

THE CORPORATION OF THE DISTRICT OF KENT



BUILDING BYLAW NO. 1116, 1997

EFFECTIVE DATE: FEBRUARY 24, 1997

CONSOLIDATED FOR CONVENIENCE ONLY
(March 30, 2009)

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

AMENDMENT BYLAW

EFFECTIVE DATE

1178 (Sections 1.01 & 12.01; Appendix "A")

November 29, 1999

1195 (Section 23.01)

December 17, 2001

1421 (Appendix "A")

September 29, 2008

The bylaw numbers highlighted in this consolidation refer to the bylaws that amended the principle Bylaw No. 1116, 1997. The number of any amending bylaw that has been repealed is not referred to in this consolidation.

Obtainable from the Corporate Services Department

THE CORPORATION OF THE DISTRICT OF KENT
BUILDING BYLAW NO. 1116

“A bylaw to establish building regulations and rates.”

WHEREAS the Municipal Act, R.S.B.C. 1979, c.290 provides that the Municipal Council may, for the health, safety and protection of persons and property, by bylaw regulate in respect of the construction of works, buildings, and structures, including prescribing conditions generally governing the issue and validity of permits, inspection of works, buildings and structures and providing for the levying and collecting of permit fees and inspection charges:

AND WHEREAS the Municipal Act provides that the Municipal Council may exercise for all or part of the Corporation of the District of Kent the building regulation powers contained in the Municipal Act;

NOW THEREFORE the Municipal Council of the Corporation of the District of Kent, in open meeting assembles, ENACTS AS FOLLOWS:

INTERPRETATION

1.01 In this Bylaw

“Agent” means a person, authorized in writing by the owner, to represent the owner and includes a person, firm or corporation;

“assembly occupancy” means the occupancy or the use of a building, or part thereof, by a gathering of persons for a civic, political, travel, religious, social, educational, recreational or like purposes, or for the consumption of food or drink;

“building” means any structure used or intended for supporting or sheltering any use or occupancy;

“building code” means any regulation made by the Minister of Municipal Affairs, Recreation and Housing under Section 740 of the Municipal Act;

“building inspector” means a person appointed by the Municipal Council as a building inspector for the Corporation of the District of Kent;

“building permit” means that certain document authorizing construction, the form of which is set out in Schedule “B” to this Bylaw;

“construction” includes erection, repair, alteration, enlargement, placement, addition, demolition, removal and excavation but excludes repainting or exterior or interior surfaces;

“coordinating registered professional” means a registered professional retained under section 15.02(1)(a) to coordinate all design work and field reviews of the registered professionals required for the project;

“farm building” means a building or part thereof which does not contain a residential occupancy and which is associated with and located on land devoted to the practice of farming, and used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produces or feeds;

“farm building code” means the Canadian Farm Building Code, 1990, as issued by the Associate Committee on the National Building Code, National Research Council of Canada

“field review” means a review of the work

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

that a registered professional in his or her professional discretion considers necessary to ascertain whether the work substantially complies in all material respects with the plans and supporting documents prepared by the registered professional for which the building permit is issued:

“Municipal Council” means the governing and executive body of the Corporation of the District of Kent;

“no occupancy notice” means a notice in writing, the form of which is set out in Schedule “E” to this Bylaw, issued by the building inspector which indicates that a building or part thereof is not authorized for occupancy;

“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 that certain document authorizing occupancy, the form of which is set out in Schedule “D” to this Bylaw;

“registered professional” means

- (a) a person who is registered or licenced to practise as an architect under the Architects Act, or
- (b) a person who is registered or licenced to practice as a professional engineer under the Engineers and Geoscientists Act;

(Amend By 1178)

“residential” means as defined in the current ~~addition~~ edition of the British Columbia Building Code;

“security” means cash, certified cheque, or irrevocable letter of credit;

“stop work order” means a notice in writing, the form of which is set out in Schedule “F” to this Bylaw, issued by the building inspector requiring the immediate suspension of all construction of all or part of the building;

“structure” means any construction fixed to, supported by or sunk into land or water; and

(Amend By 1421) “value” means the construction value as calculated under ~~Schedule “A” to this Bylaw~~ the current Fees and Charges Bylaw.

LIMITS ON NATURE OF THE CORPORATION OF THE DISTRICT OF KENT ROLE

2.01 Notwithstanding any provision in this or any other bylaw, neither

- (a) the issuing of a permit,
- (b) the submission of an application or the giving of an inspection notice by an owner or his agent, or
- (c) any other action whatsoever arising under this Bylaw,

obligates or imposes a duty on the Corporation of the District of Kent or the building inspector to inspect, to approve or to provide any other or further service of any kind.

2.02 The Corporation of the District of Kent, its officers, employees, agents and contactors shall not be liable for any direct or indirect loss, cost or damage, however occasioned, incurred by an owner or its officers, employees, agents or contractors, or any person taking under or from any of them, which arises in any way from any failure of the Corporation of the District of Kent or the building inspector to inspect, to approve or to provide any other or further service, or from the limited nature of the provision of such inspection, approval or other service, whether that failure or that limitation is a result of lack of funds or personnel, a decision as to the allocation of resources, labour disturbances, actions of other government authorities, acts of God, or any other cause whatever which, in the sole opinion of the Corporation of the District of Kent or the building inspector, causes the Corporation of the District of Kent or the building inspector not to provide such services or to provide them in a limited manner.

FARM BUILDINGS

3.01 Farm buildings shall conform to the requirements in the farm building code.

PROHIBITION

4.01 Every person commits an offence contrary to the provisions of this Bylaw who:

- (a) undertakes or authorizes any construction related to a structure or any work for which a building permit is required under section 12.01(1) unless:
 - (i) the building inspector has issued to him a valid building permit, and
 - (ii) the person complies with section 13 of this Bylaw as if he or she were the owner;
- (b) does any work, or permits any work to be done, which contravenes:
 - (i) the building code;
 - (ii) any other applicable enactment respecting safety; or
 - (iii) a covenant registered pursuant to section 215 or the Land Title Act R.S.B.C. 1979 c.219 against the property at issue pursuant to either section 82 of the Land Title Act or section 734(4) of the Municipal Act;
- (c) does any work, or permits any work to be done, that is at variance with the description, plans and specifications for the structure, work or thing which have been submitted in support of a building permit application and for which a building permit has been issued, unless such variance has been approved by the building inspector;
- (d) does any work, or permits any work to be done, after:-
 - (i) a stop work order has been posted, or
 - (ii) a building permit has lapsed, or
 - (iii) a building permit has been revoked;
- (e) occupied, uses or permits to be used or occupied any building or part thereof:-
 - (i) without a valid occupancy permit or written permission of the building inspector, or
 - (ii) after a no occupancy notice has been issued by the building inspector;

- (f) prevents or obstructs or seeks or attempts to prevent or obstruct the entry of a building inspector administering or enforcing this Bylaw;
- (g) unless authorized by the building inspector, reverses, alters, defaces, covers, removes or in any way tampers with any notice or certificate affixed to any structure pursuant to any provision of this Bylaw:
- (h) in relation to an application for any permit under this bylaw, submits false or misleading information:
 - (i) changes or permits the changing of occupancy of a building or part thereof unless the building inspector has issued to the applicant a valid building permit; or
- (j) contravenes any other provision of this Bylaw.

PENALTIES

- 5.01** Every person who commits an offence contrary to the provisions of this Bylaw is liable on summary conviction to a penalty of not more than \$2,000.00 or imprisonment for up to six months in addition to the costs of prosecution.
- 5.02** Each day that a violation is permitted to exist constitutes a separate offence.
- 5.3** Upon conviction, the justice or Court may direct that no prosecution under section 5.02 of this bylaw may be made with respect to the continuance of the violation, for such period of time as he or she directs, and he or she may order the violator to remedy the violation.

DUTIES OF THE BUILDING INSPECTOR

- 6.01** The building inspector shall keep records of any application received, permits and orders issued, inspections and tests made, and shall retain copies of all significant papers and documents connected with the administration of this Bylaw, all for at least seven years.

POWERS OF THE BUILDING INSPECTOR

- 7.01** The building inspector may enter upon any property or premises or any building or structure at all reasonable times for the purpose of administering or enforcing this Bylaw, including without limitation for the purpose of ascertaining whether the regulations and provisions of this Bylaw are being or have been complied with.

STOP WORK ORDERS

- 8.01** (1) Where any structure, in whole or in part:
- (a) is being constructed in contravention of the building code or this or any other bylaw of the Corporation of the District of Kent;
 - (b) is at variance with the description, plans or specifications for the structure which have been submitted in support of a building permit application;
 - (c) is being constructed without a building permit having been issued by the building inspector and not having lapsed or been revoked; or
 - (d) is being constructed in contravention of a covenant registered pursuant to section 215 or the Land Title Act against the property at issue pursuant to either section 82 of the Land Title Act or section 734(4) of the Municipal Act
- the building inspector may issue a stop work order by causing notice of it to be attached to the structure or posted in a prominent position on the subject property requiring the immediate suspension of any construction and, for so long as a stop work order is in effect, no person shall work on that structure in contravention of the terms of the stop work order;
- (2) A stop work order notice shall not be lifted until the violation has been corrected.

NO OCCUPANCY NOTICE

- 9.01** Where any structure:
- (a) **for which a building permit has been issued in whole or in part:**
 - (i) contravenes the health and safety requirements of the building code; or
 - (ii) contravenes the health and safety requirements of this or any other bylaw of the Corporation of the District of Kent or of any statute; or
 - (iii) contravenes a covenant registered pursuant to section 215 of the Land Title Act against the property at issue pursuant to either section 82 or the Land Title Act or section 734(4) of the Municipal Act; or
 - (b) is being or has been constructed without a building permit having been issued by the building inspector;

the building inspector may issue a no occupancy notice by causing the notice to be attached to the structure, and for so long as a no occupancy notice is in effect, no person shall occupy that structure in contravention of the notice.

BUILDING PERMITS

Application for a Permit

10.01 The application for a building permit shall:

- (a) be made in the form set out in Schedule "B" to this Bylaw;
- (b) be signed by the owner(s) or an agent authorized in writing by the owner(s).
- (c) state the intended use of the work for which the building permit application is made, and the intended use of all the buildings and structures located on the parcel of land in respect of which the building permit application is made;
- (d) include as exhibits two copies of the specifications and scale drawings of the structure with respect to which the work is to be carried out, such specifications and drawings to contain complete design and calculation criteria, the name and address of the designer and the following information:
 - (i) the dimensions of the structure;
 - (ii) the proposed use of each room or floor area;
 - (iii) the dimensions of the parcel of land on which the structure is or is to be located, including its location in respect of the parcel boundaries;
 - (iv) the location, height and horizontal dimensions of all existing structures on the land;
 - (v) driveway access and parking arrangements;
 - (vi) elevations, site drainage, parking arrangements and access for all commercial, industrial or multi-family residential construction;
 - (vii) the technical information specified in the building code and other parts of this Bylaw required to be included on the drawings relating to those parts;

- (viii) the location and size of every drain and of every trap or inspection piece that is on a drain
 - (ix) in section the size and location of every soil or waste pipe, trap and vent pipe; and
 - (x) information illustrating all features of the design of the structure
 - (xi) the location of any existing or proposed wells, septic tanks or fields and any other utilities or services on the parcel of land
- (Amend By 1421)
- (e) be accompanied by the applicable fee set out in ~~Schedule "A" to this Bylaw~~ the current Fees and Charges Bylaw; and
 - (f) contain all other information necessary to establish compliance with the building code, this Bylaw, other bylaws of the Corporation of the District of Kent, and any covenant registered pursuant to Section 215 of the Land Title Act against the property at issue pursuant to either section 82 of the Land Title Act or section 734(4) of the Municipal Act; and
 - (g) shall employ metric measurements for dimensions, specifications and scale drawings where such documents are required to be submitted.

Applications for Buildings Requiring Specialized Technical Knowledge and Assembly or Public Use Buildings

10.02 Notwithstanding any other provisions of this Bylaw:

- (a) a professional engineer or architect registered in the Province of British Columbia shall prepare and sign all drawings, specifications for and plot plans of, and shall supervise construction of, any structure to be constructed the specifications of which are not governed by the provisions of the building code; and
- (b) where the application for a building permit is for a proposed structure which is intended to be used for assembly or public use, the building inspector shall not issue a building permit if the plans and specifications submitted with the building permit application do not conform with the requirements of the Fire Code of British Columbia.

Issuance of a Permit

10.03 Where the requirements of this Bylaw have been met and:

- (a) an application has been made for a building permit;

- (Amend By 1421)
- (b) the proposed work set out in the application conforms with this Bylaw, all other bylaws of the Corporation of the District of Kent, and the building code;
 - (c) the applicant for a building permit has paid to the Corporation of the District of Kent the fee set out in ~~Schedule "A" to this Bylaw~~ the current Fees and Charges Bylaw;
 - (d) unless the proposed work is to be carried out on land within an established sewerage district, within a month prior to the date of the application wither the Medical Health Officer appointed under the Health Act R.S.B.C. 1979, c. 161 for the area in which the subject of the application is or is to be located or the Director of Waste Management appointed under the Waste Management Act R.S.B.C. 1979, c. 332 has issued a permit for sewage disposal for the work;
 - (e) the applicant has received a permit required under the Highway Act R.S.B.C. 1979, c. 167 or the Corporation of the District of Kent Highway Access Bylaw; and
 - (f) the applicant has complied with any requirements of the building inspector under section 734(2) to (6) of the Municipal Act;

the building inspector shall issue a building permit which the application is made.

Refusal of a Building Permit

10.04 Notwithstanding section 10.3 of this Bylaw, the building inspector may refuse to issue a building permit if:

- (a) the information submitted is inadequate to determine compliance with, or is contrary to the provisions of this Bylaw, other bylaws of the Corporation of the District of Kent, the building code, or any covenant registered pursuant to section 215 of the Land Title Act against the property at issue pursuant to either section 82 of the Land Title Act or section 734(4) of the Municipal Act;
- (b) the information submitted is incorrect or misleading;
- (c) issuance of the building permit is prohibited by or contrary to a provision of another bylaw, statute or regulation;
- (d) the proposed work would contravene the provisions of a covenant registered pursuant to section 215 of the Land Title Act against the property at issue pursuant to either section 82 of the Land Title Act or section 734(4) of the Municipal Act;

- (e) he or she is aware that the design as submitted, or the designer in preparing, or submitting the design, is or is acting contrary to this bylaw or another enactment; or
- (f) the circumstances described in section 10.06 apply.

Lapse of a Permit

- 10.05** (1) Every permit is issued on the conditions that:
- (a) the construction shall be commences within six months after the date the permit was issued;
 - (b) the work, once commenced, shall not be discontinued for a continuous period of more than one year; and
- (2) Notwithstanding section 10.05(1), the time periods referred to in sections 10.05(1)(a) and 10.05(1)(b) may be extended by written approval of the building inspector where the circumstances leading to the delay were beyond the control of the applicant. Such extensions of time shall not exceed totals of six months and one year respectively.

Tests

- 10.06** The building inspector may revoke, or refuse to issue a building permit where the results of tests authorized or required under the building code indicate that materials, devices, construction methods, structural assemblies or foundation conditions do not provide the level of performance required by the building code.

Renewal of a Permit

- 10.07** (1) An applicant may apply for and the building inspector may issue a renewal of a building permit for a period of not more than one year, only if:
- (i) all applicable drawings and specifications are updated to comply with current regulations; and
 - (ii) an additional fee is paid as required under ~~Schedule "A" to this Bylaw~~ the current Fees and Charges Bylaw.
- (2) A permit may be renewed only once under section 10.07.1);
- (3) No permit may be renewed after it has lapsed under section 10.05(2)

(Amend By 1421)

Revoking a Permit

10.08 The building inspector may by delivery of a written notice of revocation to a permit holder revoke a building permit where:

- (a) there is a contravention of any term or condition under which the permit was issued;
- (b) there is a contravention of any provision of this Bylaw, other bylaws of the Corporation of the District of Kent, the building code, or any covenant registered pursuant to Section 215 of the Land Title Act against the property at issue pursuant to either Section 82 of the Land Title Act or Section 734(4) of the Municipal Act;
- (c) the permit was issued on the basis of incorrect or misleading information supplied by the owner or agent; or
- (d) the circumstances described in section 10.06 apply;
- (e) the permit was issued in error.

Refunds of Building Permit Fees

(Amend By 1421) **10.09** (1) The portion of the building permit fee set out as item 1 of ~~Schedule "A" to this Bylaw~~ the current Fees and Charges Bylaw shall be the minimum building permit fee and shall not be refundable.

(Amend By 1421) (2) The building permit fee required under Section 10.01(e) and set out in ~~Schedule "A" to this Bylaw~~ the current Fees and Charges Bylaw shall not be refunded in whole or in part if construction has been commenced in accordance with Section 10.05(1)(a).

(3) On the lapse of a building permit under section 10.05(2), if no construction has commenced in accordance with Section 10.05(1)(a) the building inspector shall, on receipt of a written request from the applicant, refund 50% of the fee paid, but not less than the minimum building permit fee.

OCCUPANCY PERMITS

11.01 No person shall occupy or permit the occupancy of a building before the building inspector has:

- (a) issued an occupancy permit for the building after construction authorized by the building permit is complete; or
- (b) given written permission for provisional occupancy if construction authorized by the building permit is not complete.

11.02 The building inspector may refuse to issue the occupancy permit or written permission for provisional occupancy if the building or part thereof:

- (a) contravenes the health and safety requirements of the building code;
- (b) contravenes the health and safety requirements of this or any other bylaw of the Corporation of the District of Kent or of any statute;
- (c) contravenes a covenant registered pursuant to section 215 of the Land Title Act against the property at issue pursuant to either section 82 of the Land Title Act or section 734(4) of the Municipal Act; or
- (d) has not been completed in substantial conformity with the plans and specifications submitted with the building permit application under 10.01(d).

DUTIES AND RESPONSIBILITIES OF OWNER

12.01 (1) Subject to section 2.03, every owner of real property or his agent, in an area of the Corporation of the District of Kent which is accessible by a public road, highway or other means shall obtain from the building inspector a building permit before commencing any construction, works, or change in occupancy as described below:

- (a) the placing on any land of any manufactured or factory-built home or of any housing component or modular structure;
- (b) the erection of any sign or canopy;
- (c) installation, alteration or repair of fencing around a swimming pool as required under section 18.01;
- (d) the installation, repair or alteration within the property boundary or on the property line of any sanitary sewer, storm drain, water line, water meter, service connections or plumbing works;
- (e) any change in occupancy of a building or part thereof;
- (f) installation of or repairs to chimneys and fireplaces, including freestanding fireplaces, stoves and solid fuel burning heaters;
- (g) any change in the kind or animals other than domestic pets housed in the building;
- (h) all other construction or repairs to a structure of all building types;
- (i) removal or demolition of any structure; or

- (j) installation, repair or alteration of gas or oil underground pipes and fittings, tanks or pumps;
- (k) installation, repair or alteration to a manure storage facility.

(2) Potable Water System

(Amend. By 1178)

1. Every water service pipe shall be provided with a shut-off valve where the pipe enters the building. The shut off valve shall be located within 0.5 metres of the access opening or be readily accessible.
2. In residential buildings the hot and cold supply pipes to each fixture shall be provided with accessible shut off valves located as close as possible to each fixture.
3. Where a building is supplied with a private water supply system, and a water pump and water tank are required they shall be secured and located within 0.5 metres of the access opening or be readily accessible

12.02 Every owner of real property or his agent as described in Section 12.01(1) shall:

- (a) before conduction trade waste or the waste from plumbing fixtures to a public sewer:
 - (i) determine whether the waste may be discharged into the public sewer system and whether the public sewer system is at a sufficient depth and has a sufficient capacity to receive the discharge; and
 - (ii) arrange the plumbing to suit the location of the connection provided for the parcel by the Corporation of the District of Kent or other authority;
- (b) before connecting a structure to a building sewer extension furnish to the building inspector information to prove that the proposed sewer will be laid at sufficient depth and in such a position as to connect the property to the building sewer extension;
- (c) obtain from the building inspector written permission before resuming construction which has been discontinued or suspended on any structure for a period of more than one year;
- (d) promptly deliver to the building inspector records of the results of any tests of materials, devices, construction methods, structural assemblies, and foundation conditions, where the tests are made to ensure conformity with the requirements of the building code or of this Bylaw; and

- (e) when required by the building inspector, uncover and replace at his or her own expense any work that has been covered contrary to this Bylaw or an order issued by the building inspector.

INSPECTIONS

- 13.01** (1) Every holder of a building permit shall give notice to the building inspector of his or her readiness for an inspection and shall obtain an approval from the building inspector of each stage of construction set out in section 13.01(1)(a),(b) and (c). Such notice shall be a minimum of one full working day. The stages of construction at which inspections and approvals shall be required are as follows:
- (a) for a farm building:
 - (i) before any concrete is poured, after the form work is completed and the reinforcing bars for the footings are in place.
 - (ii) if reinforcing bars are required by the designer, before any concrete is poured, and after the form work and reinforcing bars for the foundation walls are in place.
 - (iii) if the foundation is constructed of other than concrete, when the foundation wall framing has commenced; and
 - (iv) after the framing is complete, including all necessary bracing, bridging or ties and exterior;
 - (b) for a structure other than a farm building:
 - (i) before any concrete is poured, after the form work is completed and when the reinforcing bars for the footings are in place;
 - (ii) if reinforcing bars are required by the designer, before any concrete is poured, and after the form work and reinforcing bars for the foundation walls are in place;
 - (iii) before any backfilling is placed, after the perimeter drain tile is installed, the rain water system is installed and the damp proofing is applied.
 - (iv) before any insulation, drywall or other interior or exterior finish is applied which would conceal the work, after framing and sheathing of the building are complete, including fire stopping, bracing and stairs;

- (v) before any basement flooring is placed and before any inside covering is commenced, after the plumbing system is complete.
 - (vi) in the case of a masonry fireplace:
 - (A) after the smoke chamber is completed but before the chimney above it is constructed; and
 - (B) after the chimney is completed in accordance with the building code;
 - (vii) in the case of a free standing space heater fireplace, stove or solid fuel burning heater, after the appliance is installed and the chimney is completed, all in accordance with the building code, but prior to any covering up which would conceal the required clearances;
 - (viii) before the interior finish is installed, after the insulation and vapour barrier have been installed;
 - (ix) in the case of commercial or assembly occupancy, after any specialized apparatus and commercial equipment has been installed;
 - (x) in the case of commercial or assembly occupancy, after construction of all construction pursuant to the building code is complete;
 - (xi) before occupancy takes place, after construction of the structure or a portion thereof is complete and ready for occupancy; and
- (2) Every holder of a building permit shall give at least two business days' notice to the building inspector:
- (i) prior to commencing construction on a building site;
 - (ii) before a drain or sanitary or storm sewer is covered; and
 - (iii) before covering any work that has been ordered to be inspected.
- (3) For demolition and moving permits the owner or contractor shall call for an inspection once all debris and concrete has been removed (before backfilling) and again once when site is left level and clean.

13.02 The building inspector may require a holder of a building permit to uncover any work which has been covered before it was inspected and approved by the building inspector where this bylaw requires for said work to be inspected and approved.

DUTIES AND RESPONSIBILITIES OF THE CONSTRUCTOR

14.01 Every:

- (a) person who contracts with an owner of real property or agent of the owner to construct;
- (b) owner who contracts with more than one person to construct; or
- (c) owner who constructs;

shall:

- (d) ensure that all construction complies with:
 - (i) the building code, and
 - (ii) all health and safety requirements of this bylaw, other bylaws of the Corporation of the District of Kent, other applicable enactments, and any covenant registered pursuant to the Land Title Act against the property at issue pursuant to either section 82 of the Land Title Act or section 734(4) of the Municipal Act; and
 - (iii) the design, plans and specifications forming the basis of the building permit issuance;
- (e) ensure that all construction safety requirements of this bylaw are complied with; and
- (f) before starting or authorizing any construction or storage of material on the Corporation of the District of Kent property obtain permission in writing from the building inspector.

14.02 The owner/contractor shall provide the District of Kent with a Site Survey Certificate at the foundation form work stage and shall be approved by the Building Department before continuing work beyond this stage.

The Site Certificate shall show the elevations as noted on the Building Permit and/or Restrictive Covenant.

The Survey Certificate shall be carried out by a B.C.L.S. (British Columbia Land Surveyor).

PROFESSIONAL DESIGN AND REVIEW

General

15.01 The requirements of this section 15 apply to an owner who applies for a building permit for:

- (a) a building that falls within the scope of Part 3 of the building code;
- (b) structural components of buildings that fall within the scope of Part 4 of the building code;
- (c) a building that is designed with common egress systems for the occupants and requires the use of firewalls, according to subsection 2.1.7 of the building code;
- (d) construction which falls within the scope of Section 734(2) of the Municipal Act;
- (e) construction which the building inspector is aware requires professional design services under another enactment; or
- (f) construction which falls within the scope of section 10.02(a) of this bylaw.

15.02 (1) Before an owner obtains a building permit from a building inspector, the owner shall

- (a) retain a coordinating registered professional to coordinate all design work and field reviews of the registered professionals required for the project in order to ascertain that:
 - (i) the design will substantially comply with the building code and other applicable enactments respecting safety, and
 - (ii) the construction of the project will substantially comply with the building code and other applicable enactments respecting safety, not including the construction safety aspects; and
- (b) deliver to the building inspector letters in the forms set out in Schedules A, B-1 and B-2 to section 2.6 of the building code.

(2) Before an owner obtains an occupancy permit from a building inspector, the owner shall deliver to the building inspector letters in the forms set out in Schedule "C" to section 2.6 of the building code.

Duties of Registered Professional

- 15.03** (1) A registered professional, who signs a letter, the form of which is set out in a schedule under section 2.6 of the building code, and an owner who signs or has an agent sign a letter, the form of which is set out in a schedule under section 2.6 of the building code, shall comply with this section and the provisions of the letter that apply to the person signing.
- (2) A registered professional or coordinating registered professional who is responsible for a field review shall keep a record of the field review and of any corrective action taken as a result of the field review and shall make the record available to the building inspector on the request of the building inspector.
- (3) A registered professional who is retained to undertake design work and field reviews and who is required to provide letters pursuant to section 15.02(1)(b) shall:
- (a) place his or her professional seal or stamp on the plans submitted by him or her in support of the application for the building permit, after ascertaining that they substantially comply with the building code and other applicable enactments respecting safety;
 - (b) provide to the building inspector the letter referred to in Schedule "C" to section 2.6 of the building code after ascertaining that the components of the project for which the registered professional is responsible are constructed so as to substantially comply, in all material respects, with
 - (i) the plans and supporting documents; and
 - (ii) the requirements of the building code and other applicable enactments respecting safety, not including construction safety, not including construction safety aspects; and
 - (c) ensure that the field reviews that are necessary to comply with clause (b) are properly completed.

Duties on Termination of a Registered Professional or a Coordinating Registered Professional

- 15.04** (1) The owner and the coordinating registered professional shall each notify the building inspector of the dates the coordinating registered professional ceases to be retained at any time during the project's construction.

- (2) The registered professional shall notify the building inspector of the date the registered professional ceases to be retained at any time during the project's construction.
- (3) Notification under subsections (1) and (2) must be made before the coordinating registered professional or the registered professional ceases to be retained or, if that is not possible, then as soon as possible.
- (4) The owner must not terminate the appointment of a coordinating registered professional or a registered professional unless
 - (a) the owner immediately replaces the coordinating registered professional or the registered professional, or
 - (b) the owner has complied with section 15.02(1)(b) and (2) by delivering letters in the forms set out in Schedule A, B-1, B-2 and C to section 2.6 of the building code to the building inspector.

DOCUMENTS ON SITE

16.01 Every person to whom a building permit is issued shall, during construction, keep:

- (a) posted the building permit or a copy of it in a conspicuous place;
- (b) a copy of the approved drawings and specifications; and
- (c) posted in a location such that it is conspicuous from the road at all times, the building permit weather card which is issued with the building permit the form of which is set out in Schedule "C" to this bylaw;
- (d) a list showing names of businesses and individual trades persons responsible for carrying out works on the project

on the real property and in respect of which the building permit is issued.

MOVING BUILDINGS

- 17.01**
- (1) For the purpose of this section a "mobile home" means a building which was designed and manufactured in such a way as to facilitate periodic relocation and transportation by highway and was certified at its point of manufacture as conforming to CAN/CSA Z240 MH Series-M86.
 - (2) Where a building is a mobile home as defined in 17.01(1) there shall be no special requirements under this bylaw for moving.
 - (3) Where a building is not a mobile home as defined in 17.01(1) with the exception of:

- (a) premanufactured, assembled buildings which can be certified as complying with the building code; and
- (b) accessory buildings under 50m² (538 sq. ft.) in area;

no person shall move any building or part thereof from any parcel of land to a parcel of land located in the Corporation of the District of Kent, unless:

- (c) if the building is used or intended for use as a residence, the value of the building as specified on the most recent assessment roll prepared by the British Columbia Assessment Authority, exceeds \$20,000.00;
- (d) the building or part thereof conforms with the requirements of the building code;
- (e) the building inspector has issued a building permit authorizing moving of the building;

(Amend By 1421)

- (f) if the person has made application to move any building or part thereof into the Corporation of the District of Kent, he or she has at the time of application paid the fee prescribed in Item 1 of ~~Schedule "A" to this bylaw~~ the current Fees and Charges Bylaw, which fee is not refundable but shall be applied to the fees for a building permit issued within two months of the date of the application to move the building;
- (g) before receiving the permit to move any building either into or within the Corporation of the District of Kent the person has:

- (i) paid to the Corporation of the District of Kent:

- (A) the fee to move a building or structure from one parcel of land to another parcel of land within the Corporation of the District of Kent as prescribed in ~~Schedule "A" to this bylaw~~ the current Fees and Charges Bylaw; or

(Amend By 1421)

- (B) the fee to move a building or structure into the Corporation of the district of Kent from outside the Corporation of the District of Kent as prescribed in ~~Schedule "A" to this bylaw~~ the current Fees and Charges Bylaw; and

(Amend By 1421)

- (ii) posted security with the building inspector to ensure the restoration of the former site, where such site is located within the Corporation of the District of Kent, and to ensure completion of the exterior finish of the foundation on the new site, as prescribed in ~~Schedule "A" to this Bylaw~~ the current Fees and Charges Bylaw; and

- (h) the person has given the building inspector proof that:
 - (i) the person moving the building is licensed to and has previously moved buildings and carries public liability and property insurance in the amount of not less than \$3,000,000; and
 - (ii) the Corporation of the District of Kent has been named in this insurance policy as an additional insured in respect of any liability that may arise in relation to the moving of the building or the Corporation of the District of Kent's exercise of powers under this bylaw or another enactment.
- (4) If any person to whom a building permit is issued for the purpose of moving a building fails to complete the remedial works required for the restoration of the former site (where such site is located within the Corporation of the District of Kent) and to complete the exterior finish of the foundation on the new site within twelve months after the date the permit is issued, the building inspector may deliver a written notice directing the owner to remedy the non-compliance within thirty days after the date of notice.
- (5) If the non-compliance under section 17.01(4) is not remedied within the period of thirty days, the Corporation of the District of Kent may draw on the security posted under section 17.01(3)(g) and may enter on the land on which the building is located and remedy the non-compliance.
- (6) Nothing in this section removes the requirement under this bylaw to obtain a separate building permit before construction of a foundation or other works related to the proposed building move.

FENCING OF SWIMMING POOLS

18.01 Swimming pools shall be enclosed within a fence. The fence shall be not less than 1.1 metres (3 feet 6 inches) in height, with no openings greater than 10 cm (4 inches) in their least dimension. Access through the fence enclosing the swimming pool shall be by means of a self-closing gate only. The gate and fence shall be designed so as to cause the gate to return to a locked position when not in use. The gate shall be secured by a spring lock which can be opened on the swimming pool side only. For the purpose of this section, "swimming pool" shall include any constructed or prefabricated pool used or intended to be used for swimming, bathing or wading, having a surface area greater than 13.9m² (150 sq. ft.) and a depth greater than 0.46 metres (18 inches).

CLIMATIC DATA

19.01 Except as shown in the table in section 19.02 of this bylaw, climatic data for use in the design of structures in the Corporation of the District of Kent shall be as established by the most recent edition of the National Building Code of Canada

19.02 The following ground snow loads* shall apply:

LOCATION	APPROXIMATE ELEVATION (in metres above sea level)	S_s (ground snow load in kPa with a 1-in-30 probability of exceedence per year)	S_r (load due to the associated rain which may fall into the snow cover)
AGASSIZ	20	2.2	0.6
ROCKWELL DRIVE	40	2.4	0.6

* The above figures have been developed for spot locations, higher elevations may dictate great loads.

CORRECTION OF VIOLATION

20.01 Where:

- (a) a written notice of any violation of the provisions of this bylaw relating to a structure has been given to the owner of his or her agent by the building inspector; or
- (b) any order directing the cessation of any work upon the structure has been issued by the building inspector;

the building inspector shall not issue any permit for the construction, moving or occupancy of the structure until:

- (c) the violations under this bylaw have been corrected; and
- (d) all works in connection with the structure comply with the requirements of this bylaw.

REFERENCED DOCUMENTS

21.01 In the case of any conflict between the provisions of this bylaw and those of documents incorporated by reference or referred to in this bylaw, other than the building code, the provisions of this bylaw govern.

SEVERABILITY

22.01 If any section, subsection, sentence, clause or phrase in this bylaw is for any reason held to be invalid by a decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the bylaw.

SCHEDULES

(Amend by 1421) **23.01** Schedules "A" the current Fees and Charges Bylaw, "B" through "F" inclusive are attached to and form part of this bylaw.

IMPERIAL MEASUREMENTS

24.01 Imperial measurements shown in this bylaw in parentheses are included for convenience of reference only and do not form part of this bylaw.

REPEAL OF THE CORPORATION OF THE DISTRICT OF KENT BUILDING BYLAW NO. 994 and 1080

25.01 The Corporation of the District of Kent Building Bylaw No. 994, 1993, as amended and District of Kent Building Bylaw, Amendment Bylaw No. 1080, be hereby repealed.

NAME

26.01 This bylaw may be cited for all purposes as "The Corporation of the District of Kent Building Bylaw No. 1116, 1997".

Schedule "A"
Building Bylaw No. 1116 (Amended by Bylaw 1178, 1195 and 1421)
Building Permit Fees

- (Amend by 1421) 1. The fees schedule for Building Permits shall be defined within the current Fees and Charges Bylaw

Schedule "B"
Attached to and forming part of Bylaw No. 1116



The Corporation of the District of Kent
BUILDING DEPARTMENT
7170 Cheam Avenue
P.O. Box 70, Agassiz, B.C. V0M 1A0
Phone 604-796-2235
Fax 604-796-9854

**BUILDING
APPLICATION / PERMIT**

For: _____

Permit No. _____

APPLICANT(S) NAME _____

APPLICATION DATE _____

Registered Owner(s) _____	Folio No. _____
Site Address _____	P.I.D. No. _____
Address of Owner(s) _____	Zoning _____
_____	Map No. _____
Owner(s) Ph. No. _____ Business Ph. No. _____	Applicant's Ph. No. _____
Legal Description of Site _____	

Building Contractor: _____ Address: _____ _____ Ph. No. _____ Plumbing Contractor _____ Ph. No. _____ No. F/P _____ Type _____ No. Stoves _____ Chimney Type _____ Arch./Eng. Name _____ Use of Structure _____ Value of Construction \$ _____	<p><u>FEES</u></p> Building Fee \$ _____ Plumbing Fee \$ _____ Other (specify) _____ \$ _____ _____ \$ _____ _____ \$ _____ _____ \$ _____
---	---

Legal Access	Y	N	_____		
Storm Drainage: District System	Y	N	_____		Access Permit Fee: \$ _____
Sanitary Sewers: District System	Y	N	_____		Storm Conn. Fee: \$ _____
Potable Water: District System	Y	N	_____		Sanitary Conn. Fee: \$ _____
Dev. Cost Charges	Y	N	_____		Water Conn. Fee: \$ _____
					D.C.C. Fee: \$ _____

	Total Permit Value \$ _____
	Security Deposit \$ _____
	Other Security Deposits \$ _____

APPLICANT TO READ REVERSE SIDE OF
APPLICANT'S COPY FOR REGULATIONS
AND CONFORMANCE REQUIREMENTS.

SIGNATURE OF OWNER(S): _____

INSPECTOR: _____

PRINT NAME: _____

DATE: _____

WHITE: File

YELLOW: Applicant's Copy

PINK: Assessor's Copy

GOLD: Utilities

Schedule "C"
Attached to and forming part of Bylaw No. 1116



District of Kent

BUILDING PERMIT NO. _____

ADDRESS _____

NO INSPECTIONS WILL BE MADE UNLESS THIS CARD IS POSTED ON PROPERTY AND CLEARLY
VISIBLE FROM THE STREET.

Schedule "D"
Attached to and forming part of Bylaw No. 1116



THE CORPORATION OF THE DISTRICT OF KENT
BUILDING DEPARTMENT
MUNICIPAL HALL, 71 70 CHEAM AVE., AGASSIZ, B.C. TEL: (604) 796-2235

CERTIFICATE OF OCCUPANCY

Owner: _____ Address: _____

Contractor: _____ Address: _____

Civic Address of Property: _____

Legal Description of Property: _____

Building Permit No.: _____ Construction Authorized: _____

Date of Inspection (indicating that construction has been completed): _____

Date BUILDING INSPECTOR

The issuance of this Occupancy Certificate in no way relieves the owner from the full responsibility of ensuring the work complies with the provisions of the Building Code and The Corporation of the District of Kent Building Bylaw. This Occupancy Certificate does not imply nor is it intended to be a warranty that the building complies with the Building Code or any Bylaws of The Corporation of the District of Kent. This Certificate does not include any approval in respect to other authorities who may be required to approve other aspects of the building, including but not limited to electrical wiring, gas and the septic tank and disposal field.

WHITE: File GOLD: Utilities PINK: Assessor's Copy MANILLA HARD COPY: Site

Schedule "E"
Attached to and forming part of Bylaw No. 1116



THE CORPORATION OF THE DISTRICT OF KENT
BUILDING DEPARTMENT
MUNICIPAL HALL, 7170 CHEAM AVE., AGASSIZ, B.C. TEL: (604) 796-2235

NO OCCUPANCY

LOCATION:

Works:

The OCCUPANCY of the above described premises is hereby prohibited under the provisions of the Building Bylaw. Any person occupying these premises is subject to the penalties of the Bylaw until this notice has been cancelled by the Building Inspector.

.....
Date

.....
BUILDING INSPECTOR

**THIS CARD MUST NOT BE REMOVED EXCEPT
WITH THE AUTHORITY OF THE BUILDING
INSPECTOR**

Schedule "F"
Attached to and forming part of Bylaw No. 1116

THE CORPORATION OF THE DISTRICT OF KENT
BUILDING DEPARTMENT

MUNICIPAL HALL, 7170 CHEAM AVE., AGASSIZ, B.C. TEL: (604) 796-2235



STOP WORK

LOCATION:

Works:

This WORK is an infraction of the Building Bylaw and must not continue until this notice has been cancelled by the Building Inspector.

.....
Date

.....
BUILDING INSPECTOR

**THIS CARD MUST NOT BE REMOVED EXCEPT
WITH THE AUTHORITY OF THE BUILDING
INSPECTOR**