

The following is a consolidated copy of the regional district building bylaw and includes the following bylaws:

Bylaw No.	Bylaw Name	Adopted	Purpose
142	Comox Valley Regional District Building Bylaw No. 142, 2011	October 25, 2011	To establish regional district regulations under section 694 of the <i>Local Government Act</i>
151	Comox Valley Regional District Building Bylaw No. 142, 2011, Amendment No. 1	January 31, 2012	To include building permit requirements for the construction and installation of a shoreline protection device and minor text amendments to clarify language pertaining to building permits and renewals
500	Comox Valley Regional District Building Bylaw No. 142, 2011, Amendment No. 3	November 7, 2017	To amend building permit fees.
585	Comox Valley Regional District Building Bylaw No. 142, 2011, Amendment No. 4	October 29, 2019	To clarify the applicability of the bylaw to cannabis cultivation within farm buildings

This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.

COMOX VALLEY REGIONAL DISTRICT**BYLAW NO. 142****A bylaw for the purpose of establishing regional district building regulations under section 694 of the *Local Government Act***

WHEREAS the Comox Valley Regional District delivers a building inspection service to Electoral Areas ‘A’ (except Hornby and Denman Islands), ‘B’ and ‘C’ under Bylaw No. 1160 being the “Regional District of Comox-Strathcona Building Inspection Service Bylaw, 1989” adopted on November 27, 1989;

AND WHEREAS section 694(1) of the *Local Government Act* empowers the Comox Valley Regional District, for the health, safety and protection of persons and property by bylaw to prescribe conditions generally governing the issue and validity of permits and the inspection of works, buildings and structures, and to regulate the construction, alteration, repair, demolition and moving of buildings and structures by bylaw, and to exercise other powers granted by section 694;

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 board of the Comox Valley Regional District in open meeting assembled enacts as follows:

Citation

1. This Bylaw No. 142 may be cited for all purposes as the “Comox Valley Regional District Building Bylaw No. 142, 2011.”

Definitions

2. (1) In this bylaw, the following words and terms have the meanings set out in section 1.4.1.2 in part 1 of division A of the *British Columbia Building Code 2006*: ***assembly occupancy, building, building area, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, dwelling unit, farm buildings, field review, floor area, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, occupant load, medium hazard industrial occupancy, occupancy, owner, registered professional, registered professional of record and residential occupancy.***
- (2) ***Biotechnical slope stabilization*** means the combined use of mechanical elements (or structures) and biological elements (or plants) to prevent slope failure and erosion. Both biological and mechanical elements must function together in an integrated and complementary manner.
- (3) ***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.
- (4) ***Building official*** includes building inspectors, plan checkers and plumbing inspectors employed, appointed or contracted by the board of the ***regional district*** to act in these capacities on behalf of the ***regional district***.

- (5) **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**;
 - (b) all **buildings** exceeding 600 square metres 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**.
- (6) **Health and safety aspects of the work** means design and construction regulated by part 3 and part 4 of division B, and sections 9.4, 9.8, 9.9, 9.10, 9.12, 9.14, 9.15, 9.17, 9.18, 9.20, 9.21, 9.22, 9.23, 9.24, 9.31, 9.32, and 9.34 in part 9 of division B of the **building code**.
- (7) **Low human occupancy** (as applying to **farm buildings**) means an **occupancy** having an **occupant load** of not more than 1 person per 40 square metres of **floor area** during normal use.
- (8) **Permit** means a **permit** required by or issued under this bylaw.
- (9) **Regional district** means the Comox Valley Regional District.
- (10) **Revetment walls** means rip rap. Rip rap is made from a variety of rock types, commonly granite and limestone. Rip rap is used to armour shorelines against scour and water erosion.
- (11) **Shoreline protection device** means a biotechnical slope stabilization or revetment wall installed on those lands adjacent to the Strait of Georgia located within the property lines on the upland side of the natural boundary of the Strait of Georgia as depicted on a British Columbia land surveyor’s certificate.”
- (12) **Standard building** means a **building** of three storeys or less in **building height**, having a **building area** not exceeding 600 square metres 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**.
- (13) **Structure** means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into land or water and includes a **shoreline protection device**, but specifically excludes landscaping, fences, paving, retaining structures less than 1.5 metres in height, breakwaters, seawalls, bulkheads, rip rap, deposition of materials such as stone and concrete rubble, bluff stabilization projects, and similar measures employed to protect property from the sea and watercourses.
- (14) **Swimming pool** means any constructed or prefabricated **structure**, which is used or intended to be used for swimming, bathing or wading, having a surface area of more than 15.0 square metres and a depth of more than 0.5 metres and does not

include irrigation ponds, natural ponds, hot tubs, or manmade ponds used for decorative or landscaping purposes.

Purpose of bylaw

3. (1) The bylaw shall, notwithstanding any other provision herein, be interpreted in accordance with this section.
- (2) This bylaw has been enacted for the purpose of regulating construction within the **regional district** in the general public interest. The activities undertaken by or on behalf of the **regional district** pursuant to this bylaw are for the sole purpose of providing a limited and interim spot-checking function for reason of health, safety and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of this bylaw extend to the following:
 - (a) to the protection of **owners**, owner/builders or **constructors** from economic loss;
 - (b) to the assumption by the **regional district** or any **building official** of any responsibility for ensuring the compliance by any **owner**, 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 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 **regional district** is free from latent, or any defects; or
 - (e) to providing a warranty to any person that construction is in compliance with the **building code**, this bylaw or any other enactment with respect to a **building** or **structure** for which a **permit** is issued under this bylaw.

Permit conditions

4. (1) A **permit** is required whenever work regulated under this bylaw is to be undertaken.
- (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 **regional district** 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.
- (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 this bylaw, the **building code** and or other applicable enactments respecting safety.
- (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 by or on behalf of the **regional district** constitute in any way a representation, warranty, assurance or statement that this bylaw, the **building code** and or other applicable enactments respecting safety have been complied with.

- (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.
- (6) An owner of property for which a *permit* is issued shall conform to all requirements of this bylaw and all other enactments and *regional district* bylaws applicable to the work for which the *permit* was issued.

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, *occupancy* and change of *occupancy* of existing *buildings* and *structures*.
- (2) This bylaw does not apply to the following:
 - (a) *buildings* or *structures* exempted by section 1.1.1.1(2) in part 1 of division A of the *building code* except as expressly provided herein;
 - (b) retaining structures less than 1.5 metres in height;
 - (c) breakwaters, seawalls, bulkheads, rip rap, deposition of materials such as stone and concrete rubble, bluff stabilization projects, and similar measures employed to protect property from the sea and any lake, swamp, pond or watercourse;
 - (d) polyethylene film covered greenhouses used for the production of agricultural and horticultural produce or feeds;
 - (e) *low human occupancy farm buildings* located on land classified as “farm” under the *Assessment Act* on the date on which the application for *permit* was made, except buildings and structures used for activities subject to a cultivation or processing licence under the *Cannabis Act*;
 - (f) decks without roofs having a difference in elevation to grade not exceeding 600 millimetres;
 - (g) masonry chimneys or fireplaces and solid fuel-burning appliances, factory-built chimneys or fireplaces and equipment except when constructed in a *building* that includes, or will include a *residential occupancy*;
 - (h) alterations and or repairs to masonry chimneys and fireplaces or solid fuel-burning appliances, factory-built chimneys or fireplaces and equipment;
 - (i) replacement of windows, doors or exterior finish, provided replacement is not a result of a building envelope failure.

Prohibitions

6. (1) No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the *occupancy* of any *building* or *structure*, or other work related to construction unless a *building official* has issued a valid and subsisting *permit* for the work.
- (2) No person shall occupy or use any *building* or *structure* unless a valid and subsisting 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 a *building official*.

- (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.
- (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.
- (5) No person shall do any work that is substantially 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**.
- (6) No person shall obstruct the entry of a **building official** or other authorized official of the **regional district** on property in the administration of this bylaw.

Building officials

7. (1) A **building official** may:
 - (a) administer this bylaw;
 - (b) 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 electronically filed copies of such documents; and
 - (c) 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**.
- (2) A **building official** 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.
- (3) Where any residence is occupied, a **building official** shall obtain the consent of the occupant or provide written notice to the occupant 24 hours in advance of entry.
- (4) A **building official** shall carry proper credentials confirming his or her status as a **building official**.
- (5) A **building official** may order the suspension or correction of any work that contravenes the **building code** or this bylaw, if the contravention is revealed to the **building official** on a visual inspection made during the course of carrying out that official's duties. For the purposes of this section, the **building official** is not obliged to require any work to be uncovered or removed in order to determine if there is a contravention.

Applications

8. (1) Unless the work is exempted under section 5(2) of this bylaw, every person shall apply for and obtain a permit in the form provided by the **regional district** before the following:
 - (a) constructing, repairing or altering a **building** or **structure**;
 - (b) constructing, extending, altering or repairing a plumbing system;
 - (c) constructing, extending, altering or repairing an automatic sprinkler system;

- (d) demolishing a *building* or *structure*;
 - (e) construction of a new masonry fireplace or chimney and or the installation of an unused solid fuel-burning appliance, factory-built chimney or fireplace and equipment unless the works are encompassed by a valid building permit;
 - (f) placement of a mobile home on a property;
 - (g) constructing a retaining wall 1.5 metres or over in height;
 - (h) constructing a swimming pool;
 - (i) placement of a moved-in structure on a property; or
 - (j) constructing a shoreline protection device.
- (2) All plans submitted with *permit* applications shall bear the name and address of the *designer* of the *building* or *structure*.
- (3) 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 estimated value of construction of that *building* or *structure* as determined in accordance with the *Marshall & Swift*, “*Marshall Valuation Service*” or “*Residential Cost Handbook*.”

Applications for *complex buildings*

9. (1) An application for a building permit with respect to a *complex building* shall:
- (a) be made in the form provided by the *regional district*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*; and
 - (b) be accompanied by the *owner's* acknowledgment of responsibility and undertakings made in the form provided by the *regional district*, signed by the *owner*, or a signing officer if the *owner* is a corporation.
- (2) An application for a building permit with respect to a *complex building* shall include a copy of a title search made within 30 days of the date of the application.
- (3) An application for a building permit with respect to a *complex building* shall include a site plan, prepared by a British Columbia land surveyor showing the following:
- (a) the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (b) the legal description and civic address of the parcel;
 - (c) the location and dimensions of all statutory rights of way, easements and setback requirements;
 - (d) the location and dimensions of all existing and proposed *buildings* or *structures* on the parcel;
 - (e) setbacks to the natural boundary of the sea and any lake, swamp, pond or watercourse where the *regional district's* land use regulations establish siting requirements related to flooding;
 - (f) 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* or the top of any pad supporting a *building* or *structure* where the *regional district's* land use regulations establish siting requirements related to minimum flood construction levels; and

- (g) the overall **height** of the structure from average natural grade; and
 - (h) the location, dimension and gradient of parking and driveway access.
- (4) A building official 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.
- (5) An application for a building permit with respect to a **complex building** shall include the following:
- (a) 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; plumbing fixtures; structural elements; and stair dimensions;
 - (b) a cross section through the **building** or **structure** illustrating foundations, drainage, ceiling heights and construction systems;
 - (c) elevations of all sides of the **building** or **structure** showing finish details, roof slopes, windows, doors, and finished grade;
 - (d) 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**;
 - (e) copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, and highway access permits;
 - (f) a letter of assurance in the form of schedule A as referred to in section 2.2.7.2(1)(b) in part 2 of division C 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**;
 - (g) letters of assurance in the form of schedule B as referred to in section 2.2.7.2(1)(b) in part 2 of division C of the **building code**, each signed by such **registered professionals of record** 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**; and
 - (h) two sets of drawings at a suitable scale of the design prepared by each **registered professional** and including the information set out in sections 9(5)(a) to 9(5)(d) of this bylaw.
- (6) An application for a building permit with respect to a **complex building** shall in respect of a system to which section 8(2) of the *Severage System Regulation, B.C. Reg. 326/2004*, applies, require all information under that section.
- (7) An application for a building permit with respect to a **complex building** shall in respect of a system constructed under a **permit** from the Ministry of Health issued before the coming into effect of the *Severage System Regulation, B.C. Reg. 326/2004*, require a report from a registered on-site waste water practitioner including a written assurance that the system is not malfunctioning and has been appropriately constructed and installed given the size and projected demand on the system to be placed by any buildings or improvements that are served or are to be served by the system.

- (8) In addition to the requirements of sections 9(1) to 9(7), the following may be required by a **building official** to be submitted with a building permit application for the construction of a **complex building** where the complexity of the proposed **building** or **structure** or siting circumstances warrant the following:
- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a **registered professional**;
 - (b) a section through the site showing grades, **buildings**, **structures**, parking areas and driveways; or
 - (c) any other information required by the **building official** 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**.

Applications for **standard buildings**

10. (1) An application for a building permit with respect to a **standard building** shall:
- (a) be made in the form provided by the **regional district**, signed by the **owner**, or a signing officer if the **owner** is a corporation; and
 - (b) be accompanied by the **owner's** acknowledgment of responsibility and undertakings made in the form provided by the **regional district**, signed by the **owner**, or a signing officer if the **owner** is a corporation.
- (2) An application for a building permit with respect to a **standard building** shall include a copy of a title search made within 30 days of the date of the application.
- (3) An application for a building permit with respect to a **standard building** shall also include a site plan prepared by a British Columbia land surveyor showing the following:
- (a) the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (b) the legal description and civic address of the parcel;
 - (c) the location and dimensions of all statutory rights of way, easements and setback requirements;
 - (d) the location and dimensions of all existing and proposed **buildings** or **structures** on the parcel;
 - (e) setbacks to the natural boundary of the sea and any lake, swamp, pond or watercourse where the **regional district's** land use regulations establish siting requirements related to flooding;
 - (f) 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** or the top of any pad supporting a **building** or **structure** where the **regional district's** land use regulations establish siting requirements related to minimum flood construction levels;
 - (g) the overall **height** of the structure from average natural grade; and
 - (h) the location of parking and driveway access.
- (4) The **building official** may waive the requirements for a site plan under section 10(3), in whole or in part, where:

- (a) the permit is sought for the repair or alteration of an existing building of structure;
 - (b) the proposed location of the building or structure, for which a permit is sought, is more than one metre beyond all minimum setbacks where the regional district’s land use regulations establish siting requirements related to setbacks;
 - (c) the proposed location of the building or structure, for which a permit is sought, is more than one metre beyond the minimum setback to the natural boundary of the sea and any lake, swamp, pond or watercourse where the regional district’s land use regulations establish siting requirements related to flooding;
 - (d) the proposed geodetic elevation of the underside of the floor system of a building or structure or the top of any pad supporting a building or structure, for which a permit is sought, is more than one metre above the established geodetic elevation related to minimum flood construction levels where the regional district’s land use regulations establish siting requirements related to minimum flood construction levels; or
 - (e) at the discretion of the **building official**, the height of the building or structure for which a permit is sought can be confirmed by the **building official** as complying with the regional district’s land use regulations which establish siting requirements related to the height of buildings or structures.
- (5) An application for a building permit with respect to a **standard building** shall also include the following:
- (a) 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; plumbing fixtures; structural elements; and stair dimensions;
 - (b) a cross section through the **building or structure** illustrating foundations, drainage, ceiling heights and construction systems;
 - (c) elevations of all sides of the **building or structure** showing finish details, roof slopes, windows, doors, and finished grade;
 - (d) 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**;
 - (e) copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, and highway access permits;
 - (f) a foundation design prepared by a **registered professional** in accordance with section 4.2 in part 4 of division B of the **building code**, accompanied by letters of assurance in the form of schedule B as referred to in section 2.2.7.2(1)(b) in part 2 of division C of the **building code**, signed by the **registered professional of record**; and
 - (g) two sets of drawings at a suitable scale of the design including the information set out in sections 10(5)(a) to 10(5)(d) and 10(5)(f) of this bylaw.

- (6) An application for a building permit with respect to a **standard building** shall in respect of a system to which section 8(2) of the *Sewerage System Regulation, B.C. Reg 326/2004*, applies, require all the information required under that section.
- (7) An application for a building permit with respect to a **standard building** shall in respect of a system constructed under a **permit** from the Ministry of Health issued before the coming into effect of the *Sewerage System regulation, B.C. Reg. 326/2004*, require a report from a registered on-site waste water practitioner including a written assurance that the system is not malfunctioning and has been appropriately constructed and installed given the size and projected demand on the system to be placed by any buildings or improvements that are served or are to be served by the system.
- (8) In addition to the requirements of sections 10(1) to 10(7), 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 1,000 square metres, or two or more **buildings** that will contain four or more **dwelling units**, or otherwise where the complexity of the proposed **building** or **structure** or siting circumstances warrant:
- (a) 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 **regional district’s** subdivision servicing bylaw;
 - (b) a section through the site showing grades, **buildings, structures**, parking areas and driveways;
 - (c) a roof plan and roof height calculations;
 - (d) structural, electrical, mechanical, plumbing or fire suppression drawings prepared and sealed by a **registered professional**;
 - (e) letters of assurance in the form of schedule B as referred to in section 2.2.7.2(1)(b) in part 2 of division C of the **building code**, signed by the **registered professional of record**; or
 - (f) any other information required by the **building official** 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**.
- (9) The requirements of section 10(5)(f) may be waived by a **building official** if in circumstances where at the discretion of the **building official** the foundation design substantially complies with subsection 9.4.4 in part 9 of division B of the **building code** and the foundation excavation substantially complies with section 9.12 in part 9 of division B of the **building code**.

Applications for plumbing systems

11. (1) An application for a plumbing permit with respect to a plumbing system shall:
- (a) be made in the form provided by the **regional district**, signed by the **owner**, or a signing officer if the **owner** is a corporation; and
 - (b) be accompanied by the **owner’s** acknowledgment of responsibility and undertakings made in the form provided by the **regional district**, signed by the **owner**, or a signing officer if the **owner** is a corporation.

- (2) An application for a plumbing permit with respect to a plumbing system shall include the following:
 - (a) two sets of drawings at a suitable scale of design and including the information set out in section 2.2.6.1(1) in part 2 of division C of the **building code** when the registered owner and occupant will be installing a plumbing system in accordance with 7.1.4.1. (1) c) of the **building code** or at any time deemed necessary by the building official; and
 - (b) any other information required by the **building official** 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**.
- (3) A plumbing permit is not required when a valve, faucet or fixture is replaced or repaired, a stoppage cleared or a leak repaired if no change in the piping is required.

Applications for automatic sprinkler systems

12. (1) An application for a sprinkler permit with respect to an automatic sprinkler system shall:
 - (a) be made in the form provided by the **regional district**, signed by the **owner**, or a signing officer if the **owner** is a corporation; and
 - (b) be accompanied by the **owner's** acknowledgment of responsibility and undertakings made in the form provided by the **regional district**, signed by the **owner**, or a signing officer if the **owner** is a corporation.
- (2) An application for a sprinkler permit with respect to an automatic sprinkler system shall include the following:
 - (a) two sets of drawings at a suitable scale of design prepared by a **registered professional** and including the information set out in section 2.2.3.2 in part 2 of division C of the **building code**;
 - (b) letters of assurance in the form of schedule B as referred to in section 2.2.7.2(1)(b) in part 2 of division C of the **building code**, signed by the **registered professional of record**; and
 - (c) any other information required by the **building official** 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**.
- (3) A sprinkler permit is not required when a sprinkler head or valve is replaced or repaired, a stoppage cleared or a leak repaired if no change in the piping is required.

Applications for *swimming pools*

13. (1) An application for a building permit with respect to a **swimming pool** shall:
 - (a) be made in the form provided by the **regional district**, signed by the **owner**, or a signing officer if the **owner** is a corporation; and
 - (b) be accompanied by the **owner's** acknowledgment of responsibility and undertakings made in the form provided by the **regional district**, signed by the **owner**, or a signing officer if the **owner** is a corporation.
- (2) An application for a building permit with respect to a swimming pool shall include the following:

- (a) a copy of a plot plan showing the location of the proposed *swimming pool*, existing sewerage disposal system, *buildings* and *structures* located on the property;
 - (b) a copy of a title search made within 30 days of the date of the application; and
 - (c) any other information required by the *building official* 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*.
- (3) In addition to general application requirements outlined in section 8 of this bylaw, an application for a swimming pool shall include provisions for the following:
- (a) an enclosed fence not less than 1.2 metres in height with no openings greater than 100 millimetres and so designed that members attachments or openings will not facilitate climbing; and
 - (b) a self-closing gate so designed and installed as to cause the gate to return to locked position automatically.

Applications for retaining structures and shoreline protection devices

14. (1) An application for a building *permit* with respect to a *retaining structure* 1.5 metres or over in height or a *shoreline protection device* shall:
- (a) be made in the form provided by the *regional district*, signed by the *owner*, or a signing officer if the *owner* is a corporation; and
 - (b) be accompanied by the owner's acknowledgment of responsibility and undertakings made in the form provided by the *regional district*, signed by the *owner*, or a signing officer if the *owner* is a corporation.
- (2) An application for a building *permit* with respect to a *retaining structure* 1.5 metres or over in height or a *shoreline protection device* shall include a copy of a title search made within 30 days of the date of the application.
- (3) An application for a building permit with respect to a *retaining structure* 1.5 m or over in height shall also include a site plan showing the following:
- (a) the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (b) the legal description and civic address of the parcel;
 - (c) the location and dimensions of all statutory rights-of-way, easements and setback requirements;
 - (d) the location of sewerage disposal systems;
 - (e) the location and dimensions of all existing and proposed *buildings* or *structures* on the parcel; and
 - (f) the location and dimension of the driveway access.
- (4) An application for a building permit with respect to a *retaining structure* 1.5 m or over in height shall also include the following:
- (a) a design prepared by a *registered professional*, including two sets of drawings at a suitable scale, accompanied by letters of assurance in the form

- of schedule B as referred to in section 2.2.7.2(1)(b) in part 2 of division C of the *building code*, signed by the *registered professional of record*; and
- (b) any other information required by the *building official* to establish substantial compliance with this bylaw, the *building code* and other bylaws and enactments relating to the *building* or *structure*.
- (5) An application for a building *permit* with respect to a *shoreline protection device* shall also include the following:
- (a) A recent certificate completed by a British Columbia land surveyor shall be furnished by the landowner at their expense that shows the following:
- i) the location of the present natural boundary;
 - ii) the location of any existing shoreline structures; and
 - iii) elevations showing the top of bank and toe of the bank.
- (b) A design prepared and sealed by a *registered professional* including two sets of drawings at a suitable scale.

Application for modular homes, mobile homes and park model trailers

15. (1) An application for a building permit with respect to **modular homes, mobile homes and park model trailers**, shall include all the information required in section 10 for *standard buildings*.
- (2) Factory built houses and components shall be certified, prior to placement on the site, as complying with *Canadian Standards Association Standards: CAN/CSA-A277 “Procedures for Certification of Factory Built Houses”, CAN/CSA-Z240 MH “Mobile Homes”, and CAN/CSA-Z241 “Park Model Trailer”*.

Applications for moved or relocated *buildings* and *structures*

16. (1) An application for a building permit with respect to **moved or relocated *buildings* and *structures*** shall include all the information required in section 9 for *complex buildings* or 10 for *standard buildings*.
- (2) Prior to placement on the site, when an existing *building* or *structure* is to be moved or relocated, the *building* or *structure* shall be certified by a *registered professional*, to comply with the intent of the of the *building code* and must state with sealed documentation that the building or structure is structurally sound and safe for the intended use.
- (3) Except as provided in section 15(2), when an existing *building* or *structure* is moved or relocated, rehabilitation or change of use shall be based on the guidelines of division A, appendix A-1.1.1.1(1) of the *building code*.

Application for the demolition of *buildings* and *structures*

17. (1) An application for a building permit with respect to **demolition of buildings and structures** shall:
- (a) be made in the form provided by the *regional district*, signed by the *owner*, or a signing officer if the *owner* is a corporation; and
 - (b) be accompanied by the *owner’s* acknowledgment of responsibility and undertakings made in the form provided by the *regional district*, signed by the *owner*, or a signing officer if the *owner* is a corporation.

- (2) When a **building** or **structure** has been demolished and a building permit is not subsequently issued or a subsisting building permit has expired in accordance with the requirements of section 22(4), but without the construction of the new **building** or **structure** for which the building permit was issued having commenced, the **owner** shall fill in the excavation to restore the original gradients of the site within 60 days of being served notice by the **regional district** to do so.

Professional plan certification

18. (1) The letters of assurance in the form of schedule B contained in part 2 of division C and referred to in section 2.2.7.2(1)(b) in part 2 of division C of the **building code** and provided pursuant to sections 9(5)(f), 9(5)(g), 10(8)(e), 12(2)(b), 14(4)(a) and 24(1) of this bylaw are relied upon by the **regional district** 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.
- (2) A building permit that is issued in reliance upon letters of assurance pursuant to section 18(1) of this bylaw shall include a notice to the **owner** that the building permit has been issued in reliance upon the certification of the **registered professionals** of record 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.
- (3) When a building permit is issued in accordance with section 18(2) of this bylaw the permit fee shall be reduced by five per cent of the fees payable pursuant to table 20.2 of this bylaw, up to a maximum reduction of \$500.00 (five hundred dollars).

Certificate of location for **buildings** and **structures**

19. (1) Every **owner** to whom a **permit** is issued shall, upon completion of the foundations, submit a certificate of location prepared by a British Columbia land surveyor showing the following:
- the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - the legal description and civic address of the parcel;
 - the location and dimensions of all statutory rights of way, easements and setback requirements;
 - the location and dimensions of the **building** or **structure** on the parcel;
 - the setbacks to the natural boundary of the sea and any lake, swamp, pond or watercourse where the **regional district's** land use regulations establish siting requirements related to flooding; and
 - 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** or the top of any pad supporting a **building** or **structure** where the **regional district's** land use regulations establish siting requirements related to minimum flood construction levels.
- (2) Every **owner** to whom a **permit** is issued shall, upon completion of the framing and where the **regional district's** land use regulations establish siting requirements related to the **height** of **buildings** or **structures**, submit a certificate of location

prepared by a British Columbia land surveyor showing the *height* of the *building* or *structure* from the average natural grade to the highest part of the roof or *structure*.

- (3) The *building official* may waive the requirements for a certificate of location set out in sections 19(1) and 19(2) of this bylaw, in whole or in part, where:
- (a) the permit is sought for the repair or alteration of an existing *building* or *structure*;
 - (b) at the discretion of the *building official*, the location of the *building* or *structure* for which a permit is issued can be confirmed on site by the *building official* as complying with the regional district’s land use regulations that establish siting requirements related to setbacks;
 - (c) at the discretion of the *building official*, the location of the *building* or *structure* for which a permit is issued can be confirmed on site by the *building official* as complying with the setbacks to the natural boundary of the sea or any lake, swamp, pond or watercourse where the regional district’s land use regulations establish siting requirements related to flooding;
 - (d) the geodetic elevation of the underside of the floor system of a building or structure or the top of any pad supporting a *building* or *structure*, for which a permit is issued, is more than one metre above the established geodetic elevation related to minimum flood construction levels where the regional district’s land use regulations establish siting requirements related to minimum flood construction levels; or
 - (e) at the discretion of the *building official*, the height of the *building* or *structure* for which a permit is issued can be confirmed on site by the *building official* as complying with the regional district’s land use regulations that establish siting requirements related to the height of *buildings* or *structures*.

Fees and charges

20. (1) An application made for a *permit* shall be accompanied by the appropriate permit-processing fee prescribed in table 20.1.

Table 20.1: Permit-Processing Fees	
DESCRIPTION	PERMIT-PROCESSING FEE
Building permits	
- not exceeding \$50,000.00	\$75.00
- greater than \$50,000.00 and not exceeding \$200,000.00	\$125.00
- greater than \$200,000.00 and not exceeding \$500,000.00	\$275.00
- greater than \$500,000.00	\$525.00
Plumbing, sprinkler and demolition permits	
- <i>Complex buildings</i> and <i>structures</i>	\$125.00

- <i>Standard buildings</i> and other <i>buildings</i>	\$75.00
Fireplace and chimney permits	\$75.00

- (2) The permit-processing fee is non-refundable and shall be credited against the permit fee when the *permit* is issued.
- (3) An application shall be cancelled and the permit-processing fee forfeited when:
- an application for *permit* does not comply with section 22(1) of this bylaw within 180 days of the date on which the application for *permit* was made; or
 - the *permit* has not been issued and the permit fee has not been paid within 180 days of the date that the *permit* has been approved.
- (4) When an application is cancelled, the plans and related documents submitted with the application may be destroyed.
- (5) In addition to applicable fees and charges required under other bylaws, a permit fee, calculated in accordance with the value prescribed in table 20.2, shall be paid in full prior to issuance of any *permit* under this bylaw.

Table 20.2: Permit Fees	
DESCRIPTION	PERMIT FEE
Building permits	\$75.00 + 0.75% of the estimated value of construction
- Factory built building certified by Canadian Standards Association	50% of the permit fee noted above
Demolition permits	
- <i>Complex buildings</i> and <i>structures</i>	\$125.00
- <i>Standard buildings</i> and other <i>buildings</i>	\$75.00
Plumbing permits	
- <i>Complex buildings</i> and <i>structures</i>	\$125.00 + \$12.50 for each fixture
- <i>Standard buildings</i> and other <i>buildings</i>	\$75.00 + \$7.50 for each fixture
Sprinkler permits	
- <i>Complex buildings</i> and <i>structures</i>	\$125.00 + 0.75% of the estimated value of construction
- <i>Standard buildings</i> and other <i>buildings</i>	\$75.00 + 0.75% of the estimated value of construction
Fireplace and chimney permits	\$75.00 + 0.75% of the estimated value of construction

- (6) The *owner* may obtain a refund equal to 50 per cent of the permit fees prescribed in table 20.2 when a *permit* is surrendered and cancelled before any construction begins, provided:

- (a) the refund shall not include the permit-processing fee paid pursuant to section 20(1) of this bylaw; and
- (b) no refund shall be made where construction has begun or an inspection has been made.
- (7) 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, an inspection fee, prescribed in table 20.3, shall be paid prior to additional inspections being performed.
- (8) An inspection fee, prescribed in table 20.3, shall be payable in advance for a voluntary inspection to establish compliance of or to obtain a report on the status of an existing *building* or *structure* for which a *permit* is sought under this bylaw.

Table 20.3: Inspection Fees	
DESCRIPTION	INSPECTION FEE
<i>Complex buildings and structures</i>	\$275.00 + applicable taxes
<i>Standard buildings</i>	\$125.00 + applicable taxes
<i>Other buildings</i>	\$75.00 + applicable taxes

- (9) An extension fee, prescribed in table 20.4, shall be payable in advance when a *building official* extends the period of time set out under section 22(3)(b) of this bylaw, except that every person who fails to extend a *permit* within 90 days of the date on which the *permit* expired shall, prior to obtaining the required extension, pay an additional charge equal to 50 per cent of the extension fee prescribed in table 20.4.

Table 20.4: Extension Fees	
DESCRIPTION	EXTENSION FEE
<i>Complex buildings and structures</i>	\$275.00 + 1.00% of the estimated value of construction*
<i>Standard buildings</i>	\$125.00 + 1.00% of the estimated value of construction*
<i>Other permits</i>	\$75.00
* For the purpose of table 20.4, the “estimated value of construction” is the value of construction to complete the building or structure beyond the approved inspection stage at the time the permit expired.	

- (10) The applicable fees prescribed in table 20.5 shall be payable in advance for the requested services.

Table 20.5: Additional Fees	
DESCRIPTION	APPLICABLE FEE
To rescind a stop work or do not occupy order	\$275.00
Site inspection, Section 56 <i>Community Charter</i>	\$125.00
Title search, Land Title and Survey Authority (LTSA)	\$20.00
To obtain a copy of a land title charge (such as a covenant or an easement)	At cost + \$5.00 each
To process a covenant in favor of the regional district	\$125.00
To remove a Notice on Title, Section 57 <i>Community Charter</i>	\$525.00
To photocopy plans	\$12.50 + applicable taxes/sheet
Archives research, per site	
- <i>Complex buildings</i> and <i>structures</i>	\$250.00
- <i>Standard buildings</i>	\$100.00
- <i>Buildings</i> containing 1 or 2 <i>dwelling units</i> and other <i>buildings</i>	\$50.00
To provide <i>building code</i> information to government agencies	
- <i>Complex buildings</i> and <i>structures</i>	\$525.00 + applicable taxes
- <i>Standard buildings</i>	\$275.00 + applicable taxes
- <i>Buildings</i> containing one or two <i>dwelling units</i> and other <i>buildings</i>	\$125.00 + applicable taxes

- (11) A revision fee, prescribed in table 20.6, shall be paid in full prior to obtaining in writing the approval of the *building official* to deviate from the plans and specifications forming a part of any *permit*, or to omit or fail to complete, prior to *occupancy*, work required by said plans and specifications;

Table 20.6: Revision Fees	
DESCRIPTION	REVISION FEE
<i>Complex buildings</i> and <i>structures</i>	\$275.00 + 0.75% of the estimated value of construction
<i>Standard buildings</i>	\$125.00 + 0.75% of the estimated value of construction
<i>Other buildings</i>	\$75.00 + 0.75% of the estimated value of construction

- (12) A transfer fee, prescribed in table 20.7, shall be paid in full prior to obtaining in writing the approval of the **building official** to transfer or assign a permit.

DESCRIPTION	TRANSFER FEE
<i>Complex buildings and structures</i>	\$275.00
<i>Standard buildings</i>	\$125.00
<i>Other buildings</i>	\$75.00

Climatic and geological data

21. (1) The climatic and seismic values required for the design of buildings and structures shall conform to the values prescribed in table 21.1 or, in the absence of such data, to section 1.1.3.1(2) in part 1 of division B and the climatic and seismic values prescribed in table C-2 in appendix C of division B of the **building code**.

Location	Ground Snow Load (kPa)		Maximum Elevation Above Sea Level
	S _s	S _R	
North of Latitude 49°48'00"N	3.3	0.4	200 metres
South of Latitude 49°48'00"N	2.6	0.4	200 metres

- (2) Where no climatic value is prescribed in table 21.1 or table C-2 in appendix C of division B of the **building code**, the owner shall submit evidence in writing from Environment Canada to establish the climatic values.
- (3) Where no seismic value is prescribed in table 21.1 or table C-2 in appendix C of division B of the **building code** the owner shall submit evidence in writing from Natural Resources Canada to establish the seismic values.

Building permits

22. (1) A **building official** shall issue the **permit** for which the application is made when the following occurs:
- a completed application including all required supporting documentation has been submitted;
 - the proposed work set out in the application substantially conforms with the **building code**, this bylaw and all other applicable bylaws and enactments;
 - the **owner** or his or her representative has paid all applicable fees prescribed in section 20 of this bylaw;
 - the **owner** or his or her representative has paid all fees and charges and met all requirements imposed by any other enactment or bylaw;

- (e) no enactment, covenant, agreement, or regulation in favour of, or regulation of, the **regional district** authorizes the **permit** to be withheld;
 - (f) the **owner** has retained a professional engineer or geoscientist if required by the provisions of the *Engineers and Geoscientists Act*; and
 - (g) the **owner** has retained an architect if required by the provisions of the *Architects Act*.
- (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 of compliance with the *Homeowner Protection Act*.
- (3) Every **permit** is issued upon the condition that the **permit** shall expire and the rights of the **owner** under the **permit** shall terminate if:
- (a) the work authorized by the **permit** is not commenced within 12 months from the date of issuance of the **permit**; or
 - (b) the work is not completed within 24 months from the date of issuance of the **permit**.
- (4) A **building official** may extend the period of time set out under sections 22(3)(a) and 22(3)(b) where construction has not been commenced or where construction has been discontinued due to adverse weather, strikes, material or labour shortages, or similar hardship beyond the **owner's** control.
- (5) An expired **permit** described in 22(3)(b) shall be extended as follows:
- (a) if the **permit** is extended within 90 days of the date on which the **permit** expired, then the **permit** shall substantially conform to the bylaw, the **building code** and other applicable enactments respecting safety in effect on the date of issue of the **permit**;
 - (b) if an expired **permit** is extended more than 90 days after the date on which the **permit** expired, then, at the discretion of the **building official**, the permit shall, in respect to work that is required to be inspected and completed, substantially conform to this bylaw, the **building code** and other applicable enactments respecting safety in effect on the date that the **building official** extends the **permit**; and
 - (c) if, following the extension of the **permit** in accordance with section 5(a) or section 5(b), the **permit** is extended again, then, at the discretion of the **building official**, the permit shall in respect to work that is required to be inspected and completed, substantially conform to this bylaw, the **building code** and other applicable enactments respecting safety in effect on the date that the **building official** further extends the **permit**.

Disclaimer of warranty or representation

23. 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.

Professional design and *field review*

24. (1) When a ***building official*** considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a ***registered professional of record*** provide design and plan certification and ***field review*** by means of letters of assurance in the form of schedule B referred to in section 2.2.7.2(1)(b) and schedule C-B referred to in section 2.2.7.2(2) in part 2 of division C of the ***building code***.
- (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 sections 9(5)(f), 9(5)(g), 10(8)(e), 12(2)(b), 14(4)(a) and 24(1) of this bylaw, the ***owner*** shall provide the ***regional district*** with letters of assurance in the form of schedules C-A and/or C-B, as is appropriate, referred to in section 2.2.7.2(2) in part 2 of division C of the ***building code***.
- (3) When a ***registered professional of record*** provides letters of assurance in accordance with sections 9(5)(f), 9(5)(g), 10(8)(e), 12(2)(b), 14(4)(a), 24(1) and 24(2) of this bylaw, he or she shall also provide proof of professional liability insurance to the ***building official*** in the form provided by the ***regional district***.

Responsibilities of the *owner*

25. (1) Every ***owner*** shall ensure that all construction complies with the ***building code***, this bylaw and other applicable enactments respecting safety.
- (2) Every ***owner*** to whom a ***permit*** is issued shall be responsible for the cost of repair of any damage to ***regional district*** works that occurs in the course of the work authorized by the ***permit***.
- (3) Every ***owner*** to whom a ***permit*** is issued shall, during construction:
- (a) post and maintain the ***permit*** in a conspicuous place on the property in respect of which the ***permit*** was issued;
 - (b) keep a copy of the accepted designs, plans and specifications on the property; and
 - (c) post the civic address on the property in a location visible from any adjoining streets.

Inspections

26. (1) When a ***registered professional of record*** provides letters of assurance in accordance with sections 9(5)(f), 9(5)(g), 10(8)(e), 12(2)(b), 14(4)(a) and 24(1) of this bylaw, or where a registered professional has provided the design of a shoreline protection device in accordance with section 14(5), the ***regional district*** will rely solely on ***field reviews*** undertaken by the ***registered professional of record*** and the letters of assurance submitted pursuant to section 24(2) of this bylaw as assurance that the construction substantially conforms to the design and that the construction substantially complies with the ***building code***, this bylaw and other applicable enactments respecting safety.
- (2) Notwithstanding section 26(1) of this bylaw, a ***building official*** may attend the site from time to time during the course of construction to ascertain that the ***field reviews*** are taking place and to monitor the ***field reviews*** undertaken by the ***registered professionals***.

- (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 the those portions of the **building code**, this bylaw and any other applicable enactment concerning safety.
- (4) The **owner** or his or her representative shall give at least 24 hours notice to the **regional district** 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) siting and footing inspection prior to placing concrete;
 - (b) installation of perimeter drain tiles and damp proofing and roof drainage system prior to backfilling;
 - (c) rough in of new masonry chimneys and fireplaces and unused factory-built chimneys and fireplaces and solid fuel-burning appliances;
 - (d) rough in of plumbing systems;
 - (e) the framing and sheathing;
 - (f) insulation and vapour barrier; and
 - (g) when the **building** or **structure** is substantially complete and ready for **occupancy**, but before **occupancy** takes place of the whole or part of the **building** or **structure**.
- (5) No aspect of the work referred to in section 26(4) of this bylaw shall be concealed until a **building official** has accepted it in writing.
- (6) The requirements of section 26(4) of this bylaw do not apply to any aspect of the work that is the subject of a **registered professional of record's** letter of assurance provided in accordance with sections 9(5)(f), 9(5)(g), 10(8)(e), 12(2)(b), 14(4)(a), 24(1) or 24(2) of this bylaw.

Occupancy permits

27. (1) No person shall occupy or change the class of occupancy of a **building** or **structure** or part of a **building** or **structure** until an occupancy permit has been issued in the form provided by the **regional district**.
- (2) An occupancy permit shall not be issued unless:
 - (a) all letters of assurance have been submitted when required in accordance with sections 9(5)(f), 9(5)(g), 10(8)(e), 12(2)(b), 14(4)(a), 24(1) and 24(2) of this bylaw;
 - (b) all aspects of the work requiring inspection and acceptance pursuant to section 26(4) of this bylaw have both been inspected and accepted or the inspections and acceptance are not required in accordance with section 26(6) of this bylaw.
- (3) A **building official** may issue an occupancy permit for part of a **building** or **structure** when the part of the **building** or **structure** is self-contained, provided with essential services and the requirements set out in section 27(2) of this bylaw have been met with respect to it.

Penalties and enforcement

28. (1) Any person who contravenes a provision in this bylaw, or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, omits, or neglects to fulfill, observe, carry out or perform any duty or obligation imposed in this bylaw is guilty of an offence and:
- (a) on summary conviction is liable to a fine of not less than \$100 and subject to the maximum fines under the *Local Government Act* and the *Offence Act*; or
 - (b) on conviction of a ticket offence under the ticketing bylaw, is liable for the fine imposed under that bylaw.
- (2) In the case of a continuing violation, each day that a violation continues to occur shall constitute a separate offence.
- (3) Every person who fails to comply with any order or notice issued by a ***building official***, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- (4) 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 order in the form provided by the ***regional district***.
- (5) The ***owner*** of property on which a stop work order has been posted, and every other person, shall cease all construction work immediately and shall not do any work until all applicable provisions of this bylaw have been substantially complied with and the stop work order has been rescinded in writing by a ***building official***.
- (6) 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 order in the form provided by the ***regional district*** on the affected part of the ***building*** or ***structure***.
- (7) The ***owner*** of property on which a do not occupy order 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 order has been rescinded in writing by a ***building official***.
- (8) Every person who commences work requiring a ***permit*** without first obtaining such a ***permit*** shall, pay an additional charge of \$275 or 50 per cent of the permit fee, whichever amount is greater, as prescribed in table 20.2 prior to obtaining the required ***permit***.

Severability

29. 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.

Repeal

30. Bylaw No. 2546 being “Regional District of Comox-Strathcona Building Bylaw No. 2546, 2003” and all amendments thereto are hereby repealed.