

VILLAGE OF MCBRIDE

BUILDING BYLAW NO. 751, 2014



“A TOWN ON TRACK”

Amending Bylaws to the Village of McBride Building Bylaw No. 751, 2014

Description	Amending Bylaw No.	Amend Bylaw Adoption Date

THE CORPORATION OF THE VILLAGE OF MCBRIDE

BUILDING BYLAW NO. 751, 2014

A Bylaw of the Corporation of the Village of McBride for the administration and enforcement of the Building Code and to establish a building bylaw to regulate, prohibit and impose requirements in relation to the construction, alteration, repair, demolition, moving and occupancy of buildings.

WHEREAS, the *Community Charter* enables the Village to regulate, prohibit and impose requirements in relation to the construction, alteration, repair or demolition of buildings and structures by bylaw;

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

AND WHEREAS it is deemed necessary to provide for the administration of the building code;

NOW THEREFORE the Council of the Corporation of the Village of McBride, in open meeting assembled,

ENACTS AS FOLLOWS:

PART 1 - CITATION

1.1 This Bylaw may be cited as the “Village of McBride Building Bylaw No. 751, 2014”

PART 2 - DEFINITIONS

2.1 Unless otherwise defined herein, all words and phrases in this Bylaw shall have the meaning given to them in the *Local Government Act*, the *Community Charter*, and the *British Columbia Building Code*. In this Bylaw:

“Agent” means a person, firm, corporation, partnership or society legally authorized to represent the owner;

“Applicant” means the owner or a representative of the owner duly authorized to act on the owner’s behalf in relation to the application for a permit;

“Building Code” means the British Columbia Building Code, 2012, as established by the Minister pursuant to section 692(1) of the *Local Government Act*, and as it may be amended or replaced from time to time;

“Building Inspector” means a person employed or contracted by the Village of McBride to administer and enforce this Bylaw;

“Construct” means the erecting of a building or structure and includes excavation for that purpose;

“Council” means the elected officials of the Corporation of the Village of McBride;

“Land Title Office” means the land registry office for the Province of British Columbia;

“Parcel” means any lot, block, or other area in which land is held or into which land is subdivided;

“Permit” means a permit issued under the authority of this Bylaw;

“Sewer” means the sanitary sewer collection, storage, pumping and treatment facilities, and distribution system.

“Sanitary Sewer connection” means a pipe, protective boxes, connections, thaw wires, and any other material necessary to and actually used to connect the sanitary sewer main to a curb stop.

“Sanitary sewer system” means the sanitary sewer collection, storage, pumping and treatment facilities, and distribution system.

““Temporary Building”” means:

- (a) a building used as a construction site office during the construction, alteration, repair, or demolition of a building for which a permit has been issued under this Bylaw; or
- (b) a building to be used for another temporary function or purpose;

“Village” means the Corporation of the Village of McBride; and

“Zoning Bylaw” means the Village of McBride Zoning Bylaw No. 703, 2010, as amended or replaced from time to time.

PART 3 – GENERAL PROVISIONS

- 3.1 Subject to the exceptions under section 3.4, this Bylaw applies to the design, construction, alteration, repair, occupancy and demolition of all buildings and structures within the Village.
- 3.2 Words in this Bylaw directing or empowering any officer or employee of the Village to do any act or thing, or that otherwise apply to her by name or title of office, include her successors in such office and her lawful deputy, and any person the Council may from time to time by bylaw or resolution designate to act in her place.
- 3.3 Officers and employees of the Village may enter on or into property, and use property in accordance with the authority under the *Community Charter*.
- 3.4 This Bylaw does not apply:
 - 3.4.1 on parcels that are assessed for farm purposes by the British Columbia Assessment Authority, to farm buildings other than residential buildings and attachments thereto;

- 3.4.2 to a building not greater than 10m² in building area that is accessory to a residential use on the same parcel, provided it does not create a hazard;
- 3.4.3 except as expressly provided under this Bylaw, to all other buildings or structures exempted under section 1.1.1.1(2) of the Building Code. [Note: Consider whether this third exception is desirable - other exceptions could include fences, paving, retaining walls less than 1.5 metres in height - these are suggested exceptions under the MIABC Core bylaw provisions.

PART 4 – PURPOSE OF THIS BYLAW

- 4.1 This Bylaw is enacted for the purpose of regulating construction within the Village in the general public interest. The activities undertaken by or on behalf of the Village pursuant to this Bylaw are for the sole purpose of providing a limited and interim spot checking function for reasons of public health and safety. It is not contemplated nor intended, nor does the purpose of this Bylaw extend:
 - 4.1.1 to the protection of owners, owner/builders or builders from economic loss;
 - 4.1.2 to the assumption by the Village of any responsibility for ensuring the compliance by any owner, the owner’s representatives or employees, contractors or design professionals, with the Building Code, the requirements of this Bylaw or any other applicable codes or standards respecting safety;
 - 4.1.3 to provide any assurance, representation or warranty that the design, construction or workmanship of any building or structure undertaken pursuant to a building permit issued under this Bylaw is free from potential latent situations, or any defects;

PART 5 – PERMIT CONDITIONS

- 5.1 A Permit is required whenever work regulated by this Bylaw is to be undertaken.
- 5.2 Neither the issuance of a Permit under this Bylaw nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the Village shall in any way relieve the Owner or his or her Agent from full and sole responsibility to perform the work in strict accordance with this Bylaw, the Building Code and all other applicable codes, standards and enactments respecting safety.
- 5.3 It shall be the full and sole responsibility of the Owner (and where the Owner is acting through an Agent, the Owner’s Agent) to carry out the work in respect of which the Permit was issued in compliance with the Building Code, this Bylaw and all other applicable codes, standards and enactments respecting safety.
- 5.4 Neither the issuance of a Permit nor the acceptance or review of plans, drawings, specifications, or supporting documents, nor any inspections made by or on behalf of the Village constitute in any way a representation, warranty, assurance, or statement that the Building Code, this Bylaw or any applicable codes, standards or enactments respecting safety have been complied with.

- 5.5 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 Permit is issued and his or her Agent are responsible for ensuring compliance with this Bylaw and the Building Code.

PART 6 – PROHIBITIONS

- 6.1 No person shall Construct, alter, repair or demolish or authorize or allow the construction, alteration, repair or demolition of a building or structure, or part thereof without a valid and subsisting Permit issued by the Building Inspector.
- 6.2 No person shall move or authorize or allow the moving of a building or part thereof into or from the Village or from one property to another within the Village without a valid and subsisting Permit issued by the Building Inspector.
- 6.3 No person shall occupy or authorize or allow the occupancy of a building or part thereof without a valid and subsisting Occupancy Inspection Certificate issued by the Building Inspector.
- 6.4 No person shall occupy or authorize or allow the occupancy of a building or part thereof where such occupancy would constitute a change in class of occupancy of the building or part thereof without written approval of the Building Inspector pursuant to this Bylaw.
- 6.5 No person shall construct, erect, place or occupy or authorize or allow the construction, erection, placement or occupancy of a “Temporary Building” without a valid and subsisting ““Temporary Building”” Permit issued by the Building Inspector.
- 6.6 No person shall install or alter or authorize or allow the installation or alteration of plumbing services regulated by this Bylaw or the Building Code without a valid and subsisting Plumbing Permit issued by the Building Inspector.
- 6.7 No person shall use any premises as a residence or place of business unless the premises, when required, include a plumbing system. All premises so used, shall comply with this Bylaw and the Building Code including regulations as to the size and ventilation of rooms containing plumbing fixtures.
- 6.8 No person shall prevent, deny, interfere with, impede, or obstruct the entry of the Building Inspector onto any property where such entry is authorized by this Bylaw.
- 6.9 Unless so instructed by the Building Inspector, no person shall alter, deface, cover-up, remove or in any way tamper with any order, notice, Permit or certificate issued or posted under this Bylaw.
- 6.10 No person shall fail to comply or authorize or allow the failure to comply with any order, notice, inspection certificate or Permit issued or posted under this Bylaw.
- 6.11 No person shall do any work or authorize or allow any work that is substantially at variance with the approved description, plans and specifications forming part of the application for which a

Permit has been issued under this Bylaw without the prior written approval of the variations by the Building Inspector.

- 6.12 No person shall omit or fail to complete, or authorize or allow the omission or failure to complete, prior to occupancy of a building or part thereof, any work required by the approved description, plans and specifications forming part of the application for which a Permit has been issued, except that occupancy may be allowed in an uncompleted residence where the exterior cladding of the building is complete and safety and health requirements are met to the satisfaction of the Building Inspector.
- 6.13 No person shall cause, allow or maintain any unsafe condition in the construction, alteration, repair, demolition, moving or occupancy of any building or part thereof.
- 6.14 No person shall knowingly give or submit any false or misleading information in relation to any Permit application or work undertaken under this Bylaw.

PART 7 – DUTIES AND RESPONSIBILITIES

7.1 Of the Owner:

Every owner shall:

- 7.1.1 Obtain a Permit where required by this Bylaw and pay all permit fees prescribed in the Village of McBride Fees and Charges Bylaw;
- 7.1.2 Allow the Building Inspector to enter any property or building at any reasonable time for the purpose of ascertaining whether the provisions of this Bylaw and the Building Code are being complied with;
- 7.1.3 Obtain where applicable from each authority having jurisdiction all other permits and authorizations required in connection with the proposed work or activity, in addition to all Permits required under this Bylaw;
- 7.1.4 Give to the Building Inspector at least 48 hours prior notice of the date upon which the construction or other work under a Permit is intended to commence;
- 7.1.5 Request the Building Inspector to inspect and approve the following aspects of the work at least 48 hours in advance of each stage, and prior to concealing the work:
 - a) footing forms when they are ready for concrete;
 - b) wall forms when they are ready for concrete, prior to pouring;
 - c) perimeter drains when they are installed and damp proofing when it is completed;
 - d) a masonry fireplace when it is constructed to smoke chamber, and again when the chimney is completed;

- e) rough-in plumbing when it is complete, with water or air test;
 - f) framing when it is complete and prior to exterior finish;
 - g) chimney clearances prior to interior or exterior finish;
 - h) soil, gas, vapour barrier after it is installed and prior to pouring concrete floor slab;
 - i) solid fuel burning appliance when installation completed;
 - j) insulation and vapour barrier when it is completed and prior to interior finish or the application of drywall;
 - k) occupancy inspection prior to occupancy;
 - l) final inspection when building complete.
- 7.1.6 When required to do so by the Building Inspector, uncover and replace at the owner's expense any work that has been covered prior to the inspection and approval by the Building Inspector of such work;
- 7.1.7 Give notice in writing to the Building Inspector prior to commencing work, listing the name, address and telephone number of;
- a) the contractor or other person in charge of the work;
 - b) the Registered Professional reviewing the work; and
 - c) any inspection or testing agency engaged to monitor the work.
- 7.1.8 Prior to the completion of the entire work, give written notice to the Building Inspector immediately upon any change in:
- a) the ownership of the property; or
 - b) the address of the owner; or
 - c) the identity of any of the persons referred to in Section 7.1.7 above of this Bylaw.
- 7.1.9 At all times during the entire execution of the work, ensure that:
- a) A copy of the approved plans and specifications upon which the Permit was issued are available continuously at the site of the work for inspection during working hours by the Building Inspector;
 - b) The Permit Site Card, or a true copy of the Permit, and all inspection certificates are posted conspicuously on the site of the work; and

- c) The designated civic address number or numbers of the property are posted conspicuously on the site of the work.
- 7.1.10 Make or have made at their own expense tests or inspections necessary to prove compliance with the provisions of this Bylaw or the Building Code and shall promptly file a copy of all such tests or inspection reports with the Building Inspector;
- 7.1.11 Ensure that all plumbing work and building or storm drains, if any, are constructed of sufficient capacity and at a location on the site to suit the capacity and location of the connection to available services;
- 7.1.12 Ensure that setback requirements as stipulated in the Zoning Bylaw or any other applicable enactment have been adhered to;
- 7.1.13 Provide an up-to-date site-plan prepared by a registered British Columbia Land Surveyor showing the location of the building foundations in relation to the site boundaries as and when required by the Building Inspector;
- 7.1.14 Be responsible for the cost of repair of any damage to Village works, property or streets that may occur as a result of undertaking work for which a Permit is required pursuant to the provisions of this Bylaw;
- 7.1.15 Be responsible for carrying out the design, construction, alteration, repair, demolition, moving or occupancy of a building, structure or part thereof in accordance with the requirements of this Bylaw and the Building Code, notwithstanding the granting of a Permit or occupancy approval certificate or the inspections made and inspection certificates issued by the Building Inspector;
- 7.1.16 Duly comply with the terms and conditions of all Permits, notices, certificates or orders issued pursuant to the provisions of this Bylaw and the Building Code; and
- 7.1.17 Obtain from the Building Inspector written permission before resuming work which has been suspended by the Building Inspector by a Stop Work Order issued under section 8.1.4 of this Bylaw.

7.2 Of the Building Inspector:

The Building Inspector is authorized to:

- 7.2.1 Administer this Bylaw;
- 7.2.2 Keep a record of all applications received, Permits, orders and notices issued, inspections and tests made, and keep all papers and documents connected with the administration of this Bylaw.
- 7.2.3 Issue a Permit to the owner or the owner's Agent only when, based on the information provided to the Building Inspector;

- a) all applicable conditions prescribed by this Bylaw and the Building Code have been met;
- b) an application has been made in compliance with this Bylaw;
- c) the fees prescribed in the Village of McBride Fees and Charges Bylaw have been paid to the Village; and
- d) the proposed work or occupancy set out in the application conforms with the provisions of the Building Code, this Bylaw, the Zoning Bylaw and any other applicable enactment respecting safety.

PART 8 – INSPECTIONS AND ORDERS

8.1 The Building Inspector:

- 8.1.1 May enter at all reasonable times upon any property in order to ascertain whether this Bylaw or the orders or directions issued pursuant to this Bylaw are being observed;
- 8.1.2 Will, where a property is occupied as a residence at the time the Building Inspector requires entry onto the property, before entering onto the property, either obtain consent of the occupant, or give to the occupant 24 hours prior notice of intention to enter upon the property;
- 8.1.3 May require that tests of materials, equipment, devices, construction types or methods, structural assemblies, or foundation conditions be made, or sufficient evidence or proof be submitted at the expense of the owner, where such tests, evidence, or proof are, in the opinion of the Building Inspector, necessary to determine whether the materials, equipment, devices, construction types or methods, structural assemblies or foundation conditions meet the requirements of this Bylaw and the Building Code;
- 8.1.4 May issue a Stop Work Order in written form sent by pre-paid registered mail or delivery by hand to the owner of the property to which the order applies, or post it on the construction site, to direct:
 - a) The correction of any work which is being or has been done contrary to the provisions of any Permit, this Bylaw or the Building Code, within the time period specified in the order;
 - b) That a person who contravenes this Bylaw or the Building Code or fails to comply with this Bylaw or the Building Code must cease the contravention, and bring themselves into compliance with this Bylaw or the Building Code, as the case may be, in accordance with the directions of the Building Inspector and within the time period specified in the order;
 - c) Work to stop on a building or part thereof if:
 - i. The work is proceeding in contravention of the Building Code; or

- ii. There is a contravention of any condition under which the Permit was issued; or
- iii. The Permit was issued on the basis of incorrect or misleading information; or
- iv. There is a violation of any provision of this Bylaw;

and the work shall stop and remain stopped until the Building Inspector has notified the owner in writing that the Stop Work Order has been rescinded.

8.1.5 May refuse to issue a Permit:

- a) whenever information submitted with the application is inadequate for the Building Inspector to determine compliance with the provisions of this Bylaw, the Building Code, the Zoning Bylaw and any other applicable enactment respecting safety;
- b) whenever incorrect or misleading information is submitted that would authorize any building, work or occupancy that would not be permitted by this Bylaw or the Building Code; or
- c) for a use that would be prohibited by the Zoning Bylaw;
- d) where the work would contravene the provisions concerning building contained in a valid and subsisting Land Use Contract or covenant in the name of the Village as registered in the Land Title Office.

8.1.6 May refuse to issue an occupancy approval certificate for any building or part thereof until the building or part thereof complies with this Bylaw, the Building Code, the Zoning Bylaw, or any other enactment respecting health and safety;

8.1.7 May, where the application for a Permit is not accompanied by confirmation of compliance with the Zoning Bylaw as required under Section 10.1.7 (d), refuse to issue the Permit or an Occupancy Inspection Certificate for a change in class or occupancy;

8.1.8 May, when in the opinion of the Building Inspector, the site conditions, size, complexity or necessary technical knowledge in respect to the work so warrants, require that all plans, drawings and specifications of the building or any part thereof be certified, and the construction or alteration of any building or part thereof be generally reviewed during construction, by a Registered Professional registered to practice in British Columbia with knowledge directly pertinent to the condition to be certified;

8.1.9 May issue an Occupancy Inspection Certificate permitting occupancy of a single family dwelling or part thereof prior to completion of construction, alteration or partial destruction if the exterior cladding of the building is complete and if the building or part thereof complies with the health and safety requirements of Village Bylaws and would not jeopardize the lives, property or the health of any persons;

- 8.1.10 May issue a Permit, at the risk of the owner, for the construction of a phase or stage of a building before the entire description, plans and specifications of the whole building have been submitted and approved, as long as the phase or stage of the building subject to the Permit meets the requirements of this Bylaw and the Building Code. All remaining phases or stages of the building subject to the Permit shall also meet the requirements of this Bylaw and the Building Code;
- 8.1.11 May issue a Permit for the construction or placement of a “Temporary Building”, subject to compliance with the applicable provisions of this Bylaw.

PART 9 – PERMIT STATUS

- 9.1 A Permit for the construction, alteration, repair, or demolition of a building or structure or part thereof expires and the right of an owner under the Permit terminates upon any of the following:
- 9.1.1 if an inspection has not been requested by the Owner pursuant to section 7.1.5 of this Bylaw within twelve (12) months from the date of issuance of the Permit; or
- 9.1.2 if more than three (3) years since the date of issuance of the Permit.
- 9.2 A Permit that has expired under section 9.1.1 or 9.1.2 may be re-activated within three (3) years of the expiration date upon paying the fees prescribed in the Village of McBride Fees and Charges Bylaw, provided that the work continues to meet all other requirements of this Bylaw and the Building Code.

PART 10 – APPLICATION FOR PERMIT

- 10.1 An application for a Permit shall:
- 10.1.1 be made on a form provided by the Village;
- 10.1.2 be signed by the owner or Agent;
- 10.1.3 state the intended use or uses of the building or structure and the intended class of occupancy thereof;
- 10.1.4 state the true value of the proposed construction;
- 10.1.5 be accompanied by copies in duplicate of the specifications and scale drawings of the building or structure with respect to which the work is to be carried out showing:
- a) the dimensions of the building;
 - b) the proposed use and floor area of each room;
 - c) the dimensions of the land or parcel on which the building is to be situated;

- d) the grades and elevations of the streets and sewers abutting the land;
- e) the position, height and horizontal dimensions of all buildings on the land, including a site plan depicting the relative location of all buildings and the building subject to the Permit in relation to the property boundaries;
- f) the technical information required by this Bylaw and the Building Code to be included on the drawings relating to the building or its component parts; and
- g) any other information necessary to illustrate all essential features of the construction of the building.

10.1.6 when the application is for construction of a building that will include a residential occupancy, be accompanied by the evidence required under section 30(1) of the *Homeowner Protection Act*;

10.1.7 when required by the Building Inspector, also be accompanied by:

- a) a plan showing the location and size of every building drain and of every trap or inspection piece that is on a building drain;
- b) a sectional drawing in duplicate that shows the size and location of every soil or waste pipe, trap and vent pipe, and has on it complete design criteria and the name and address of the designer;
- c) a survey of the building site by a registered British Columbia land surveyor; and
- d) for the purpose of Section 7.2.3 (d), written confirmation from an authority having jurisdiction as to compliance with an applicable enactment, including written confirmation from the Village office that the proposed work complies with the Zoning Bylaw;
- e) contain any and all other information necessary to establish compliance with this Bylaw and the Building Code.

10.2 An application for a Permit to move a building:

10.2.1 shall be made on a form provided by the Village;

10.2.2 shall be signed by the owner, or the authorized agent, and accompanied by all other agency signatures;

10.2.3 where required by the Building Inspector, shall be accompanied by the security deposit referred to in section 16.2 of this Bylaw;

10.2.4 shall be accompanied by payment of the applicable fees prescribed in the Village of McBride Fees and Charges Bylaw;

- 10.2.5 shall state the original location and proposed location of the building by street addresses, areas and legal descriptions;
 - 10.2.6 shall state the date when the actual moving of the building will occur;
 - 10.2.7 shall state the intended use or uses and the class of occupancy of the building; and
 - 10.2.8 shall contain any and all other information necessary to establish compliance with this Bylaw and the Building Code;.
- 10.3 An application for a Demolition Permit shall:
- 10.3.1 be made on a form provided by the Village;
 - 10.3.2 be signed by the owner or the owner's Agent and be accompanied by payment of the applicable fees prescribed in the Village of McBride Fees and Charges Bylaw;
 - 10.3.3 state the present location of the building by street address, area and legal description; and
 - 10.3.4 contain any and all other information necessary to establish compliance with this Bylaw and Building Code.
- 10.4 An application for an Occupancy Inspection Certificate or final inspection shall:
- 10.4.1 be made on a form provided by the Village;
 - 10.4.2 be signed by the owner or the owner's Agent and be accompanied by the applicable fees prescribed in the Village of McBride Fees and Charges Bylaw;
 - 10.4.3 state the intended use or uses of the building or part thereof and the intended class of occupancy thereof;
 - 10.4.4 contain any and all other information necessary to establish compliance with this Bylaw and the Building Code; and
 - 10.4.5 in the case of a change in class of occupancy of a building, and for the purpose of Section 7.2.3 (d), be accompanied by written confirmation from an authority having jurisdiction as to compliance with an applicable enactment, including written confirmation from the Village office that the proposed occupancy complies with the Zoning Bylaw.
- 10.5 An application for a "Temporary Building" Permit shall:
- 10.5.1 be made on a form supplied by the Village;
 - 10.5.2 be signed by the owner or the owner's Agent and be accompanied by payment of the applicable fees prescribed in the Village of McBride Fees and Charges Bylaw;

- 10.5.3 be accompanied by plans showing the location of the “Temporary Building” on the proposed site and showing the construction details of the “Temporary Building”;
 - 10.5.4 state the dates of commencement and completion of the work, function or project for which a “Temporary Building” is required; and
 - 10.5.5 contain any and all other information necessary to establish compliance with this Bylaw and Building Code.
- 10.6 An application for a Plumbing Permit shall:
- 10.6.1 be made on a form provided by the Village;
 - 10.6.2 be signed by the owner, the owner’s Agent, or a plumbing contractor if accompanied by evidence of a trades qualification certificate, and be accompanied by the applicable fees prescribed in the Village of McBride Fees and Charges Bylaw;
 - 10.6.3 state the description and specification of the proposed plumbing services, which are the subject matter of this application; and
 - 10.6.4 contain any and all other information necessary to establish compliance with this Bylaw and the Building Code.
- 10.7 No Permit is required for the clearing or stoppage or the repairing of leaks in pipes, valves or fixtures, when the clearing or repair does not involve or require the replacement or rearrangement of plumbing services regulated by this Bylaw or the Building Code.
- 10.8 An application for a Solid Fuel Burning Appliance Permit shall:
- 10.8.1 be made on a form provided by the Village;
 - 10.8.2 be signed by the owner or the owner’s Agent and be accompanied by payment of the applicable fees prescribed in the Village of McBride Fees and Charges Bylaw;
 - 10.8.3 include a plan showing location of proposed solid fuel burning appliance in the building.
- 10.9 An application for a Permit shall be deemed to have been abandoned six (6) months after the date of filing with the Building Inspector, unless the application has been processed and issued or otherwise disposed of under this Bylaw.
- 10.10 After issuance of a Permit, the owner or the owner’s Agent may apply to amend the Permit, and the application shall be made in the same manner and subject to the same requirements as the application for the original Permit.
- 10.11 Applicants for building Permits shall, where the Building Inspector considers that the site conditions or the size or complexity of the development or any aspect of the development covered by the Permit warrants such certification, provide the Village with a certification under

seal by a Registered Professional, that the plans submitted with the application for the Permit comply with the Building Code and all other applicable enactments respecting safety.

- 10.12 Where the Village of McBride, in issuing a building Permit, relies on the certification of a Registered Professional that the plans submitted with the Permit application comply with the Building Code and all other applicable enactments respecting safety, the fees payable for the building Permit shall be reduced in accordance with the Village of McBride Fees and Charges Bylaw by the amount attributable to the cost of the Building Inspector determining whether the plans or aspects of the plans comply with the Building Code and other applicable enactments respecting safety.

PART 11 – “TEMPORARY BUILDING” PERMITS

- 11.1 Upon application, the Building Inspector may issue a Permit for a “Temporary Building”.
- 11.2 The Building Inspector may impose terms and conditions of a Permit for a “Temporary Building” including the date of the Permit’s expiry, conditions for construction and use of the “Temporary Building”, and conditions for the “Temporary Building’s” removal upon the expiry or earlier termination of the Permit.
- 11.3 A “Temporary Building” Permit shall state the date of expiry and the conditions, if any, which render the Permit invalid.
- 11.4 The Permit site card shall remain at all times posted on the “Temporary Building” to which it relates.

PART 12 – DEMOLITION REQUIREMENTS

- 12.1 Prior to and during the demolition of a building, the owner shall provide all shoring, bracing and other measures necessary to prevent accidental collapse of any part of the building.
- 12.2 All adjacent property owners shall be notified in writing by the owner of the building to be demolished of the date or dates upon which demolition is to take place.
- 12.3 During the demolition of a building, signs warning of the danger arising from the demolition shall be posted around the property in conspicuous locations.
- 12.4 Prior to demolition, the owner shall ensure that all existing gas, electrical, water, sewer, steam or other services to the site of the building being demolished, are disconnected or shut off and capped at the property line. In each case, the owner shall give advance notice to and obtain the approval of the applicable service provider or utility company for the disconnection, shut off or capping.
- 12.5 The owner shall ensure that the site of the building being demolished is maintained and left in such condition that no hazard to safety or health is created during or after demolition.
- 12.6 The owner shall ensure that cellars and excavations of demolished buildings:

- 12.6.1 are backfilled to grade level or are barricaded to prevent unauthorized access, except when new construction is to proceed without delay;
- 12.6.2 are secured from endangering life or property by subsidence or collapse, until provision for permanent support has been made.
- 12.7 The owner shall ensure that all backfilling and related work and the quality and composition of materials placed under this section are sufficient to prevent harmful movement or subsidence of any adjoining property.

PART 13 – MOBILE HOME/PRE-MANUFACTURED HOME REQUIREMENTS

- 13.1 When constructing a foundation for a mobile home or pre-manufactured home, the owner must:
 - 13.1.1 prepare the site by having the base of the excavated site area graded from the centre to the outside, or from side to side, with a minimum slope of 2% to prevent water accumulation under the home, and filled with gravel or other suitable granular inorganic material to a level above the surrounding finished grade. A vertical clearance of at least 600mm (24 inches) shall be maintained between the top of the finished grade under the home and the bottom of the floor joists;
 - 13.1.2 place a ground cover over the entire area below the mobile home that shall extend 150mm (6 inches) beyond the perimeter to prevent upward migration of moisture into the space beneath the home. Where the ground cover is not one piece, it shall be overlapped at least 100mm (4 inches) at the joint;
 - 13.1.3 have frost protected piers or foundation, which shall be supported on footings for bearing and to prevent uplift;
 - 13.1.4 have skirting designed to accommodate a minimum of 50mm (2 inches) vertical movement of the soil surface due to frost action without transferring loads from the home to the ground;
 - 13.1.5 provide crawl space ventilation by the installation of screened louvers or grilles of at least 1 m² of unobstructed venting for each 500 m² (1 ft² for each 500 ft²) of floor area of the home. Ventilation grilles shall be uniformly spaced on opposite sides of the home and kept free from obstructions such as snow buildup;
 - 13.1.6 provide at least one panel of not less than 500 x 700 mm (20 x 28 in) to access crawl space through the skirting; and
 - 13.1.7 provide stairs and landing at every exit door.

PART 14 – SEWAGE DISPOSAL

14.1 Where a proposed building is to be erected, no Permit shall be issued until the method of sewage disposal has been approved by the authority having jurisdiction and such approval has been communicated in writing to the Building Inspector.

PART 15 – CLIMATIC DATA

15.1 Climatic data for the design of buildings in the **Village of McBride** shall be deemed to be:

January – 1 per cent Design Temperature (C)	-32
January – 2 ½ per cent Design Temperature (C)	-29
July – 2 ½ per cent Design Drybulb Temperature (C)	29
July 2 ½ per cent Design Wetbulb Temperature (C)	18
Degree – Days below 18 ⁰ C	4,980
Rain Load.....	0.2 kPa
Ground Snow Load, 1/50	4.3 kPa
Seismic Data	
Sa (0.2)	0.27
Sa (0.5)	0.16
Sa (1.0)	0.076
Sa (2.0)	0.042
PGA.....	0.14
Wind Effects:	
Probability 1/1027 kN/m ²
Probability 1/5035 kN/m ²

PART 16 – MOVING A BUILDING

16.1 Prior to issuing a Permit for moving a building, the owner must arrange for a preliminary inspection of the building to be conducted by the Building Inspector to determine whether or not permission shall be granted to move the building within or into the Village of McBride.

- 16.2 An application for a preliminary inspection under section 16.1 must be accompanied by payment of the inspection fee required under the Village of McBride Fees and Charges Bylaw.
- 16.3 A person who applies for a Permit to move a building or part thereof either within or into the Village of McBride may be required to deposit with the Building Inspector a certified cheque or cash in the amount of One Thousand (\$1,000) Dollars to ensure that the building is completely erected on the new site in accordance with the Building Code and this Bylaw, within twelve (12) months of the date of issuance of the Permit. If the building or part thereof is not completed within the specified time, the Building Inspector shall send a written notice to the owner stating how the building does not comply with the Building Code or this Bylaw and directing the owner to remedy the non-compliance within thirty (30) days from the date of the notice. If the non-compliance is not remedied within the period of thirty (30) days, the certified cheque or cash in the sum of One Thousand (\$1,000) Dollars shall be forfeited to the Village of McBride. If the building is completed by the owner within the time specified in the Permit or notice, the certified cheque or cash shall be returned to the owner.

PART 17 – SWIMMING POOLS

- 17.1 Swimming pools shall be enclosed within a fence of not less than 1,070 mm in height with no openings greater than 100 mm in their least dimension. Access through the fence enclosing the swimming pool, shall be equipped with a self-closing gate designed to return to a locked position when not in use and secured by a spring lock which can be opened, from the outside, only with a key. For the purpose of this section the words “swimming pool” shall include any constructed or prefabricated pool used or intended to be used for swimming, bathing, or wading, having either a surface area exceeding 15m² or a depth of more than 500 mm or both.

PART 18 – NO REPRESENTATION

- 18.1 Neither the issuance of a Permit or inspection certificate nor the inspection and approval of any work by the Building Inspector shall constitute any assurance, representation, or warranty to any person by the Village of McBride or the Building Inspector that any work is or has been constructed in a safe or proper manner.

PART 19 – OFFENCE AND PENALTY

- 19.1 A person who:
- 19.1.1 violates any of the provisions of the Building Code or of this Bylaw;
 - 19.1.2 causes, suffers or permits any act or thing to be done in contravention or in violation of the Building Code or this Bylaw;
 - 19.1.3 neglects or refrains from doing anything required to be done by the Building Code or this Bylaw;
 - 19.1.4 carries out or suffers causes or permits to be carried out any development in a manner prohibited by or contrary to the Building Code or this Bylaw;

19.1.5 fails to comply with any order, direction, certification or notice given under this Bylaw;
Commits an offence and, upon conviction, is punishable in accordance with the *Offence Act*.

19.2 Where an offence under this Bylaw is of a continuing nature, each day that the offence continues or is permitted to exist shall constitute a separate offence subject to a fine in respect of each day the offence continues or is permitted to exist.

PART 20 – TRANSITION

20.1 This Bylaw shall not affect the rights of an owner under a Permit that was issued under Village of McBride Building Bylaw No. 616, 2002 and remained a valid and subsisting Permit immediately prior to the coming into force of this Bylaw, as long as the owner actively and continuously carries out the work thereafter in accordance with to this Bylaw.

PART 21 – SEVERABILITY

21.1 If any section, subsection, clause, sub-clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, that section, subsection, clause, sub-clause or phrase shall be struck from the Bylaw and any decision shall not affect the validity of the remaining portions of this Bylaw.

PART 22 – REPEAL

22.1 “Village of McBride Building Bylaw No. 616, 2002” and all its amendments are repealed.

READ A FIRST TIME THIS	9 th	DAY OF	September	2014
READ A SECOND TIME THIS	14 th	DAY OF	October	2014
READ A THIRD TIME THIS	14 th	DAY OF	October	2014
ADOPTED THIS	28 th	DAY OF	October	2014

Corporate Officer

Mayor

Certified a true copy of the "Village of McBride Building Bylaw No. 751, 2014" as adopted.

Corporate Officer