

**READ** a third time this      21<sup>st</sup>      day of      March      , 2016.

**ADOPTED** this      4<sup>th</sup>      day of      April      , 2016.

**CERTIFIED A TRUE AND CORRECT COPY** of Bylaw No. 4287 cited as “Building Regulation Bylaw No. 4287, 2016.”

**ORIGINAL SIGNED BY**  
 \_\_\_\_\_  
 Brenda Ginter  
 Corporate Administrator

The Corporate Seal of **THE CORPORATION OF THE CITY OF DAWSON CREEK** was affixed in the presence of:

**ORIGINAL SIGNED BY**  
 \_\_\_\_\_  
 Mayor Dale Bumstead

**ORIGINAL SIGNED BY**  
 \_\_\_\_\_  
 Brenda Ginter – Corporate Administrator