

**CITY OF PRINCE GEORGE**  
**BYLAW NO. 8922**

**A Bylaw to regulate building construction and provide for the administration of the British Columbia Building Code.**

**WHEREAS** the *Community Charter* authorizes the City to regulate, prohibit and impose requirements in relation to buildings and other structures;

**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 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 Prince George, in open meeting assembled, enacts as follows:

**1.0 Application**

1.1 This Bylaw applies to all areas within the boundaries of the City of Prince George.

**2.0 Definitions**

2.1 In this Bylaw:

2.1.1 The following words and terms have the meanings set out in Section 1.4.1.2 of the Building Code: *alteration, assembly occupancy, building, building area, building height, business and personal services occupancy, care occupancy, constructor, coordinating registered professional, designer, detention occupancy, field review, high-hazard industrial occupancy, industrial occupancy, low-hazard industrial occupancy, major occupancy, mercantile occupancy, medium-hazard industrial occupancy, occupancy, plumbing system, registered professional, residential occupancy, storey and treatment occupancy.*

2.1.2 *Authorized person* means the person appointed by Council from time to time as the head of the Planning and Development Department, or a person designated in writing by the head of the Planning and Development Department to carry out any act or function under this Bylaw.

2.1.3 *Building Code* means the British Columbia Building Code as adopted by the Minister pursuant to the *Building Act*.

- 2.1.4 *Building official* means a person who is qualified as a building official under s. 11 of the *Building Act* or is an exempt building professional under s. 10 of the *Building Act*, and who has been appointed to perform the duties of a *building official* under this Bylaw.
- 2.1.5 *Bylaw Notice Enforcement Bylaw* means “City of Prince George Bylaw Notice Enforcement Bylaw No. 8813, 2016”, as amended from time to time.
- 2.1.6 *Complex Building* means:
- 2.1.6.1 all *buildings* used for *major occupancies* classified as
- 2.1.6.1.1 *assembly occupancies*,
  - 2.1.6.1.2 *detention occupancies*,
  - 2.1.6.1.3 *treatment occupancies*,
  - 2.1.6.1.4 *care occupancies*, or
  - 2.1.6.1.5 *high hazard industrial occupancies*, and
- 2.1.6.2 all *buildings* exceeding 600 square meters in *building area* or exceeding three (3) *storeys* in *building height* used for *major occupancies* classified as:
- 2.1.6.2.1 *residential occupancies*,
  - 2.1.6.2.2 *business and personal services occupancies*,
  - 2.1.6.2.3 *mercantile occupancies*, or
  - 2.1.6.2.4 *medium-hazard and low-hazard industrial occupancies*.
- 2.1.7 *Construction* includes the creation of *buildings* and *structures* by the assembly of building materials on the site of the *building* or *structure*, and the placement on a site of *buildings* or *structures* or components of *buildings* or *structures* that have been assembled elsewhere.
- 2.1.8 *Days* means calendar days.
- 2.1.9 *Do Not Occupy Notice* means a notice posted by a *building official* pursuant to section 6 of this Bylaw.

- 2.1.10 *Fees and Charges Bylaw* means “City of Prince George Comprehensive Fees and Charges Bylaw No. 7557, 2004”, as amended from time to time.
- 2.1.11 *Floodplain Bylaw* means “City of Prince George Flood Plain Regulation Bylaw No. 8285, 2010”, as amended from time to time.
- 2.1.12 *Health and safety aspects of the work* means design and construction regulated by Part 3, Part 4, Part 8 and sections 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 9.10, 9.12, 9.13, 9.14, 9.15, 9.16, 9.17, 9.18, 9.19, 9.23, 9.25, 9.31, 9.32, 9.33, 9.34, 9.35, 9.36 and 9.37 of Part 9 of the *Building Code*.
- 2.1.13 *Highways Bylaw* means “City of Prince George Highways Bylaw No. 8065, 2008”, as amended from time to time.
- 2.1.14 *Interior Finishing* means the application of one or more materials to the exposed surface of any interior floor, wall or ceiling of a building providing that material meets the required Flame-Spread Rating as prescribed in the *Building Code* and may include but is not limited to carpeting, flooring, millwork, painting and tiling.
- 2.1.15 *Occupancy Permit* means a permit issued by the *building official* pursuant to section 19 of this Bylaw.
- 2.1.16 *Owner* means the owner of land in respect of which an application is made under this Bylaw, and includes an agent of the owner authorized in the form prescribed by the *authorized person*.
- 2.1.17 *Plumbing Code* means Book II of the *British Columbia Building Code* as adopted by the Minister pursuant to the *Building Act*.
- 2.1.18 *Sign Bylaw* means “City of Prince George Sign Bylaw No. 7202, 2001”, as amended from time to time.
- 2.1.19 *Standard building* means a *building* of three (3) storeys or less in *building height*, having a *building area* not exceeding 600 square meters and used for *major occupancies* classified as:
- 2.1.19.1 *residential occupancies*,
  - 2.1.19.2 *business and personal services occupancies*,
  - 2.1.19.3 *mercantile occupancies*, or
  - 2.1.19.4 *medium to low hazard industrial occupancies*.
- 2.1.20 *Stop Work Notice* means a notice posted by the *building official* pursuant to section 6 of this Bylaw.

- 2.1.21 *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, fencing, paving and retaining structures less than 1.2 meters in height.
- 2.1.22 *Subdivision and Development Servicing Bylaw* means “City of Prince George Subdivision and Development Servicing Bylaw No. 8618, 2014”, as amended from time to time.
- 2.1.23 *Zoning Bylaw* means “City of Prince George Zoning Bylaw No. 7850, 2007”, as amended from time to time.

### 3.0 Purpose of Bylaw

- 3.1 This Bylaw, shall, notwithstanding any other provision in the Bylaw, be interpreted in accordance with this section.
- 3.2 This Bylaw has been enacted for the purpose of regulating construction within the City in the general public interest. The activities undertaken by or on behalf of the City pursuant to this Bylaw are for the sole purpose of providing a limited spot-checking function for reasons of health, safety and the protection of persons and property. The purpose of this Bylaw does not extend:
  - 3.2.1 to the protection of *owners*, *owner/builders* or *constructors* from economic loss;
  - 3.2.2 to the assumption by the City or any *authorized person* or *building official* of any responsibility for ensuring the compliance by any *owner*, his or her representatives or any employees, *constructors*, *designers* or *registered professionals* retained by him or her, with the *Building Code*, the *Plumbing Code*, the requirements of this Bylaw or other applicable enactments respecting safety;
  - 3.2.3 to providing any person a warranty of design or workmanship with respect to any *building* or *structure* for which a *building* permit, plumbing permit or *occupancy permit* is issued under this Bylaw; or
  - 3.2.4 to providing a warranty or assurance that construction undertaken pursuant to permits issued by the City is free from latent, or any, defects.

### 4.0 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 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*, the *Plumbing Code*, and 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 an agent, the agent) to carry out the work in respect of which the permit was issued in compliance with the *Building Code*, the *Plumbing Code*, this Bylaw and other applicable enactments respecting safety.
- 4.4 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 representatives are responsible for making such determination.

## 5.0 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*.
- 5.2 This Bylaw applies to the installation or *alteration* of any *plumbing system*, except for the repair or replacement of a valve, faucet, plumbing fixture or any water heating appliance and the repair of leaks in the *plumbing system*.
- 5.3 This Bylaw does not apply to *buildings* or *structures* exempted by Division A Part 1 of the *Building Code*, except that seasonal structures erected to shelter horticultural products sold on retail premises are subject to this Bylaw and require a *building* permit and *occupancy permit*.
- 5.4 The permit requirements in this Bylaw do not apply to:
- 5.4.1 signs and awnings authorized under the *Sign Bylaw*; or
  - 5.4.2 up to one (1) accessory *building* per parcel, not exceeding 10 square meters in *building* area and having no plumbing, electrical wiring or other mechanical services.

## 6.0 Authorized Person and the Building Official

- 6.1 The *authorized person* may:
- 6.1.1 administer this Bylaw and prescribe the form of permits, permit applications, orders and notices except to the extent that they are specifically prescribed by this Bylaw;

- 6.1.2 keep records of permit applications, permits, notices and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of this Bylaw or microfilm or digital copies of such documents;
  - 6.1.3 may enter any land, *building*, *structure*, or premises at any reasonable time for the purpose of ascertaining that the terms of this Bylaw are being observed; and
  - 6.1.4 where any residence is occupied, shall obtain the consent of the occupant or provide written notice to the occupant 24 hours in advance of entry.
- 6.2 The *authorized person* shall;
- 6.2.1 carry proper credentials confirming his or her status as the *authorized person*; and
  - 6.2.2 not act in a design, engineering, architectural or similar consultative capacity on behalf of an applicant for a *building* or plumbing permit.
- 6.3 The *building official* may:
- 6.3.1 establish when an applicant for a *building* or plumbing permit has proposed an alternative solution as described in Section 1.2.1[A] of the *Building Code* and paid the additional fee specified in Schedule A-1 to the *Fees and Charges Bylaw*, whether the alternative solution will achieve at least the minimum level of performance required by the *Building Code*; and
  - 6.3.2 determine whether a *building* or *structure* is temporary in relation to Division A Part 1 of the *Building Code*.
- 6.4 The *building official* may, in consultation with the *authorized person*, order the immediate correction or suspension of any work that is being or has been done in contravention of this or any other Bylaw, the *Building Code*, the *Plumbing Code* or other enactments respecting safety by posting a *Stop Work Notice* in a conspicuous location on the property.
- 6.4.1 the *owner* of the property on which a *Stop Work Notice* has been posted, and every other person, shall cease all work immediately and shall not do any work other than the work required to correct the condition for which the *Stop Work Notice* was originally posted and the *Stop Work Notice* has been rescinded in writing by the *building official*; and

- 6.4.2 the *Stop Work Notice* shall remain in place until such time as the *building official* is satisfied that the condition for which it was posted has been remedied to the satisfaction of the *building official*.
- 6.5 The *building official* may, in consultation with the *authorized person*, revoke a *building*, plumbing or *occupancy permit*, by providing written notice to the permit holder by personal service or registered mail, for any of the following reasons:
- 6.5.1 where there is a violation of any condition under which the permit was issued;
- 6.5.2 where there is a violation of any provision of the *Building Code*, the *Plumbing Code*, this Bylaw or any other enactment related to health or safety in relation to the premises for which the permit was issued;
- 6.5.3 if any reason is found to exist which would have been cause for denial of such permit had it been known at the time of issuance of the permit; or
- 6.5.4 if any person has prevented or obstructed, or sought or attempted to prevent or obstruct, the entry of the *authorized person* onto or into the land, *building*, *structure* or premises in the course of carrying out duties in relation to the administration of this Bylaw.
- 6.6 Where the *building official* has revoked the *occupancy permit* or where a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of section 7.2 or 19.1 of this Bylaw:
- 6.6.1 the *building official*:
- 6.6.1.1 may order the immediate cessation of *occupancy* of the *building* or *structure* by posting a *Do Not Occupy Notice* in a conspicuous location on the property;
- 6.6.1.2 shall, in giving notice under Section 6.6.1.1 in respect of residential premises that are the subject of a residential tenancy agreement, provide sufficient notice that the owner of the premises can comply with the requirements of the *Residential Tenancy Act* that apply to the termination of a tenancy agreement where a rental unit must be vacated to comply with an order of a municipal government authority; and

6.6.1.3 the *Do Not Occupy Notice* shall remain in place until such time as the *building official* is satisfied that the condition for which it was posted has been remedied to the satisfaction of the *building official*.

6.7 the owner of the property on which a *Do Not Occupy Notice* has been posted, and every other person, shall immediately cease *occupancy* and shall not occupy the *building* or *structure* or part of the *building* or *structure* until such time as the condition for which the *Do Not Occupy Notice* was originally posted has been corrected and the *Do Not Occupy Notice* has been rescinded in writing by the *building official*;

## 7.0 Prohibitions

7.1 No person shall commence or continue any *construction, alteration, reconstruction, demolition, removal, relocation* or change the *occupancy* of any *building* or *structure* or *plumbing system*, including excavation or other work related to *construction* unless a *building official* has reviewed and approved the proposed work and a *building official* has issued a permit for the work.

7.2 No person shall occupy or use any *building* or *structure* unless an *occupancy* permit has been issued by a *building official* for the *building* or *structure*, or contrary to the terms of any permit issued or any notice given by the *authorized person* or a *building official*.

7.3 No person shall knowingly submit false or misleading information to the *authorized person* or a *building official* in relation to any permit application or *construction* undertaken pursuant to this Bylaw.

7.4 No person shall, unless authorized in writing by the *authorized person*, 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.

7.5 After immediately securing the site, no person shall, unless authorized in writing by a *building official*, continue work on a property on which a *Stop Work Notice* has been posted.

7.6 After immediately securing the site, no person shall, unless authorized in writing by a *building official*, occupy a *building* or *structure* on which a *Do Not Occupy Notice* has been posted.

7.7 No person shall erase, alter or modify any drawings or specifications that have been approved by a *building official* pursuant to this Bylaw, without the *authorized person's* approval in writing.



- 7.8 No person shall do any work that is at variance with the accepted design or plans of a *building, structure* or other works for which a permit has been issued, unless that variance has been accepted in writing by a *building official*.
- 7.9 No person shall obstruct the entry of the *authorized person, building official* or other authorized official of the City on property in the administration of this Bylaw.

## 8.0 Permit Application

- 8.1 Every person shall apply for and obtain:
- 8.1.1 a *building* permit before constructing, installing, repairing, moving, demolishing, renovating or altering a *building* or *structure*; and
  - 8.1.2 a plumbing permit before installing or altering a *plumbing system*.
- 8.2 Section 8.1 does not apply to non-structural *alterations* to a *building* whose construction is regulated by Part 3 of the *Building Code*, if the *alterations* are being made solely to improve the level of safety in the *building* in relation to accessibility to persons with disabilities, occupant load or class of *occupancy*, or means of egress from the *building*, or are limited to the *interior finishing* of the *building*. The *authorized person* may require the *owner* to provide a report, prepared by the *owner's registered professional*, in the format required by the *authorized person*, to determine whether the proposed *alterations* are within the scope of this exemption. The *authorized person* may, upon the written application of the *owner* describing the proposed *alterations*, determine whether the *alterations* are within the scope of this exemption.
- 8.3 All plans and specification submitted with the permit application shall be of a professional quality, drawn at an appropriate scale and bear the name and address of the *designer* of the *building, structure* or *plumbing system*, the street address of the proposed *building, structure* or *plumbing system*, the name and address of the *owner* and include such details as are required to satisfy the *authorized person* and the *building official* that the proposed design complies with the *Building Code*, the *Plumbing Code*, other City Bylaws and applicable enactments respecting safety.
- 8.4 Each *building* or *structure* to be constructed on a site requires a separate permit and shall be assessed a separate permit fee based on the value of that *building* or *structure*.
- 8.5 A *building* or *plumbing* permit application made under this Bylaw shall lapse six (6) months following the date of application if the application is incomplete and the *owner* has failed to provide the information required by the *authorized person* or *building official* to complete the application. In this case the processing fee shall be forfeited.

## 9.0 Applications for Standard Buildings

- 9.1 An application for a *building* permit with respect to a *standard building* shall;
- 9.1.1 be made in the form prescribed by the *authorized person* and signed by the *owner*, or a signing officer if the *owner* is a corporation;
  - 9.1.2 include a copy of a title search made within thirty (30) days of the date of the application;
  - 9.1.3 include a site plan in the form prescribed by the *authorized person* showing at a minimum:
    - 9.1.3.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
    - 9.1.3.2 the legal description and civic address of the parcel;
    - 9.1.3.3 the location and dimensions of all statutory rights of way, easements and setback requirements;
    - 9.1.3.4 the location and dimensions of all existing and proposed *buildings* or *structures* on the parcel;
    - 9.1.3.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where the *Floodplain Bylaw* establishes siting requirements related to flooding;
    - 9.1.3.6 the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a *building* or *structure* where the *Floodplain Bylaw* establishes siting requirements related to minimum floor elevation; and
    - 9.1.3.7 the location, dimension and gradient of parking and driveway access.
  - 9.1.4 include one set of construction drawings in the form prescribed by the *authorized person* showing at a minimum:
    - 9.1.4.1 foundation and floor plans showing the dimensions and uses of all areas, the dimensions and height of crawl and roof spaces, the location, size and swing of doors, the location, size and opening of windows, floor, wall and ceiling finishes, structural elements, and stair dimensions;

- 9.1.4.2 a cross section through the *building* or *structure* illustrating foundations, drainage, ceiling heights and construction systems;
  - 9.1.4.3 elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, and finished grade;
  - 9.1.4.4 cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *Building Code*; and
  - 9.1.4.5 any other information required by the *building official* or the *Building Code* to establish substantial compliance with this Bylaw, the *Building Code*, the *Plumbing Code* or other applicable enactments respecting safety relating to the *building* or *structure*.
- 9.1.5 where any portion of the design of the *building* or *structure* deviates from the requirements of Division B Part 9 of the *Building Code*, include drawings prepared and sealed by a *registered professional*; and
- 9.1.6 include copies of approvals required under any enactment relating to health and safety, including, without limitation, highway access permits under the *Highways Bylaw*.
- 9.2 The *authorized person* may waive the requirements for a site plan, in whole or in part, where the permit is sought for the repair or *alteration* of an existing *building* or *structure* and the existing footprint of the *building* or *structure* will not be enlarged or otherwise changed or where the provision of a site plan is not required to establish that the siting or elevation of *buildings* and *structures* that would be authorized by the *building* permit complies with City Bylaws.

## 10.0 Applications for Complex Buildings

- 10.1 An application for a *building* permit with respect to a *complex building* shall:
- 10.1.1 be made in the form prescribed by the *authorized person* and signed by the *owner*, or a signing officer if the *owner* is a corporation;
  - 10.1.2 include a copy of a title search made within 30 days of the date of the application;

- 10.1.3 include a site plan in the form prescribed by the *authorized person* showing at a minimum:
  - 10.1.3.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
  - 10.1.3.2 the legal description and civic address of the parcel;
  - 10.1.3.3 the location and dimensions of all statutory rights of way, easements and setback requirements;
  - 10.1.3.4 the location and dimensions of all existing and proposed *buildings* or *structures* on the parcel;
  - 10.1.3.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where the *Floodplain Bylaw* establishes siting requirements related to flooding;
  - 10.1.3.6 the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a *building* or *structure* where the *Floodplain Bylaw* establishes siting requirements related to minimum floor elevation; and
  - 10.1.3.7 the location, dimension and gradient of parking and driveway access.
- 10.1.4 include one set of construction drawings in the form prescribed by the *authorized person* showing at a minimum:
  - 10.1.4.1 foundation and floor plans showing the dimensions and uses of all areas, the dimensions and height of crawl and roof spaces, the location, size and swing of doors, the location, size and opening of windows, floor, wall and ceiling finishes, structural elements, and stair dimensions;
  - 10.1.4.2 a cross section through the *building* or *structure* illustrating foundations, drainage, ceiling heights and construction systems;
  - 10.1.4.3 elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, and finished grade;

- 10.1.4.4 cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *Building Code*; and
    - 10.1.4.5 any other information required by the *building official* or the *Building Code* to establish substantial compliance with this Bylaw, the *Building Code*, the *Plumbing Code* or other applicable enactments respecting safety relating to the *building* or *structure*.
  - 10.1.5 include a letter of assurance in the form of Schedule “A” as referred to in section 2.2.7 of Division C Part 2 of 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*;
  - 10.1.6 include letters of assurance in the form of Schedule “B” as referred to in section 2.2.7 of Division C Part 2 of the *Building Code*, each signed by such *registered professionals* as the *coordinating registered professional*, *building official* or *Building Code* may require to prepare the design for and conduct *field reviews* of the construction of the *building* or *structure*; and
  - 10.1.7 include copies of approvals required under any enactment relating to health and safety, including, without limitation, highway access permits under the *Highways Bylaw*.
- 10.2 The *authorized person* may waive the requirements for a site plan, in whole or in part, where the permit is sought for the repair or *alteration* of an existing *building* or *structure* and the existing footprint of the *building* or *structure* will not be enlarged or otherwise changed or where the provision of a site plan is not required to establish that the siting or elevation of *buildings* and *structures* that would be authorized by the *building* permit complies with City Bylaws.
- 10.3 In addition to the requirements of section 10.1, the following may be required by the City to be submitted with a *building* permit application for the construction of a *complex building* where in the opinion of the *authorized person* or a *building official* the complexity of the proposed *building* or *structure* or siting circumstances warrant:
  - 10.3.1 site service 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 standards generally accepted as good engineering practice;

- 10.3.2 a section through the site showing grades, *buildings*, *structures*, parking areas and driveways; and
- 10.3.3 any other information required by the City or the *Building Code* to establish substantial compliance with this Bylaw, the *Building Code* and other Bylaws and enactments relating to the *building* or *structure*.

## 11.0 Applications for Plumbing Systems

- 11.1 Each dwelling unit in a duplex requires a separate *plumbing system* and each separate *plumbing system* requires a plumbing permit.
- 11.2 An application for a plumbing permit shall:
  - 11.2.1 be made in the form prescribed by the *authorized person* and signed by the *registered professional* responsible for the design of the work or the person responsible for the installation of the work as required in the *Plumbing Code*;
  - 11.2.2 include one (1) set of plumbing drawings in the form prescribed by the City showing at a minimum:
    - 11.2.2.1 the position, sizing and dimensions of all components of the *plumbing system*; and
    - 11.2.2.2 any other information required by the *building official*, the *Building Code* or the *Plumbing Code* to establish substantial compliance with this Bylaw, the *Building* or *Plumbing Code* or other applicable enactments respecting safety relating to the *building* or *structure*;
  - 11.2.3 where any portion of the design of the *plumbing system* deviates from the prescriptive requirements of the *Plumbing Code*, include drawings prepared and sealed by a *registered professional*;
  - 11.2.4 include copies of approvals required under any enactment relating to health and safety, including, without limitation, highway access permits under the *Highways Bylaw*;
  - 11.2.5 in the case of sanitary sewer systems where on-site sewage treatment or disposal is proposed, be accompanied by evidence that all filings required under the Sewerage System Regulation (B.C. Reg. 326/2004) have been made with the Northern Health Authority; and
  - 11.2.6 in the case where a piped on-site potable water system is proposed, be accompanied by evidence from a provincially certified testing agency that the potable water source is of a quality that falls within the *Drinking Water Protection Act*.

## 12.0 Permits

### 12.1 When:

- 12.1.1 a completed application including all required supporting documentation has been submitted;
- 12.1.2 the proposed work set out in the application substantially conforms with the *Building Code*, the *Plumbing Code*, this Bylaw and all other applicable Bylaws including without limitation the *Floodplain Bylaw*, the *Subdivision and Development Servicing Bylaw* and the *Zoning Bylaw*; and
- 12.1.3 the *owner* has paid all charges and met all requirements imposed by this and any other applicable Bylaw;

the *building official* shall issue the permit for which the application is made.

### 12.2 when the application is in respect of a *building* that includes, or will include, a *residential occupancy*, the *building* permit shall not be issued unless the *owner* provides evidence pursuant to the *Homeowner Protection Act* that:

- 12.2.1 the proposed *building* is covered by home warranty insurance; and
- 12.2.2 the *constructor* is a licensed residential *builder*.

### 12.3 Section 12.2 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*.

### 12.4 The holder of a permit or a permit applicant may request that the permit or application be transferred or assigned, by making a written request and paying the transfer fee set out in Schedule "A-1" to the *Fees and Charges Bylaw*.

### 12.5 Every *building* permit and plumbing permit is issued upon the condition that the permit shall expire and the rights of the *owner* under the permit shall terminate if:

- 12.5.1 the work authorized by the permit is not commenced within six (6) months from the date of issuance of the permit; or
- 12.5.2 the work is not completed within twenty four (24) months of the date of permit issuance.

### 12.6 The City may extend the period of time set out under section 12.5.2 for an additional twelve (12) months if an application for extension is made in writing within the thirty (30) day period prior to the expiry date and the applicant pays the extension fee set out in Schedule "A-1" to the *Fees and Charges Bylaw*, but no such extension shall be permitted if construction has not commenced.

### 13.0 Professional Plan Certification

13.1 When the City, the *authorized person* or *building official* has relied upon the letters of assurance that have been provided pursuant to the relevant sections of this Bylaw in the form of Schedule B referred to in section 2.2.7 of Division C Part 2 of the *Building Code* as certification that the design and plans to which the letters of assurance relate comply with the *Building Code*, the *Plumbing Code* and other applicable enactments relating to safety, 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, but not so as to reduce the permit fee below \$75.00.

### 14.0 Fees and Charges

14.1 In addition to applicable fees and charges required under other Bylaws, a permit fee, calculated in accordance with Schedule "A-1" to the *Fees and Charges Bylaw*, shall be paid in full prior to issuance of any permit under this Bylaw.

14.2 The permit fee prescribed by this Bylaw and the *Fees and Charges Bylaw* shall be doubled for:

14.2.1 every person who commences work requiring a permit under this Bylaw without first obtaining such permit;

14.2.2 every person who does work in contravention of section 7.5, 7.6, 7.7 or 7.8; or

14.2.3 every person who occupies a *building* or *structure* without first obtaining an *occupancy permit*.

14.3 An application made for a permit shall be accompanied by the minimum processing fee as set out in Schedule "A-1" to the *Fees and Charges Bylaw*, which is non-refundable.

14.4 When an application is cancelled or lapses, the plans and related documents submitted with the application may be destroyed at the City's discretion.

14.5 The *owner* may obtain a refund of the permit fees when a permit is surrendered and cancelled before any construction begins or inspections have been made, provided that the refund shall be limited to 90% of the permit fees.

14.6 Where, due to non-compliance with this Bylaw, more than one (1) inspection is necessary, for each additional inspection the owner shall pay a re-inspection charge as set out in Schedule "A-1" to the *Fees and Charges Bylaw* prior to the re-inspection being performed.



- 14.7 Where, due to non-compliance with this Bylaw, more than one (1) plan check is necessary, the owner shall pay a plan re-check charge as set out in Schedule “A-1” to the *Fees and Charges Bylaw* prior to the following required inspection being performed.

## 15.0 Disclaimer of Warranty or Representation

- 15.1 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*, the *Plumbing Code* or this 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*, the *Plumbing Code* or this Bylaw or any standard of construction.

## 16.0 Professional Design and Field Review

- 16.1 When a *building official* considers that the site conditions, size, complexity or an aspect of a development warrant, he or she may require a *registered professional* to provide design and plan certification by means of letters of assurance in the form of Schedules “B” and “C-B” referred to in section 2.2.7 of Division C – Part 2 of the *Building Code* and *field review* reports.
- 16.2 Prior to the issuance of an *occupancy permit* for a *complex building*, or *standard building* in circumstances where letters of assurance have been required in accordance with this Bylaw, the *owner* shall provide the City with letters of assurance in the form of Schedules “C-A” or “C-B”, as is appropriate, referred to in section 2.2.7 of Division C – Part 2 of the *Building Code* and a copy of record drawings, sealed by the appropriate *registered professional* in accordance with their professional associations’ regulations regarding the use of a professional seal.

## 17.0 Responsibilities of the Owner

- 17.1 Every *owner* shall ensure that all construction complies with the *Building Code*, the *Plumbing Code*, this Bylaw and other applicable enactments respecting safety.
- 17.2 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.
- 17.3 Every *owner* to whom a permit is issued shall during construction:
- 17.3.1 post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;

- 17.3.2 keep a copy of the accepted designs, plans and specifications on the property; and
- 17.3.3 post the civic address of the property in a location visible from any adjoining streets.

## 18.0 Inspections

- 18.1 When a *registered professional* provides letters of assurance in accordance with this Bylaw, the City will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this Bylaw, including letters of assurance provided by any *coordinating registered professional*, as assurance that the construction substantially conforms to the design and that the construction substantially complies with the *Building Code*, the *Plumbing Code*, this Bylaw and other applicable enactments respecting safety .
- 18.2 Except in the case of *coordinating registered professionals*, reliance under section 18.1 will be limited to the discipline or disciplines indicated by the *registered professional* on their Schedule B Assurance of Professional Design and Commitment for Field Review.
- 18.3 A *building official* may attend periodically at the site of the construction of *standard buildings* or *structures* to ascertain whether the *health and safety aspects of the work* are being carried out in substantial conformance with those portions of the *Building Code*, the *Plumbing Code*, this Bylaw and any other applicable enactment respecting safety.
- 18.4 The *owner* shall give at least two (2) business days' notice to the City when requesting an inspection of the construction of a *building* and shall obtain an inspection and receive a *building official's* acceptance in writing of the following aspects of the work prior to concealing it:
  - 18.4.1 placing of formwork for footings or foundation walls, prior to the placing of concrete;
  - 18.4.2 installation of perimeter drain tiles and dampproofing, prior to backfilling;
  - 18.4.3 completion of installation of building storm and sanitary sewer and water service pipes, prior to backfilling;
  - 18.4.4 completion of *plumbing systems*, prior to the pouring of concrete and before any insulation or interior finishes are installed that would conceal such work;
  - 18.4.5 completion of framing and sheathing, fire stopping, bracing, duct work and electrical wiring, before any insulation is installed that would conceal such work;

- 18.4.6 preparation of ground, including ground cover, when required, prior to the placing of a concrete slab;
  - 18.4.7 insulation and vapour barrier, prior to the installation of drywall and other interior finishes; and
  - 18.4.8 when the *building* or *structure* is substantially complete and ready for *occupancy*, but before *occupancy* takes place of the *building* or *structure*.
- 18.5 No aspect of the work referred in section 18.4 of this Bylaw shall be concealed until a *building official* has accepted it in writing.
- 18.6 If any aspect of the work described in section 18.4 cannot be inspected due to a contravention of section 18.5, the *owner* must pay the re-inspection fee specified in Schedule “A-1” of the *Fees and Charges Bylaw* and expose the aspect of the work requiring inspection to the satisfaction of the *building official* prior to the conduct of the relevant inspection.
- 18.7 The City may require the *owner* to provide a survey certificate prepared by a British Columbia Land Surveyor, at the time of conducting any of the inspections referred to in this Bylaw, showing that building footings and foundation walls or formwork for footings and foundation walls have been located properly in relation to approved building plans and the *Zoning Bylaw*, prior to the placing of any concrete.
- 18.8 The requirements of section 18.4 of this Bylaw do not apply to any aspect of the work that is the subject of a *registered professional’s field reviews* and letter of assurance provided in accordance with this Bylaw, the *Building Code* or the *Plumbing Code*.

## 19.0 Occupancy Permits

- 19.1 No person shall occupy a *building* or *structure* or part of a *building* or *structure* until an *occupancy permit* in the form prescribed by the *authorized person* has been issued.
- 19.2 Each separate *occupancy* or *dwelling unit* within a *building* or *structure* requires a separate *occupancy permit*.
- 19.3 In the case of a *complex building*, the *owner* shall give at least three (3) business days’ notice to the City when requesting an *occupancy permit* in order to obtain the City’s inspection and approval of any water meter and ancillary equipment.
- 19.4 An *occupancy permit* in respect of a new *building* or *structure* shall not be issued unless:

- 19.4.1 all letters of assurance and record drawings have been submitted when required in accordance with this Bylaw, the *Building Code* or the *Plumbing Code*;
  - 19.4.2 all aspects of the work requiring inspection and acceptance pursuant to this Bylaw have both been inspected and accepted or the inspections and acceptance are not required in accordance with section 18.8 of this Bylaw; and
  - 19.4.3 the civic address assigned by the City is posted on the *building* or *structure* in accordance with the applicable City requirements.
- 19.5 The *building official* may issue an *occupancy permit* authorizing the *occupancy* of an existing *building* or *structure* if the *occupancy* complies with the requirements of the *Building Code* and is permitted by the *Zoning Bylaw*, and the applicant has paid the inspection fee specified in Schedule “A-1” to the *Fees and Charges Bylaw*.

## 20.0 Moving and Demolition Permits

- 20.1 A *building* permit authorizing the moving or demolition of a *building* shall be issued only to the entity that has been contracted to move or demolish the *building*, and only to an entity that:
- 20.1.1 holds a current City business license;
  - 20.1.2 has provided to the City a certified copy of the insurance policy described in section 20.2; and
  - 20.1.3 has provided to the City the security and paid to the City the processing and permit fees specified in Schedule “A-1” to the *Fees and Charges Bylaw*.
- 20.2 The insurance required for the purposes of section 20.1.2 is third party personal injury and property damage liability insurance in an amount determined by the City on the basis of the nature and size of the *building* being moved or demolished, the route to be used and the risk to City infrastructure created by the move or demolition, naming the City as an additional insured.
- 20.3 A moving permit shall not be issued to authorize the relocation of a *building* within the City unless the City has also issued a *building* permit authorizing the placing of the *building* at its new location.
- 20.4 Premises from which a *building* has been moved or on which a *building* has been demolished must be left in a condition that does not constitute a hazard to the public, and in particular:

- 20.4.1 all water, sewer, electrical, district heat, gas and other services must be disconnected and capped at the property line before the *building* is demolished or moved, with the prior written approval of the City or other utility concerned;
- 20.4.2 all excavations must be backfilled to grade with suitable material or fenced to prevent unauthorized access, unless a *building* permit has been issued for the premises and construction is to commence within five (5) business days of the demolition or removal of the previous *building*;
- 20.4.3 excavations, including excavations on fenced premises, must be supported to prevent subsidence or collapse; and
- 20.4.4 all construction debris must be removed from the site to an approved waste disposal location.

## 21.0 Retaining Structures

- 21.1 A *building* permit is required and a *registered professional* shall undertake the design and conduct *field reviews* of the construction of a retaining *structure* that is at any point along its length, greater than 1.2 meters in height above finished grade on the lower side of the *structure*.

## 22.0 Violations and Penalties

- 22.1 This Bylaw may be enforced,
  - 22.1.1 by an Information laid in accordance with the *Offence Act*;
  - 22.1.2 by a Bylaw Notice in accordance with the *Local Government Bylaw Notice Enforcement Act*; or
  - 22.1.3 by a combination of the above noted methods in 22.1.1 or 22.1.2.
- 22.2 With respect to enforcement further to a Bylaw Notice issued pursuant to the *Local Government Bylaw Notice Enforcement Act*, the fines specified in Schedule "B" of the "City of Prince George Bylaw Notice Enforcement Bylaw No. 8813, 2016", shall apply.
- 22.3 Except as otherwise provided in this Bylaw or the "City of Prince George Bylaw Notice Enforcement Bylaw No. 8813, 2016", any person who violates any of the provisions of this Bylaw or who refuses, or omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by the Bylaw shall be liable on summary conviction to a fine of not less than Two Thousand (\$2000.00) and not exceeding Ten Thousand Dollars (\$10,000.00), the cost of prosecution and any other penalty or order imposed pursuant to the *Community Charter* or the *Offence Act*.

22.4 Each day on which any violation, contravention or breach of this Bylaw continues shall be deemed a separate offence.

### **23.0 Climatic Data**

23.1 The following Snow Load datum applies to the design and construction of *buildings* and *structures* in the City in place of the corresponding datum in Division B of Appendix C of the *Building Code*:  $S_s = 4.3$  kPa.

### **24.0 Severability**

24.1 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.

### **25.0 Repeal**

25.1 “City of Prince George Building Bylaw No. 5912, 1993” is repealed.

### **26.0 Effective Date**

26.1 Despite the repeal of “City of Prince George Building Bylaw No. 5912, 1993”, a *building*, plumbing or *occupancy permit* may be issued pursuant to that Bylaw in relation to a complete permit application that was made prior to the coming into force of this Bylaw.

### **27.0 Title**

27.1 This Bylaw may be cited as “City of Prince George Building Bylaw No. 8922, 2018”.

READ A FIRST TIME THIS DAY OF , 2018.

READ A SECOND TIME THIS DAY OF , 2018.

READ A THIRD TIME THIS DAY OF , 2018.

All three readings passed by a decision of Members of City Council present and eligible to vote.

ADOPTED THIS DAY OF , 2018,  
BY A DECISION OF ALL MEMBERS OF CITY COUNCIL  
PRESENT AND ELIGIBLE TO VOTE.

---

MAYOR

---

CORPORATE OFFICER