

THE CORPORATION OF THE CITY OF PORT COQUITLAM

BYLAW NO. 3710

A Bylaw relating to Building and Plumbing

Whereas municipal legislation and regulations authorize the City of Port Coquitlam, for the health, safety, and protection of persons and property to regulate the construction, alteration, repair or demolition of building 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 Council of the City of Port Coquitlam, in open meeting assembled, enacts as follows:

1. Title

This Bylaw may be cited for all purposes as the “Building and Plumbing Bylaw, 2009, No. 3710”.

2. Definitions

In this Bylaw:

The following words and terms have the meanings set out in the Building Code: adaptable dwelling units, assembly occupancy, building, building area, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, field review, floor area, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, occupancy, owner, registered professional, and residential occupancy.

Appraised Value means the value of a building determined by a person designated Accredited Appraisal Canadian Institute (ACCI) or Canadian Residential Appraiser (CRA) by the Appraisal Institute of Canada.

Assessed Value means the most recent assessed value of a building as determined by the Assessment Authority of British Columbia.

Backflow Preventor means a device or a method which prevents backflow in a water system and which prevents a potable water cross connection.

Building Code means the British Columbia Building Code 2006 as adopted by the Minister pursuant to section 692 (1) of the *Local Government Act*, as amended or re-enacted from time to time.

Building Official includes Manager of Building Permits and Inspections, Chief Building Inspector, Building Inspectors, Plan Checkers and Plumbing Inspectors designated by the City.

Certified Tester means the holder of a Certificate of Competency as recognized by the American Water Works Association, BC Section, as a Certified Cross Connection Control Active Tester or Specialist.

City means The Corporation of the City of Port Coquitlam

Complex Building means:

- (a) all buildings used for major occupancies classified as:
 - (i) assembly occupancies,
 - (ii) care or detention occupancies, or
 - (iii) high hazard industrial occupancies, and
- (b) all buildings exceeding 600 square meters in building area or exceeding three storeys in building height used for major occupancies classified as:
 - (i) residential occupancies,
 - (ii) business and personal services occupancies,
 - (iii) mercantile occupancies, or
 - (iv) medium and low hazard industrial occupancies.

Cross Connection means any actual or potential physical connection between potable waterline and any pipe, vessel or machine containing a non-potable fluid or has the possibility of containing a non-potable fluid, solid or gas to enter the water system by backflow.

Health and safety aspects of the work means design and construction regulated by Part 3, Part 4, Part 7, and Sections 9.8, 9.9, 9.10, 9.12, 9.13 9.14, 9.17, 9.18, 9.19, 9.20, 9.21, 9.22, 9.23, 9.24, 9.25, 9.31, 9.32, 9.34 and 9.36 of Part 9 of the Building Code.

On-Site Services means all pipes, conduits, fixtures, and appurtenances located below ground which carry water, sanitary sewer, or storm water within the boundaries of a parcel but outside a building, to or from City service connections.

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

- (a) residential occupancies,
- (b) business and personal services occupancies,
- (c) mercantile occupancies, or
- (d) medium and low hazard industrial occupancies.

Structure means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and retaining structures less than 1.5 meters in height.

Temporary building means a structure such as a tent, fabric-covered frame, construction trailer, modular or prefabricated building intended for temporary use or occupancy.

3. Purpose of Bylaw

3.1 This Bylaw shall, notwithstanding any other provision herein, be interpreted in accordance with this section.

3.2 This Bylaw has been enacted for the purpose of regulating construction within the City of Port Coquitlam 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 health, safety and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of this Bylaw extend:

- (a) to the protection of owners, owner/builders or constructors from economic loss;
- (b) to the assumption by the City or any Building Official of any responsibility for ensuring the compliance by any owners, his or her representatives or any employees, constructors or designers retained by him or her, with the Building Code, the requirements of this Bylaw or any other applicable enactments respecting safety;
- (c) to providing any person a warranty of design or workmanship with respect to any building or structure for which a building permit or occupancy permit is issued under this Bylaw;

- (d) to providing a warranty or assurance that construction undertaken pursuant to building permits issued by the City is free from latent, or any defects.

4. Permit Conditions

- 4.1 A permit is required whenever work regulated under this Bylaw is to be undertaken.
- 4.2 Neither the issuance of a permit under this Bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the City shall in any way relieve the owner or his or her representatives from full and sole responsibility to perform the work in strict accordance with this Bylaw, the Building Code and or other applicable enactments respecting safety.
- 4.3 It shall be the full and sole responsibility of the owner (and where the owner is acting through a representative, the representative) to carry out the work in respect of which the permit was issued in compliance with the Building Code and this Bylaw or other applicable enactments respecting safety.
- 4.4 Neither the issuance of a permit under this Bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made or spot checking performed by or on behalf of the City constitute in any way a representation, warranty, assurance or statement that the Building Code, this Bylaw or any other applicable enactments respecting safety have been complied with.
- 4.5 No person shall rely upon any permit as establishing compliance with this Bylaw or assume or conclude that this Bylaw has been administered or enforced according to its terms. The person to whom the building permit is issued and his or her representatives are responsible for making such determination.

5. Scope and Exemptions

- 5.1 This Bylaw applies to the design, construction and occupancy of new buildings and structures, and the alteration, reconstruction, demolition, removal, relocation and occupancy of existing buildings and structures or portions thereof.
- 5.2 This Bylaw does not apply to buildings or structures exempted by Part 1 of the Building Code except as expressly provided herein, or to structures constructed for firefighting training purposes that comply with the most current edition of NFPA 1403 Standard on Live Fire Training Evolutions.
- 5.3 This Bylaw does not apply to lands reserved for Indians, whether reserve or designated land.

6. Prohibitions

- 6.1 No person shall commence or continue any excavation, construction, alteration, reconstruction, demolition, removal or relocation or change the occupancy of any building or structure unless a permit for the work has been issued.
- 6.2 No person shall occupy or use any building or structure contrary to the terms of any permit or order issued or notice given by a Building Official.
- 6.3 No person shall knowingly submit false or misleading information to a Building Official in relation to any permit application or construction undertaken pursuant to this Bylaw.
- 6.4 No person shall, unless authorized in writing by a Building Official, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to a building or structure pursuant to this Bylaw.
- 6.5 No person shall do any work that is substantially at variance with the design drawings of a building, structure or other works for which a permit has been issued, unless that variance to the work has been accepted in writing by the registered professional or Building Official.
- 6.6 No person shall obstruct the entry of a Building Official or other authorized official of the City on property in the administration of this Bylaw.

7. Building Officials

- 7.1 Each Building Official may:
 - 7.1.1 administer this Bylaw;
 - 7.1.2 keep records of permit applications, permits, notices and orders issued, inspections and tests made, and shall retain paper, microfilm or electronic copies of all documents related to the administration of this Bylaw;
 - 7.1.3 establish, if requested to do so, whether the methods or types of construction and types of materials used in the construction of a building or structure for which a permit is sought under this Bylaw substantially conform to the requirements of the Building Code;
 - 7.1.4 enter any land, building, structure or premise at any reasonable time for the purpose of ascertaining that the terms of this Bylaw are being observed;

- 7.1.5 order work, specify conditions or post Do Not Occupy signs to make a building safe, to make a site safe, to address work that is being done or has been done in contravention of this Bylaw;
- 7.1.6 prescribe the form of applications, permits, orders, notices and other forms the use of which is contemplated by this Bylaw;
- 7.1.7 disconnect the water service to a parcel which has, or is suspected of having a cross connection to potable water;
- 7.1.8 accept or reject an Alternate Solution (AS) submitted by an owner, builder or designer as provided in the BC Building Code;
- 7.1.9 for complex Alternate Solutions, require:
 - 7.1.9.1 Letters of Assurance for Professional Design, Field Review and proof of liability insurance under Section 15; and
 - 7.1.9.2 written confirmation from the Coordinating Registered Professional regarding the AS;
- 7.1.10 for Alternate Solutions, require an acceptable 219 restrictive covenant be filed in the Land Title Office;
- 7.1.11 issue a permit for an acceptable AS subject to payment of fees in the Fees and Charges Bylaw;
- 7.2 A Building Official shall:
 - 7.2.1 where any residence is occupied, obtain the consent of the occupant or provide written notice to the occupant 24 hours in advance of entry; and
 - 7.2.2 carry proper credentials confirming his or her status as a Building Official.

8. Permit Applications

- 8.1 Every person shall apply for and obtain:
 - 8.1.1 a building permit before excavating for construction, constructing, relocating, reconstructing, repairing, or altering a building, retaining wall, swimming pool or other structure;
 - 8.1.2 a moving permit before moving a building or structure;
 - 8.1.3 a demolition permit before demolishing a building or structure;
 - 8.1.4 a fireplace and chimney permit prior to the construction of a masonry fireplace or the installation of a wood burning appliance or chimney unless the works are encompassed by a valid building permit;

- 8.1.5 a sign permit before constructing or placing a sign regulated in this Bylaw or the Sign Bylaw;
- 8.1.6 a plumbing permit before installing, repairing or altering any plumbing, and similar works except as set out in Section 13.9;
- 8.1.7 a fire sprinkler permit for fire line or sprinkler installation;
- 8.1.8 an on-site service permit for on-site services and water meter; and
- 8.1.9 an energy permit for hydronic heating.
- 8.2 An application for a permit shall be made in the form prescribed by a Building Official.
- 8.3 An applicant for a demolition permit may be required to:
 - 8.3.1 pay the permit fee, capping cost for the existing water, storm, and sanitary services;
 - 8.3.2 except for single residential and duplex residential zoned property, provide floor area calculations for Development Cost Charge credits.
- 8.4 When required by a Building Official an application for a plumbing permit shall be accompanied by a plan that shows 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.
- 8.5 An application for a permit for a building with a hydronic heating system shall include two copies of the system design, heat loss calculations and boiler room layout showing:
 - 8.5.1 pipe lengths for all rooms heated by radiant panel;
 - 8.5.2 radiant panel looping arrangements;
 - 8.5.3 lengths of baseboard heating units where applicable;
 - 8.5.4 type of piping;
 - 8.5.5 boiler and radiant system temperatures;
 - 8.5.6 pump schedules and locations;
 - 8.5.7 heating demands for all systems;
 - 8.5.8 boiler model and rating;
 - 8.5.9 size and type of mixing valve; and
 - 8.5.10 thermometer and aqua stat on radiant panel supply.

Designs and supporting documents are to be in compliance with the Thermal Environmental Comfort Association (TECA) guidelines for design in effect at the time of application and shall be certified by a Registered Professional.

- 8.6 All drawings submitted with permit applications shall bear the name and address of the designer.
- 8.7 Each building or structure to be constructed on a site requires a separate building permit and shall be assessed a separate building permit fee based on the value of that building or structure as determined in accordance with Fees and Charges Bylaw.
- 8.8 An application for a permit will be canceled if:
 - 8.8.1 permit fees are not paid within six months from the date of notification to the applicant that the City is prepared for permit issuance; or
 - 8.8.2 after six months of being notified by the City, the applicant has not amended the application such that a permit is issuable.

9. Complex Building Applications

- 9.1 Unless exempted by the Building Official, an application for a building permit with respect to a complex building shall:
 - 9.1.1 be signed by the owner, or a signing officer if the owner is a corporation, and the coordinating registered professional;
 - 9.1.2 be accompanied by the owner's acknowledgment in Form A, signed by the owner, or a signing officer if the owner is a corporation;
 - 9.1.3 include a copy of a title search made within 30 days of the date of the application;
 - 9.1.4 include a site plan prepared by a British Columbia Land Surveyor showing:
 - 9.1.4.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - 9.1.4.2 the legal description and civic address of the parcel;
 - 9.1.4.3 the location and dimensions of all applicable restrictive covenants, statutory rights of way, easements and setback requirements;
 - 9.1.4.4 the location and dimensions of all existing and proposed buildings or structures on the parcel;

- 9.1.4.5 finished ground levels to an established datum at or adjacent to the site;
 - 9.1.4.6 the location, gradient and dimension of parking areas and driveway access;
 - 9.1.4.7 the location of the natural boundary of any lake, swamp, pond or watercourse that is on or within 50 m of the parcel;
 - 9.1.4.8 where land is subject to flooding, the 200 year flood level and setback from the natural boundary of the river; and
 - 9.1.4.9 the geodetic elevation of the lowest habitable floor in a building;
- 9.1.5 include three sets of drawings prepared and sealed by the registered professionals including floor plans, elevations, cross sections and details showing that the building design substantially conforms with the City Bylaws and other applicable enactments;
 - 9.1.6 include three sets of site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional, in accordance with the City's Subdivision Servicing Bylaw;
 - 9.1.7 include details of the water supply and demand information from a registered professional;
 - 9.1.8 include water meter details to City standard specification;
 - 9.1.9 include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approval;
 - 9.1.10 include a letter of assurance as referred to in the Building Code, signed by the owner, or a signing officer of the owner if the owner is a corporation, and the coordinating registered professional;
 - 9.1.11 include letters of assurance in the form provided in the Building Code, each signed by such registered professionals as the Building Official or Building Code may require to prepare the design for and conduct field reviews of the construction of the building or structure;
 - 9.1.12 include copies of all encumbrances pertaining to the use of the property, including but not limited to restrictive covenants, easements, land use contracts and right of way agreements;
 - 9.1.13 include any other information required by the Building Official or the Building Code to establish substantial compliance with this Bylaw, the requirements of the Building Code in respect of the health and safety aspects of the work, and other Bylaws and enactments relating to the building or structure; and

9.1.14 include electronic copies of drawings.

10. Standard Building Applications

10.1 Unless exempted by the Building Official, an application for a building permit with respect to a standard building shall:

10.1.1 be signed by the owner, or a signing officer if the owner is a corporation;

10.1.2 be accompanied by the owner's acknowledgment in Form A, signed by the owner, or a signing officer if the owner is a corporation;

10.1.3 include a copy of a title search made within 30 days of the date of the application;

10.1.4 include a site plan from a British Columbia Land Surveyor showing:

10.1.4.1 the dimensions of the parcel taken from the registered subdivision plan;

10.1.4.2 the legal description and civic address of the parcel;

10.1.4.3 the location and dimensions respecting restrictive covenants, statutory rights of way, easements and setback requirements;

10.1.4.4 the location and dimensions of all existing and proposed buildings or structures on the parcel;

10.1.4.5 the finished ground levels;

10.1.4.6 the location, dimension and gradient of parking areas and driveway access;

10.1.4.7 the location of the natural boundary of any lake, swamp, pond or watercourse that is on or within 50 m of the property; and

10.1.4.8 where land is subject to flood, the flood level and setbacks from the natural boundary of the river;

10.1.5 include two sets of drawings including floor plans, elevations, cross sections and details showing that the building design will substantially comply with the requirements of the Building Code in respect of the health and safety aspects of the work, City Bylaws and other applicable enactments respecting safety and health;

10.1.6 for single residential and duplex residential, provide dimensions and calculations for lot area, lot coverage, building height, setbacks, floor area

ratio, building depth, parking and other requirements in the Zoning Bylaw and the Parking and Regulation of Development Bylaw;

10.1.7 include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approval;

10.1.8 include a foundation design prepared by a registered professional in accordance with section 4.2 of Part 4 of the Building Code, accompanied by letters of assurance in the form provided in the Building Code, signed by the registered professional, unless:

10.1.8.1 the requirements of 10.1.8 are waived by the Building Official for a building less than 50 square meters in building area on the basis of an inspection of the site conditions;

10.1.8.2 the requirements of section 10.1.8 are waived by a Building Official because the Building Official required a professional engineer's report pursuant to section 699 (2) of the *Local Government Act* and the building permit is issued in accordance with sections 699 (5) and (6) of the *Local Government Act*; or;

10.1.8.3 documentation, prepared and sealed by a registered professional, is provided certifying that the foundation design substantially complies with section 9.4.4 of Part 9 the Building Code and the foundation excavation substantially complies with section 9.12 of Part 9 of the Building Code;

10.1.9 include copies of encumbrances pertaining to the use of the property, including but not limited to restrictive covenants, easements, land use contracts and right of way agreements;

10.1.10 include electronic copies of drawings; and

10.1.11 include water meter detail to City's standard specification.

10.2 In addition to the requirements of section 10.1, some or all of the following may be required by a Building Official to be submitted with a building permit application for the construction of a standard building where the project involves two or more buildings, which in the aggregate total more than 1000 square meters, or two or more buildings that will contain four or more dwelling units, or otherwise where the complexity of the proposed building, structure or site warrant:

- 10.2.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional, in accordance with the City's Subdivision Servicing Bylaw;
- 10.2.2 a section through the site showing grades, buildings, structures, parking areas and driveways;
- 10.2.3 a roof plan and roof height calculations;
- 10.2.4 structural, electrical, mechanical or fire suppression drawings prepared and sealed by a registered professional;
- 10.2.5 letters of assurance in the form provided in the Building Code, signed by the registered professional; and
- 10.2.6 any other information required by the Building Official or the Building Code to establish substantial compliance with this Bylaw, the requirements of the Building Code in respect of the health and safety aspects of the work, and other Bylaws and enactments relating to the building or structure.

11. Professional Plan Certification

- 11.1 When the letters of assurance in the form provided in the Building Code are required and provided pursuant to sections 9.1.11, 10.1.8 and 10.2.5 of this Bylaw, they are relied upon by the City and its Building Officials as certification that the design and plans to which the letters of assurance relate comply with the Building Code and other applicable enactments relating to safety.
- 11.2 A building permit issued pursuant to section 11.1 of this Bylaw shall include a notice to the owner that the building permit is issued in reliance upon the certification of the registered professionals that the design and plans submitted in support of the application for the building permit comply with the Building Code and other applicable enactments relating to safety.
- 11.3 When a building permit is issued in accordance with section 11.1 and 11.2 of this Bylaw, the permit fee shall be reduced by 2.5% of the fees payable pursuant to the Fees and Charges Bylaw, up to a maximum reduction of \$500.00 (five hundred dollars).

12. Fees and Charges

- 12.1 In addition to applicable fees and charges required under other Bylaws, a permit fee, calculated in accordance with the Fees and Charges Bylaw, shall be paid in full upon issuance of any permit under this Bylaw.
- 12.2 The appropriate application fee as set out in the Fees and Charges Bylaw shall accompany an application made for a permit.
 - 12.2.1 The application fee is non-refundable.

- 12.2.2 If an application is cancelled pursuant to Section 8.8, the plan processing fee is forfeited.
- 12.2.3 When an application is cancelled the plans and related documents submitted with the application are not retained in City records.
- 12.3 The owner may obtain a refund of the permit fees when a permit is surrendered and cancelled before any construction begins. Such refund shall not include the plan-processing fee paid pursuant to section 12.2 of this Bylaw.
- 12.4 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 Fees and Charges Bylaw shall be paid prior to additional inspections being performed.
- 12.5 Where a required permit inspection or site visit is requested to be done after the hours during which the offices of the City 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 Fees and Charges Bylaw.
- 12.6 An inspection charge or site visit charge, as set out in the Fees and Charges Bylaw, 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.
- 12.7 Where, due to non-compliance with this Bylaw:
 - 12.7.1 Correspondence is sent from any staff in the City's Building Division to the owner or tenant;
 - 12.7.2 Inspection or re-inspection is performed by the Building Inspector;
 - 12.7.3 Correspondence is sent from the City's lawyer to the owner or tenant;
 - 12.7.4 A file review and Building Code analysis of the existing building is conducted by the Building Official to determine whether current conditions are safe;
 - 12.7.5 A Stop Work Order is issued by the Building Official;
 - 12.7.6 A Do Not Occupy Notice is posted by the Building Official; or
 - 12.7.7 A Notice on Title is filed at the Land title Office by the City under Section 57 of the *Community Charter*;

a charge as set out in the Fees and Charges Bylaw shall be paid by the owner within 2 weeks of the action by the City, and any unpaid charges may be collected as taxes in arrear if unpaid by December 31 of the year in which they are imposed.

13. Building Permits

- 13.1 When:
- 13.1.1 a completed application, including all required supporting documentation has been submitted;
 - 13.1.2 the owner or his or her representative has paid all applicable fees set out in section 12.1 of this Bylaw;
 - 13.1.3 the owner or his or her representative has paid all charges and met all requirements imposed by any other statute or bylaw; and
 - 13.1.4 no covenant, agreement, bylaw or regulation of the City authorizes the permit to be withheld;
- a Building Official shall issue the permit for which the application is made.
- 13.2 When the application is in respect of a building that includes, or will include, a residential occupancy, the building permit must not be issued unless the owner provides evidence pursuant to the *Homeowner Protection Act*, that the proposed building:
- 13.2.1 is covered by home warranty insurance; and
 - 13.2.2 the constructor is a licensed residential builder.
- 13.3 Section 13.2 of this Bylaw does not apply if the owner is not required to be licensed and to obtain home warranty insurance in accordance with the *Homeowner Protection Act*.
- 13.4 Every permit is issued upon the condition that the permit shall expire and the rights of the owner under the permit shall terminate if:
- 13.4.1 the work authorized by the permit is not commenced within 6 months from the date of issuance of the permit; or
 - 13.4.2 work is discontinued for a period of 6 months.
- 13.5 A Building Official may extend the period of time set out under sections 13.4.1 and 13.4.2 for a reasonable period where construction has not been commenced or has been discontinued due to adverse weather, strikes, material or labour shortages, or similar hardship beyond the owner's control. The owner must apply to the Building Official in writing providing details of the revised work schedule and specifying the period of time requested, prior to the expiration of the permit.
- 13.6 A Building Official may issue a building permit for a portion of a building or structure before the design, plans and specifications for the entire building or structure have been accepted, provided sufficient information has been provided to the City to demonstrate to the Building Official that the portion authorized to be constructed substantially complies with the requirements of the Building Code

in respect of the health and safety aspects of the work and this and other applicable Bylaws and the additional permit fee applicable to that portion of the building or structure has been paid. The issuance of the permit notwithstanding, the requirements of this Bylaw apply to the remainder of the building or structure as if the permit for the portion of the building or structure had not been issued.

- 13.7 A sign permit is required where:
- 13.7.1. the sign and supporting structure have a combined weight in excess of 25 kilograms and are to be attached to a building or structure;
 - 13.7.2. a sign structure supports a freestanding sign exceeding 4 square meters in sign area;
 - 13.7.3. a sign structure supports a freestanding sign and the sign and supporting structure combined exceed 3 meters in height or 4 meters in width.
- 13.8 The requirements of Section 15 of this Bylaw may be applied to a sign structure at the discretion of the Building Official.
- 13.9 No plumbing 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 rearrangement of valves, pipes, or fixtures or hot water tanks.
- 13.10 Subject to the requirements of any other bylaw, a Building Official may issue a building permit for the erection or placement of a temporary building or structure, if satisfied that the building or structure is safe for the stated use and duration.

14. Disclaimer of Warranty or Representation

Neither the issuance of a permit under this Bylaw, the review and acceptance of the design, drawings, plans or specifications, nor inspections made by a Building Official, shall constitute a representation or warranty that the Building Code or the Bylaw have been complied with or the building or structure meets any standard of materials or workmanship, and no person shall rely on any of those acts as establishing compliance with the Building Code or this Bylaw or any standard of construction.

15. Professional Design and Field Review

- 15.1 When a Building Official considers that the site conditions, size or complexity of a development or an aspect of a development warrant, or when some aspects of a standard building are not designed in accordance with Part 9 of the Building Code, they may require a registered professional to provide design and plan certification and field review supported by letters of assurance in the form of Schedules CA, B-1, B-2 and C-B referred to in section 2.6 of Part 2 of the Building Code.
- 15.2 Prior to occupying a complex building or standard building in circumstances where letters of assurance have been required in accordance with sections 9, 10

or 15 of this Bylaw, the owner shall provide the Building Official with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in section 2.6 of Part 2 of the Building Code.

- 15.3 When a registered professional provides letters of assurance in accordance with sections 9, 10, or 15 of this Bylaw, he or she shall also provide proof of professional liability insurance to the Building Official as outlined in Form B attached to this Bylaw.

16. Responsibilities of the Owner

- 16.1 Every owner shall ensure that all construction complies with the Building Code, this Bylaw and other applicable enactments respecting safety.
- 16.2 Every owner to whom a permit is issued shall be responsible for the cost of repair of any damage to municipal works that occurs in the course of the work authorized by the permit.
- 16.3 Every owner to whom a permit is issued shall, during construction:
- 16.3.1 post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;
 - 16.3.2 keep a copy of the accepted designs, drawings and specifications on the property; and
 - 16.3.3 post the civic address on the property in a location visible from any adjoining streets.

17. Inspections for Health and Safety by the Building Official for Standard Buildings

- 17.1 A Building Official may attend periodically at the site of the construction of standard buildings or structures to ascertain whether the work is being carried out in substantial conformance with the requirements of the Building Code in respect of the health and safety aspects of the work, this Bylaw and any other applicable enactment concerning safety.
- 17.2 For standard buildings or structures, the owner or his or her representative shall give at least 48 hours notice to the City when requesting an inspection and shall obtain an inspection and receive a Building Official's acceptance of the following aspects of the work prior to concealing it:
- (a) location of footings and foundations, and, for buildings with a total area of all floors not more than 50 square meters, soil conditions for the building;
 - (b) storm, sanitary, water, fire line services;
 - (c) water chamber;
 - (d) perimeter drain tiles and damp proofing;

- (e) ground, base material and membrane prior to the placing of a concrete slab;
- (f) rough-in plumbing, sprinkler, standpipe;
- (g) rough in of factory built chimneys and fireplaces and solid fuel burning appliances;
- (h) framing & sheathing;
- (i) insulation and vapour barrier;

final when the building or structure is ready to occupy.

17.3 No aspect of the work referred in Section 17.2 of this Bylaw shall be concealed until a Building Official has accepted it in writing.

17.4 When a registered professional provides letters of assurance in accordance with sections 10 or 15 of this Bylaw in respect of a standard building or structure, the City will rely solely on field reviews undertaken by the registered professional and letters of assurance submitted pursuant to section 15 of this Bylaw as assurance that the construction substantially conforms to the design and the Building Code, this Bylaw and other applicable enactments respecting safety.

17.5 Where a registered professional has provided letters of assurance, the Building Official may require some or all work on the site to be stopped until a site visit and field review record from the registered professional has been provided to the satisfaction of the Building Official.

18. Spot Checking Health and Safety by the Building Official for Complex Buildings

18.1 When a registered professional provides letters of assurance in accordance with sections 9 or 15 of this Bylaw in respect of a complex building or structure, the City will rely solely on field reviews undertaken by the registered professional and letters of assurance submitted pursuant to section 15 of this Bylaw as assurance that the construction substantially conforms to the design, the Building Code, this Bylaw and other applicable enactments respecting safety.

18.2 A Building Official may attend from time to time during the course of construction:

18.2.1 to obtain survey information requirements for record purposes regarding the Zoning Bylaw, Development Permit and floodplain requirements in this Bylaw;

18.2.2 to ascertain that the field reviews are taking place; and

18.2.3 to monitor the field reviews undertaken by the registered professionals.

- 18.3 Where a registered professional has provided letters of assurance, the Building Official may determine the frequency and timing of field reviews required to be performed by the registered professional and may require the registered professional to notify the Building Official of a planned field review so that the Building Official may monitor the conduct of the field review. The Building Official may order the work stopped until reviewed by the registered professional.
- 18.4 The owner shall notify the Building Official prior to occupying the building that the work is complete and ready for the Building Official to:
- 18.4.1 spot check building construction including stairs, guards, hand rails, ramps, accessible toilet rooms, walkways, doors, door hardware, fire separations, fire resistance rating, fire protection rating, flame spread rating, pressurized vestibules, water closets, basins, roof drains, floor drains, scuppers, backflow devices, roof venting, fireplaces and furnaces; and
- 18.4.2 spot test health and safety aspects of building systems including fire alarm systems, smoke alarms, sprinkler systems, standpipe systems, exit signs, emergency lighting, emergency power, commercial cooking and suppression systems, elevators and carbon monoxide systems.

19. Occupying a Building

- 19.1 A building may be occupied when:
- 19.1.1 for all buildings, required letters of assurance, from each registered professional and the coordinating registered professional have been provided to the Building Official;
- 19.1.2 for standard buildings, all aspects of the work requiring inspection and acceptance pursuant to section 17.2 of this Bylaw have been inspected and accepted; and
- 19.1.3 for complex buildings, spot checks required in 18.4 have been completed.
- 19.2 A Building Official may complete an occupancy inspection for part of a building or structure when that part of the building or structure is self-contained, provided with essential services and meets requirements set out in section 19.1 of this Bylaw.
- 19.3 Where a building permit has been issued for single residential, the owner may apply for permission to occupy the building prior to completion of construction, which permission may be withheld until the building or part thereof complies with the health and safety requirements of the Bylaws of the City or of any statute.

20. Retaining Structures

- 20.1 A building permit is required for retaining walls and retaining structures greater than 1.5 meters in height or as required in section 15.1.
- 20.2 A site plan, design drawings and letters of assurance prepared by a professional engineer are to be provided with a building permit application.
- 20.3 Where the wall exceeds 10m in length or 2m in height at any point, a Building Official may require:
 - 20.3.1 a survey certificate from a BC Licenced Surveyor, and
 - 20.3.2 a written report from the engineer addressing site conditions, soil conditions and drainage.

21. Swimming Pools

- 21.1 Every application for a permit for a swimming pool shall be accompanied with a plan showing the location of the proposed pool and all water supply piping, waste piping and appurtenances, and all structural detail.
- 21.2 Pool waste water shall be disposed of to the sanitary sewer as approved by the Plumbing Inspector, prior to the commencement of any work.
- 21.3 Any structure designed or constructed as a swimming pool, wading pool or pond, of a depth at any point in excess of 0.75 metres shall be surrounded by a fence or building, or combination of fence and building with a fence base not more than 100 mm (4 inches) above ground or adjacent grade and no less than:
 - 21.3.1 a height of 1.2 metres if the pool structure was in existence on August 9th 1977, or
 - 21.3.2 a height of 1.8 metres if the pool structure was not in existence on August 9th, 1977.
- 21.4 The fence shall be constructed either on the property line or surrounding the pool or pond in such a manner as to render the pool or pond safe from unauthorized entry. All gates to a pool or ponds shall be self-latching and be mounted on the swimming pool side of the fence and at a height of at least 1.0 m (3.3 ft.) above grade or on the outside of the fence at 1.5 m (4.9 ft.) above grade.
- 21.5 Every fence enclosing a swimming pool shall be maintained by the Owner or occupier of real property in good order and repair, and adequate to perform its intended function. All sagging gates, loose parts, worn latches and locks and broken or binding members shall be promptly and adequately replaced and repaired.

- 21.6 Section 21.3 of this Bylaw does not apply to any pond or pool:
- 21.6.1 constructed on land owned or controlled by the City, the Province of British Columbia, or Government of Canada;
 - 21.6.2 having a surface area exceeding 500 square metres, a maximum depth of less than 1.5 metres, and no slope at the base of the pond or pool exceeding a 1 to 5 depth to length ratio around its perimeter;
 - 21.6.3 which is separated from the nearest path, sidewalk, or walkway by landscaping strip having a minimum width of 3 metres; and
 - 21.6.4 which is not designed or used for swimming or wading.

22. Fire Limit Areas and Sprinkler Regulations

- 22.1 Those areas zoned to permit commercial, industrial, institutional and residential use by the Zoning Bylaw, as amended or re-enacted from time to time, are established as fire limit areas.
- 22.2 Within the fire limit areas, fire sprinklers shall be installed in all industrial, commercial, institutional and residential buildings, other than one family and two families residential buildings, constructed, added to, or altered, pursuant to a building permit application made after February 18, 1991. Within the fire limit areas, fire sprinklers shall be installed in all one family and two family dwellings constructed, added to, or altered, pursuant to a building permit application made after January 11, 1999.
- 22.3 Where Subsection 22.2 requires installation of a fire sprinkler system, the building shall be provided with a fire sprinkler system in accordance with National Fire Protection Association and Building Code standards for the installation of fire sprinklers. In the event of any inconsistency between the standards of the National Fire Protection Association and the Building Code, the Building Code standards shall govern.
- 22.4 Subsection 22.2 does not apply to:
- 22.4.1 additions or alterations to single residential and duplex residential buildings where the cumulative construction value over the most recent period of 24 consecutive months is not more than the higher of \$75,000 or 75% of the assessed value as determined by the BC Assessment Authority prior to the addition or alteration;
 - 22.4.2 additions or alterations to industrial, commercial and institutional buildings with no more than one dwelling unit in the building and multiple-dwelling residential buildings with more than two dwelling units in the building where the cumulative construction value over the most recent period of 24 consecutive months is not

more than the higher of \$75,000 or 25% of the assessed value as determined by the BC Assessment Authority prior to the addition or alteration;

- 22.4.3 additions or alterations to industrial, commercial and institutional buildings with more than one dwelling unit in the building where the cumulative construction value in the most recent 10-year period is not more than 25% of the assessed value as determined by the BC Assessment Authority prior to the addition or alteration;
 - 22.4.4 new non-residential buildings less than 235 square metres in floor area;
 - 22.4.5 additions to non-residential buildings having a floor area less than 235 square metres;
 - 22.4.6 an open air storage shed that:
 - 22.4.6.1 is used for storage of noncombustible materials; and
 - 22.4.6.2 is used for parking of not more than five vehicles.
 - 22.4.7 non-residential farm buildings used for agricultural purposes;
 - 22.4.8 temporary buildings;
 - 22.4.9 notwithstanding 22.4.2, work related only to seismic upgrading of school buildings owned by School District No. 43;
 - 22.4.10 alterations to residential buildings other than one and two family dwellings for building envelope related repairs;
 - 22.4.11 alterations to repair an existing building caused by soil or foundation problems”.
- 22.5 A building permit shall not be issued for the construction or alteration of a building referred to in Section 22.2 unless the applicant submits a design drawing showing the location where fire sprinklers will be installed and pays the fee prescribed in the Fees and Charges Bylaw.

23. Moving of Buildings

- 23.1 No person shall move any building without first obtaining a building moving permit.
- 23.2 Except as provided by Subsection 23.3 of this Section, any new building moved into the City shall have been inspected by a Building Official as it is being built; shall have a minimum width of 6 metres; and shall conform in every respect to all relevant Bylaws of the City.

- 23.3 Section 23.2 shall not apply to a new factory built residential building that complies in every respect to the Building Code, as to the construction thereof, and which is to be erected on a site in compliance with the Bylaws of the City.
- 23.4 Every person applying for a permit to move a factory built building shall, at the request of the Building Official, demonstrate that the building conforms with:
- 23.4.1 the health and safety aspects of the Building Code; and
- 23.4.2 the Canadian Standards Association Standard A277 for a factory built residential building;
- or the applicant shall provide professional design and field review in the case of commercial, industrial, institutional and multi-family residential buildings.
- 23.5 A copy of the liability insurance policy to cover the moving of the building in an amount not less than two million dollars is to be provided to the Building Official. The policy shall be endorsed to include the City as an added named insured insofar as liability may be created by the granting of any permission under this Bylaw.
- 23.6 No building moving permit shall be issued until the applicant has paid all charges and met all requirements imposed by any other statute or City Bylaws. The applicant is responsible for obtaining all other permits that may be required by other authorities.

24. Adaptable Dwelling Units

At least 30% of the one-storey dwelling units shall be adaptable dwelling units when located within a building containing 10 or more one-storey dwelling units. For clarification, a one-storey dwelling unit does not include a dwelling unit with a mezzanine or loft containing living space.

25. Cross Connections

- 25.1 All cross connections, whether directly or indirectly connected to a water system, shall be protected with a CSA (Canadian Standards Association) listed backflow prevention device which meets the CSA B64.10 M94 and the sixth Edition of the AWA (American Waterworks Association) Cross Connection Control Manual standards.
- 25.2 All backflow prevention devices are to be tested annually, commencing on the final inspection date for the device issued by the plumbing inspector. A certified tester must complete the annual test and submit the results to the City of Port Coquitlam on the City's test form with the applicable fee noted in the Fees and Charges Bylaw.

26. Penalties and Enforcement

- 26.1 Every person who contravenes any provision of this Bylaw commits an offense punishable on summary conviction and shall be liable to a fine of not more than \$10,000.00 (Ten Thousand Dollars) or to imprisonment for not more than six months.
- 26.2 A Building Official may order the cessation of any work that is proceeding in contravention of the Building Code or this Bylaw by posting a Stop Work notice.
- 26.3 The owner of property on which a Stop Work notice has been posted, and every other person, shall cease all construction work immediately and shall not do any work until all applicable provisions of this Bylaw have been substantially complied with and the Stop Work notice has been rescinded in writing by a Building Official.
- 26.4 Where a person occupies a building or structure or part of a building or structure in contravention of section 6.2 of this Bylaw a Building Official may post a Do Not Occupy notice on the affected part of the building or structure.
- 26.5 The owner of property on which a Do Not Occupy notice has been posted, and every person, shall cease occupancy of the building or structure immediately and shall refrain from further occupancy until all applicable provisions of the Building Code and this Bylaw have been substantially complied with and the Do Not Occupy notice has been rescinded in writing by a Building Official.
- 26.6 Every person who commences work requiring a building permit without first obtaining such a permit shall, if a Stop Work notice is issued and remains outstanding for 30 days, pay an additional charge equal to 25% of the building permit fee prior to obtaining the required building permit.

27. Severability

The provisions of this Bylaw are severable and the invalidity of any part of this Bylaw shall not affect the validity of the remainder of this Bylaw.

28. Forms

Form A and B attached to this Bylaw form a part of this Bylaw.

29. Repeal

“Building and Plumbing Bylaw, 2003, No. 3425”, as amended, is hereby repealed.

Read a first time as amended, by the Municipal Council this 13th day of July, 2009.

Read a second time as amended by the Municipal Council this 13th day of July, 2009.

Read a third time as amended by the Municipal Council 13th day of July, 2009.

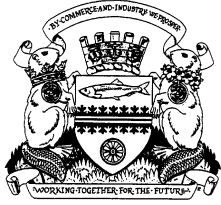
Reconsidered, finally passed and adopted by the Municipal Council of The Corporation of the City of Port Coquitlam, this 27th day of July, 2009.

G. MOORE
Mayor

S. RAUH
Corporate Officer

RECORD OF AMENDMENTS

| <u>BYLAW NO.</u> | <u>AMENDED SECTION</u> | <u>DATE</u> |
|-------------------------|---|--------------------|
| 3726 | Replaced GST with applicable taxes | 2010 05 10 |
| 3780 | Removed Sec. 5.2 and replaced | 2011 08 08 |
| 3809 | Enactment clause, Definition for Adaptable Housing, Section 24 | 2012 11 13 |
| 3852 | Sprinkler changes -Temp Building, Sections 22.4.1, 22.4.2 & 22.4.3 | 2013 10 28 |
| 3943 | Temporary Building definition | 2016 05 09 |



**THE CORPORATION OF THE
CITY OF PORT COQUITLAM**

BYLAW NO. 3710

Form A

Acknowledgements of Owner

I acknowledge that the owner of the land in respect of which this permit is issued is solely responsible for carrying out the work authorized by this permit in accordance with the Building Code and other applicable laws respecting safety, including the requirements of the Building Code in relation to soil conditions for building foundations.

I acknowledge that the owner of the land is also solely responsible for determining whether the work authorized by this permit contravenes any covenant, easement, right of way, building scheme or other restriction affecting the building site, and whether the work requires the involvement of an architect under the *Architect's Act* or an engineer or geoscientist under the *Engineers and Geoscientists Act*.

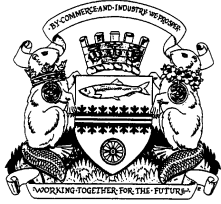
I acknowledge that the City of Port Coquitlam provides a limited monitoring service in relation to building construction and does not, by accepting or reviewing plans, inspecting construction, monitoring the inspection of construction by others, or issuing building or occupancy permits, warrant that the construction authorized by this permit complies in every or any respect with the Building Code or any other applicable laws respecting safety.

If the City of Port Coquitlam has so indicated on this permit, I acknowledge that the City has issued the permit in reliance on the certification of a registered professional, engaged by me to provide such a certification, that the plans for the work authorized by the permit comply with the Building Code and other applicable enactments, and that the fee for the permit has been accordingly reduced. I acknowledge that the City of Port Coquitlam, by issuing this permit or any occupancy permit, makes no representations to me or any other person as to any such compliance.

Name of Registered Owner (please print)

Signature of Registered Owner or
Authorized Signatory of Corporate Owner

Date of Acknowledgement



**THE CORPORATION OF THE
CITY OF PORT COQUITLAM**

BYLAW NO. 3710

Form B

Registered Professional's Proof of Insurance

City of Port Coquitlam
2580 Shaughnessy Street
Port Coquitlam, BC V3C 2A8
Attention: Chief Building Inspector

RE: _____ [civic address of project]

This is to confirm that the undersigned registered professional is insured by a policy of insurance covering liability to third parties for errors and omissions in the provision of professional services in respect of the captioned project, **a certificate of insurance which is attached.**

The undersigned will notify both the Chief Building Inspector and the owner who has engaged the undersigned to provide professional services in respect of the captioned project, in writing, of any termination of or change in the terms of the coverage provided by the policy, immediately upon being informed of or becoming aware of such termination or change.

Signature of Registered Professional

[affix seal]

Name of Firm