



Village of Valemount

Building Bylaw No. 542, 2003

CONSOLIDATED FOR CONVENIENCE ONLY

Amending Bylaw No. :

607, 2007

624, 2008

799, 2019

Date Adopted

April 24, 2007

June 10, 2008

April 9, 2019

**VILLAGE OF VALEMOUNT
BUILDING BYLAW
BYLAW NO. 542, 2003**

A Bylaw to provide for the administration and enforcement of the Building Code and to regulate the construction, alteration, repair, demolition, moving and occupancy of buildings in the Village of Valemount, British Columbia.

WHEREAS section 694 (1) of the *Local Government Act* authorizes the Village of Valemount, for the health, safety and protection of persons and property to regulate the construction, alteration, repair, or demolition of buildings and structures by bylaw;

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

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

NOW THEREFORE THE COUNCIL OF the Village of Valemount, in open meeting assembled, enacts as follows:

1. Title

This bylaw may be cited for all purposes as the “Village of Valemount Building Bylaw No. 542, 2003.”

Division of Bylaw:

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2. Definitions

In this bylaw:

Assembly occupancy means the *occupancy* or the use of a *building*, or part thereof, by a gathering of persons for civic, political, travel, religious, social educational, recreational or like purposes, or for the consumption of food or drink.

Building means any structure used or intended for supporting or sheltering any use or *occupancy*.

Building area means the greatest horizontal area of a *building* above grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centre line of firewalls.

Building Code means the *British Columbia Building Code 1998* as adopted by the Minister pursuant to section 692 (1) of the *Local Government Act*, as amended or re-enacted from time to time.

Building height (in storeys) means the number of storeys contained between the roof and the floor of the first storey.

Building Official includes Building Inspectors, Plan Checkers and Plumbing Inspectors designated by the **Village**.

Business and personal services occupancy means the *occupancy* or use of a *building* or part thereof for the transaction of business or the rendering or receiving of professional or personal services.

Care or detention occupancy means the *occupancy* or use of a *building* or part thereof by persons who require special care or treatment because of cognitive or physical limitations or by persons who are restrained from, or are incapable of, self-preservation because of security measures not under their control.

Complex Building means:

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

Constructor means a **person** who contracts with an *owner* or his authorized agent to undertake a project, and includes an *owner* who contracts with more than one **person** for the work on a project or undertakes the work on a project or any part thereof.

Construction includes excavation.

Coordinating registered professional means a *registered professional* retained pursuant to Clause 2.6.2.1.(1)(a) of the Building Code to coordinate all design work and *field reviews* of the *registered professionals* required for the project.

Designer means the person responsible for the design.

Excavation means the space created by the removal of soil, rock or fill for the purposes of **construction**.

Field review means a review of the work;

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

Health and safety aspects of the work means design and **construction** regulated by Part 3, Part 4, 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 of Part 9 of the **Building Code**.

High hazard industrial occupancy (Group F, Division 1) means an *industrial occupancy* containing sufficient quantities of highly combustible and flammable or explosive materials which, because of their inherent characteristics, constitute a special fire hazard.

Industrial occupancy means the *occupancy* or use of a *building* or part thereof for the assembling, fabricating, manufacturing, processing, repairing or storing of goods and materials.

Low hazard industrial occupancy (Group F, Division 3) means an *industrial occupancy* in which the *combustible* content is not more than 50 kg/m² or 1,200 MJ/m² of *floor area*.

Major occupancy means the principal *occupancy* for which a *building* or part thereof is used or intended to be used, and shall be deemed to include the subsidiary *occupancies* which are an integral part of the principal *occupancy*.

Medium hazard industrial occupancy (Group F, Division 2) means an *industrial occupancy* in which the combustible content is more than 50 kg/m² or 1 200 MJ/m² of floor area and not classified as *high hazard industrial occupancy*.

Mercantile occupancy means the *occupancy* or use of a *building* or part thereof for the displaying or selling of retail goods, wares or merchandise.

Occupancy means the use or intended use of a *building* or part thereof for the shelter or support of persons, animals or property.

Owner means any *person*, firm or corporation controlling the property under consideration during that period of application of Sentence 1.1.2.1.(1) of the *Building Code*.

Person includes a firm, corporation, society or registered association.

Registered professional means;

- a) a *person* who is registered or licensed to practise as an architect under the *Architects Act*, or
- b) a *person* who is registered or licensed to practise as a professional engineer under the *Engineers and Geoscientists Act*.

Residential occupancy means the *occupancy* or use of a *building* or part thereof by persons for whom sleeping accommodation is provided but who are not harboured or detained to received medical care or treatment or are not involuntarily detained.

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

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

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

Village means Village of Valemount.

*Note: Please refer to the **Village's** Zoning Bylaw for maximum building height.

3. Purpose of Bylaw

- 3.1 This bylaw, shall, notwithstanding any other provision herein, be interpreted in accordance with this section.
- 3.2 This bylaw has been enacted for the purpose of regulating construction within the **Village** in the general public interest. The activities undertaken by or on behalf of the **Village** pursuant to this bylaw are for the sole

purpose of providing a limited and interim spot checking function for 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:

- 3.2.1 to the protection of *owners*, owner/builders or *constructors* from economic loss;
- 3.2.2 to the assumption by the *Village* 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;
- 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 or occupancy permit is issued under this bylaw;
- 3.2.4 to providing a warranty or assurance that construction undertaken pursuant to building permits issued by the *Village* is free from latent, or any, defects.

4. Permit Conditions

- 4.1 A permit is required whenever work regulated under this bylaw is to be undertaken.
- 4.2 Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or supporting documents, nor any inspections made by or on behalf of the *Village* shall in any way relieve the *owner* or his or her representatives from full and sole responsibility to perform the work in strict accordance with this bylaw, the *Building Code* and/or other applicable enactments respecting safety.
- 4.3 It shall be the full and sole responsibility of the *owner* (and where the *owner* is acting through a representative, the representative) to carry out the work in respect of which the permit was issued in compliance with the *Building Code* and this bylaw or other applicable enactments respecting safety.
- 4.4 Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the *Village* constitute in any way a representation, warranty, assurance or statement that the *Building Code*, this bylaw and/or other applicable enactments respecting safety have been complied with.

- 4.5 No **person** shall rely upon any permit as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms. The **person** to whom the building permit is issued and his or her representatives are responsible for making such determination.

5. Scope and Exemptions

- 5.1 This bylaw applies to the design, **construction** and **occupancy** of new **buildings** and **structures**, and the alteration, reconstruction, demolition, removal, relocation and **occupancy** of existing **buildings** and **structures**.
- 5.2 This bylaw does not apply to **buildings** or **structures** exempted by Part 1 of the **Building Code** except as expressly provided herein, nor to retaining **structures** less than 1.5 meters in height.

6. 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.
- 6.2 No **person** shall install, alter or remodel or authorize or allow the installation, alteration or remodeling of plumbing services regulated by this bylaw or the Building Code unless the **owner** of the property has first obtained a plumbing permit for that purpose pursuant to the provisions of this bylaw and such permit is validly in existence at the time of such work.
- 6.3 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**.
- 6.4 No **person** shall knowingly submit false or misleading information to a **building official** in relation to any permit application or **construction** undertaken pursuant to this bylaw.
- 6.5 No **person** shall, unless authorized in writing by a **building official**, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to a **building** or **structure** pursuant to this bylaw.
- 6.6 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***.

- 6.7 No ***person*** shall obstruct the entry of a ***building official*** or other authorized official of the ***Village*** on property in the administration of this bylaw.
- 6.8 Where circumstances are such that the delay of occupancy of a residential premises because of the requirement to substantially complete exterior finishes would create an undue hardship for an owner, Council may accept a bond in the amount of \$1,500.00 in the form of cash or an irrevocable and unconditional letter of credit, to ensure that the work is completed within one year from the date of issuance of the letter of credit. In the event the work is not completed, Council, through its officers or agents, may use the funds towards completion of the outstanding work.

Where a cash bond is made to the municipality, interest shall accrue to the owner at current rates up until the time of substantial completion of the exterior finish. No interest shall accrue or be paid where the owner defaults on his/her requirement to complete such exterior finish.

7. Building Officials

- 7.1 Each ***building official*** may:
- 7.1.1 administer this bylaw;
 - 7.1.2 keep records of permit applications, permits, notices and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of this bylaw.
 - 7.1.3 establish, if requested to do so, whether the methods or types of ***construction*** and types of materials used in the ***construction*** of a ***building*** or ***structure*** for which a permit is sought under this bylaw substantially conform to the requirements of the ***Building Code***.
- 7.2 A ***building official***:
- 7.2.1 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;
 - 7.2.2 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; and

7.2.3 shall carry proper credentials confirming his or her status as a ***building official***.

7.3 A ***building official*** may order the correction of any work that is being or has been done in contravention of this bylaw.

8. Applications

8.1 Every person shall apply for and obtain:

8.1.1 a building permit before constructing, repairing or altering a ***building*** or ***structure***;

8.1.2 a moving permit before moving a ***building*** or ***structure***;

8.1.3 a demolition permit before demolishing a ***building*** or ***structure***;

8.1.4 a fireplace and chimney permit prior to the ***construction*** of a masonry fireplace or the installation of a wood burning appliance or chimney unless the works are encompassed by a valid building permit.

8.2 An application for a moving permit shall be made in the form attached as Form “B” to this bylaw. Supplementary Form “F” may be required by the ***building official***.

8.3 An application for a demolition permit shall be made in the form attached as Form “B” to this bylaw.

8.4 An application for a fireplace and chimney permit shall be made in the form attached as Form “B” to this bylaw.

8.5 An application for a plumbing permit shall be made in the form attached as Form “B”, and accompanied by Form “C”.

8.6 An application for an occupancy permit shall be made in the form attached as Form “B”.

8.7 No **permit** is required for the clearing of stoppage or the repairing of leaks in pipes, valves or fixtures, when the clearing or repair does not involve or require the replacement or rearrangement of plumbing services regulated by this bylaw or the **Building Code**.

8.8 All plans submitted with permit applications shall bear the name and address of the ***designer*** of the ***building*** or ***structure***.

- 8.9 Each ***building*** or ***structure*** to be constructed on a site requires a separate building permit and shall be assessed a separate building permit fee based on the value of that ***building*** or ***structure*** as determined in accordance with Schedule “A” to this bylaw.

9. Applications for Complex Buildings

- 9.1 An application for a building permit with respect to a ***complex building*** shall;

9.1.1 be made in the form attached as Form “B” to this bylaw, signed by the ***owner***, or a signing officer if the ***owner*** is a corporation, and the ***coordinating registered professional***;

9.1.2 be accompanied by the ***owner’s*** acknowledgment of responsibility and undertakings made in the form attached as Form “B” to this bylaw, signed by the ***owner***, or a signing officer if the ***owner*** is a corporation;

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

9.1.4 a site plan* prepared by a British Columbia Land Surveyor showing:

9.1.4.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;

9.1.4.2 the legal description and civic address of the parcel;

9.1.4.3 the location and dimensions of all statutory rights of way, easements and setback requirements;

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

9.1.4.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where the ***Village’s*** zoning bylaw establish siting requirements related to flooding;

9.1.4.6 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 ***Village’s*** zoning bylaw establish siting requirements related to minimum floor elevation; and

9.1.4.7 the location, dimension and gradient of parking and driveway access;

*The **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**.

9.1.5 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.

9.1.6 a cross section through the **building** or **structure** illustrating foundations, drainage, ceiling heights and **construction** systems;

9.1.7 elevations of all sides of the **building** or **structure** showing finish details, roof slopes, windows, doors, and finished grade;

9.1.8 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**;

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

9.1.10 a letter of assurance in the form of Schedule “A” as referred to in section 2.6 of 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**;

9.1.11 letters of assurance in the form of Schedules B-1 and B-2 as referred to in section 2.6 of Part 2 of the **Building Code**, each signed by such **registered professionals** as the **building official** or **Building Code** may require to prepare the **design** for and conduct **field reviews** of the **construction** of the **building** or **structure**;

9.1.12 two sets of drawings at a suitable scale of the design prepared by each **registered professional** and including the information set out in sections 9.1.5 – 9.1.8 of this bylaw.

9.2 In addition to the requirements of section 9.1, 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:

- 9.2.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a **registered professional**, in accordance with the Village's subdivision servicing bylaw;
- 9.2.2 a section through the site showing grades, **buildings**, **structures**, parking areas and driveways;
- 9.2.3 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**.

10. Applications for *standard buildings*

- 10.1 An application for a building permit with respect to a **standard building** shall;
 - 10.1.1 be made in the form attached as Form "B" to this bylaw, signed by the **owner**, or a signing officer if the **owner** is a corporation;
 - 10.1.2 be accompanied by the **owner's** acknowledgment of responsibility and undertakings made in the form attached as Form "B" to this bylaw, signed by the **owner**, or a signing officer if the **owner** is a corporation;
 - 10.1.3 include a copy of a title search made within 30 days of the date of the application;
 - 10.1.4 a site plan* prepared by a British Columbia Land Surveyor showing:
 - 10.1.4.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - 10.1.4.2 the legal description and civic address of the parcel;
 - 10.1.4.3 the location and dimensions of all statutory rights of way, easements and setback requirements;
 - 10.1.4.4 the location and dimensions of all existing and proposed **buildings** or **structures** on the parcel;

- 10.1.4.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where the **Village's** zoning bylaw establish siting requirements related to flooding;
- 10.1.4.6 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 **Village's** zoning bylaw establish siting requirements related to minimum floor elevation; and
- 10.1.4.7 the location, dimension and gradient of parking and driveway access;

*The **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**.

- 10.1.5 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;
- 10.1.6 a cross section through the **building** or **structure** illustrating foundations, drainage, ceiling heights and **construction** systems;
- 10.1.7 elevations of all sides of the **building** or **structure** showing finish details, roof slopes, windows, doors, and finished grade;
- 10.1.8 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**;
- 10.1.9 copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approval;
- 10.1.10 a foundation design prepared by a **registered professional** in accordance with section 4.2 of Part 4 of the **Building Code**, accompanied by letters of assurance in the form of Schedules B-1 and B-2 as referred to in section 2.6 of Part 2 of the **Building Code**, signed by the **registered professional**;

- 10.1.11 the requirements of section 10.1.10 may be waived by a **building official** in circumstances where the **building official** has required a professional engineer's report pursuant to section 699 (2) of the *Local Government Act* the building permit is issued in accordance with sections 699 (5) and (6) of the *Local Government Act*;
 - 10.1.12 The requirements of section 10.1.10 may be waived by a **building official** if documentation, prepared and sealed by a **registered professional**, is provided assuring that the foundation design substantially complies with section 9.4.4 of Part 9 the **Building Code** and the foundation excavation substantially complies with section 9.12 of Part 9 of the **Building Code**;
 - 10.1.13 two sets of drawings at a suitable scale of the design including the information set out in sections 10.1.5 – 10.1.8 and 10.1.10 of this bylaw.
- 10.2 In addition to the requirements of section 10.1, the following may be required by a **building official** to be submitted with a building permit application for the **construction** of a **standard building** where the project involves two or more buildings, which in the aggregate total more than 1000 square meters, or two or more buildings that will contain four or more dwelling units, or otherwise where the complexity of the proposed **building** or **structure** or siting circumstances warrant:
- 10.2.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a **registered professional**, in accordance with the **Village's** subdivision servicing bylaw;
 - 10.2.2 a section through the site showing grades, **buildings**, **structures**, parking areas and driveways;
 - 10.2.3 a roof plan and roof height calculations;
 - 10.2.4 structural, electrical, mechanical or fire suppression drawings prepared and sealed by a **registered professional**;
 - 10.2.5 letters of assurance in the form of Schedules B-1 and B-2 as referred to in section 2.6 of Part 2 of the **Building Code**, signed by the **registered professional**;
 - 10.2.6 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***.

11. Professional Plan Certification

- 11.1 The letters of assurance in the form of Schedules B-1 and B-2 referred in section 2.6 of Part 2 of the ***Building Code*** and provided pursuant to sections 9.1.11, 10.1.10, 10.2.5, and 15.1 of this bylaw are relied upon by the ***Village*** and its ***building officials*** as certification that the design and plans to which the letters of assurance relate comply with the ***Building Code*** and other applicable enactments relating to safety.
- 11.2 A building permit issued for the ***construction*** of a ***complex building***, or for a ***standard building*** for which a ***building official*** required professional design pursuant to section 10.2.4 and letters of assurance pursuant to section 10.2.5 of this bylaw shall be in the form of Form “B” to this bylaw.
- 11.3 A building permit issued pursuant to section 11.2 of this bylaw shall include a notice to the ***owner*** that the building permit is issued in reliance upon the certification of the ***registered professionals*** that the design and plans submitted in support of the application for the building permit comply with the ***Building Code*** and other applicable enactments relating to safety.
- 11.4 When a building permit is issued in accordance with section 11.2 of this bylaw the permit fee shall be reduced by 5the amount of the fees payable pursuant to Schedule “A” to this bylaw up to a maximum reduction of \$500.00 (five hundred dollars).

12. Fees and Charges

- 12.1 In addition to any other applicable fees and charges required under other bylaws, a permit fee, calculated in accordance with Schedule “A” to this bylaw, shall be paid in full prior to issuance of any permit under this bylaw.
- 12.2 The ***owner*** may obtain a refund of the permit fees set out in Schedule “A” to this bylaw when a permit is surrendered and cancelled before any ***construction*** begins, and no inspections have been made.
- 12.3 Where, due to non-compliance with this bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in

Schedule “A” to this bylaw shall be paid prior to additional inspections being performed.

- 12.4 For a required permit inspection requested to be done after the hours during which the offices of the **Village** are normally open, an inspection charge shall be payable as set out in Schedule “A” to this bylaw.
- 12.5 An inspection charge, as set out in Schedule “A” to this bylaw, shall be payable in advance for a voluntary inspection to establish compliance of or to obtain a report on the status of an existing **building** or **structure** for which a permit is sought under this bylaw.

13. Building Permits

13.1 When:

- 13.1.1 a completed application including all required supporting documentation has been submitted;
 - 13.1.2 the proposed work set out in the application substantially conforms with the **Building Code**, this bylaw and all other applicable bylaws and enactments;
 - 13.1.3 the **owner** or his or her representative has paid all applicable fees set out in section 12.1 of this bylaw;
 - 13.1.4 the **owner** or his or her representative has paid all charges and met all requirements imposed by any other enactment or bylaw;
 - 13.1.5 no enactment, covenant, agreement, or regulation in favour or, or regulation of, the **Village** authorizes the permit to be withheld;
 - 13.1.6 the **owner** has retained a professional engineer or geoscientist if required by the provisions of the *Engineers and Geoscientists Act*;
 - 13.1.7 the **owner** has retained an architect if required by the provisions of the *Architects Act*;
- a **building official** shall issue the permit for which the application is made.

13.2 When the application is in respect of a **building** that includes, or will include, a **residential occupancy**, the building permit must not be issued unless the **owner** provides evidence pursuant to section 30.(1) of the *Homeowner Protection Act* that the proposed **building**:

13.2.1 is covered by home warranty insurance; and

13.2.1 the **constructor** is a licensed residential builder.

13.3 Section 13.2 of this bylaw does not apply if the **owner** is not required to be licensed and to obtain home warranty insurance in accordance with sections 20 (1) or 30 (1) of the *Homeowner Protection Act*.

13.4 Every permit is issued upon the condition that the permit shall expire and the rights of the **owner** under the permit* shall terminate if:

13.4.1 the work authorized by the permit* is not commenced within 12 months from the date of issuance of the permit*; or

13.4.2 work is discontinued for a period of 12 months.

*A pis only

13.5 A **building official** may extend the period of time set out under section 13.4 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.

A building official may issue an excavation permit in the form of Form "K" to this bylaw prior to the issuance of a building permit.

13.6 A **building official** may issue a building permit for a portion of a **building** or **structure** before the design, plans and specifications for the entire **building** or **structure** have been accepted, provided sufficient information has been provided to the **Village** to demonstrate to the **building official** that the portion authorized to be constructed substantially complies with this and other applicable bylaws and the permit fee applicable to that portion of the **building** or **structure** has been paid. The issuance of the permit notwithstanding, the requirements of this bylaw apply to the remainder of the **building** or **structure** as if the permit for the portion of the **building** or **structure** had not been issued.

14 Disclaimer of Warranty or Representation

- 14.1 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** or the bylaw have been complied with or the **building** or **structure** meets any standard of materials or workmanship, and no person shall rely on any of those acts as establishing compliance with the **Building Code** or this bylaw or any standard of **construction**.

15 Professional Design and Field Review

- 15.1 When a **building official** considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a **registered professional** provide design and plan certification and **field review** by means of letters of assurance in the form of Schedules B-1, B-2 and C-B referred to in section 2.6 of Part 2 of the **Building Code**.
- 15.2 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 10.1.10, 10.2.5 or 15.1 of this bylaw, the **owner** shall provide the **Village** with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in section 2.6 of Part 2 of the **Building Code**.
- 15.3 When a **registered professional** provides letters of assurance in accordance with sections 9.1.11, 10.1.10, 10.2.5, 15.1 or 15.2 of this bylaw, he or she may be required to provide proof of professional liability insurance to the **building official**.

16 Responsibilities of the Owner

- 16.1 Every **owner** shall ensure that all **construction** complies with the **Building Code**, this bylaw and other applicable enactments respecting safety.
- 16.2 Every **owner** to whom a permit is issued shall be responsible for the cost of repair of any damage to municipal works that occurs in the course of the work authorized by the permit.
- 16.3 Every **owner** to whom a permit is issued shall, during **construction**:
- 16.3.1 post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;

16.3.2 keep a copy of the accepted designs, plans and specifications on the property; and

16.3.3 post the civic address on the property in a location visible from any adjoining streets.

17 Inspections

17.1 When a **registered professional** provides letters of assurance in accordance with sections 9.1.11, 10.1.10, 10.2.5, 15.1 or 15.2 of this bylaw, the **Village** will rely solely on **field reviews** undertaken by the **registered professional** and the letters of assurance submitted pursuant to section 15.2 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.

17.2 Notwithstanding section 17.1 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**.

17.3 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**, this bylaw and any other applicable enactment concerning safety.

17.4 The owner or his or her representative shall give at least 48 hours notice to the **Village** when requesting an inspection and shall obtain an inspection and receive an **building official's** acceptance of the following aspects of the work prior to concealing it:

17.4.1 concrete forms prior to placing concrete;

17.4.2 installation of perimeter drain tiles and dampproofing, prior to backfilling;

17.4.3 the preparation of ground, including ground cover, when required, prior to the placing of a concrete slab;

17.4.4 rough-in of factory built chimneys and fireplaces and solid fuel burning appliances, and masonry chimneys at smoke chamber stage;

17.4.5 rough-in of plumbing;

- 17.4.6 rough-in of electrical;
- 17.4.7 the framing and sheathing;
- 17.4.8 insulation and vapour barrier;
- 17.4.9 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**.
- 17.5 No aspect of the work referred in section 17.4 of this bylaw shall be concealed until a **building official** has accepted it in writing.
- 17.6 The requirements of section 17.4 of this bylaw do not apply to any aspect of the work that is the subject of a **registered professional's** letter of assurance provided in accordance with sections 9.1.11, 10.1.10, 10.2.5, 15.1 or 15.2 of this bylaw.

18 Occupancy Permits

- 18.1 No person shall occupy a **building** or **structure** or part of a **building** or **structure** until an occupancy permit has been issued in the form of Form "G" to this bylaw.
- 18.2 An occupancy permit shall not be issued unless:
 - 18.2.1 all letters of assurance have been submitted when required in accordance with sections 9.1.11, 10.1.10, 10.2.5, 15.1 and 15.2 of this bylaw.
 - 18.2.2 all aspects of the work requiring inspection and acceptance pursuant to section 17.4 of this bylaw have both been inspected and accepted or the inspections and acceptance are not required in accordance with section 17.5 of this bylaw.
- 18.3 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 18.2 of this bylaw have been met with respect to it.

19 Retaining Structures

- 19.1 A **registered professional** shall undertake the design and conduct **field reviews** of the construction of a retaining structure greater than 1.5 meters in height. Sealed copies of the design plan and **field review** reports

prepared by the **registered professional** for all retaining structures greater than 1.5 meters in height shall be submitted to a **building official** prior to acceptance of the works.

20 Swimming Pools

- 20.1 Swimming pools shall be enclosed with a fence of not less than 1.83m in height with no openings greater than 100 mm in their least dimension. Access through the fence enclosing the swimming pool, shall be equipped with a self-closing gate so designed as to cause the gate to return to a locked position when not in use and secured by a spring lock which can be opened from the outside only with a key. For the purpose of this section the words “swimming pool” shall include any constructed or prefabricated pool used or intended to be used for swimming, bathing, or wading, having either a surface area exceeding 15 m² or a depth of more than 500 mm or both.

21 Climatic Data

- 21.1. Climatic data for the design of buildings in the Village shall be deemed to be in accordance with the Building Code.

22 Sewage Disposal

- 22.1 No **person** shall use any premises as a residence or place of business unless such premises include an adequate plumbing system. All premises so used, shall comply with this bylaw and the **Building Code** including regulations as to the size and ventilation of rooms containing plumbing fixtures.
- 22.2 Where a proposed **building** is to be erected in an area not served by the sanitary sewer system of the **Village**, no building permit shall be issued until the method of sewage disposal has been approved by the Northern Health Authority and such approval has been communicated in writing to the **building official**.

23 Moving a Building

- 23.1 Any **person** requesting permission to move a building situated elsewhere than within the **Village**, to a site in the **Village**, shall at the time of such request, in addition to fees otherwise payable in this bylaw, pay to the **Village** the costs of preliminary inspections of such **building** by the **building official** to determine whether or not such permits should be granted.

- 23.2 Every **person** who applies for a permit to move a **building** or part thereof either within or into the **Village** shall, when requested by the **building official**, be required to deposit with the **building official** a certified cheque or cash in the amount of One Thousand (1,000.00) Dollars to ensure that the said **building** shall be completely re-erected in accordance with the **Building Code** and this bylaw on the new site within eight (8) months of the date of issuance of the permit. If the **building** or part thereof is not completed within the specified time, the **building official** shall send a written notice to the **owner** stating how the **building** does not comply with the **Building Code** or this bylaw and direct the **owner** to remedy the non-compliance within thirty (30) days from the date of the said notice. If the non-compliance is not remedied within the said period of thirty (30) days, the certified cheque or cash in the sum of One Thousand (1,000.00) Dollars shall be forfeited to the **Village**. If the **building** is completed within the time specified for such permit or notice by the **owner**, the certified cheque or cash shall be returned to the **owner**.
- 23.3 No building constructed prior to the issuance of the British Columbia *Building Code* 1998 may be moved into or within the Village, unless such building is brought into compliance with that Code and verified to the Building Inspector.

24 Permits

- 24.1 A moving permit shall be in the form of Form “B” to this bylaw.
- 24.2 A demolition permit shall be in the form of Form “B” to this bylaw.
- 24.3 A fireplace and chimney permit shall be in the form of Form “B” to this bylaw.
- 24.4 A building permit shall be in the form of Form “B” to this bylaw.
- 24.5 A plumbing permit shall be in the form of Form “B” to this bylaw.
- 24.6 An occupancy permit shall be in the form of Form “G” to this bylaw.
- 24.7 A temporary permit shall be in the form of Form “B” to this bylaw.

25 Penalties and Enforcement

- 25.1 Every **person** who contravenes any provision of this bylaw commits an offense punishable on summary conviction and shall be liable to a fine of not more than \$10,000.00 (Ten Thousand Dollars) or to imprisonment for not more than six months.
- 25.2 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.
- 25.3 A **building official** may order the cessation of any work that is proceeding in contravention of the **Building Code** or this bylaw by posting a Stop Work notice in the form of Form “D” to this bylaw.
- 25.4 The **owner** of property on which a Stop Work notice has been posted, and every other person, shall cease all **construction** work immediately and shall not do any work until all applicable provisions of this bylaw have been substantially complied with and the Stop Work notice has been rescinded in writing by a **building official**.
- 25.5 Where a **person** occupies a **building** or **structure** or part of a **building** or **structure** in contravention of section 6.4 of this bylaw a **building official** may post a Do Not Occupy notice in the form of Form “E” to this bylaw on the affected part of the **building** or **structure**.
- 25.6 The **owner** of property on which a Do Not Occupy notice has been posted, and every **person**, shall cease **occupancy** of the **building** or **structure** immediately and shall refrain from further **occupancy** until all applicable provisions of the **Building Code** and this bylaw have been substantially complied with and the Do Not Occupy notice has been rescinded in writing by a **building official**.
- 25.7 Every **person** who commences work requiring a building permit without first obtaining such a permit shall, if a Stop Work notice is issued and remains outstanding for 30 days, pay an additional charge equal to 25% of the building permit fee prior to obtaining the required building permit.

26 Severability

- 26.1 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.

27 Forms and Schedules

27.1 Forms "B", "C", "F" and "G" and Schedules "A", "D" and "E" attached to this Bylaw form a part of this bylaw.

Bylaw 201, 1982 is hereby repealed.

READ A FIRST TIME THIS 22nd DAY OF July, 2003.

READ A SECOND TIME THIS 22nd DAY OF July, 2003.

READ A THIRD TIME THIS 12th DAY OF August, 2003.

ADOPTED THIS 26th DAY OF August, 2003.

Mayor

Chief Administrative Officer

Certified to be a true copy of the "Village Building Bylaw, Bylaw No. 542, 2003", as adopted by Council.

Chief Administrative Officer

**Village of Valemount
Schedule "A" Building Bylaw No. 542, Amendment
Bylaw No. 607, 2007**

The fees payable pursuant to the provisions of this Bylaw shall be as follows:

1. For a Building Permit for the construction, alteration or repair of a building or part thereof:

Building Value	Permit Fee
\$1 to \$1000.00	\$100 basic fee
Over \$1,000 to \$5 million	\$6.00 per \$1000 of Construction value*
Over \$5 million to \$10 million	\$5.00 per \$1000 of Construction value
Over \$10 million to \$20 million	\$4.00 per \$1000 of Construction value
Over \$20 million to \$30 million	\$3.00 per \$1000 of Construction value
Over \$30 million	\$2.00 per \$1000 of Construction value

*Construction Value does not include electrical or mechanical work

Where a major single development project will be constructed in multiple phases, the building permit fee may be calculated proportionately per phase, based on the total construction value of the project

- (c) 10% of original permit fee for renewal of expired permits, but not less than \$100.00.
2. For a Permit to Move a Building- \$100.00.
3. For a Demolition Permit - \$100.00.
4. For an Occupancy Inspection- \$100.00 where there is a change of class of occupancy of an existing building. There is no fee for an occupancy inspection required on completion of construction under a building permit.
5. For a Temporary Building Permit- \$100.00.
6. For a Plumbing Permit:
 - (a) for new installation, including additional fixtures or relocations;
 - (i) \$100.00 where the number of fixtures does not exceed 10, or
 - (ii) \$100.00, plus \$6.00 for each fixture exceeding 10 fixtures.
 - (b) for alteration or remodeling of existing plumbing, but not including additional fixtures or relocations;
 - (i) \$100.00
 - (c) for the installation of sprinkler heads;
 - (i) \$25.00 for one sprinkler head; or

Schedule "A" continued...

- (ii) \$15.00, plus \$0.75 for each sprinkler head by which the total number of sprinkler heads exceeds one but does not exceed 100; or
 - (iii) \$100.00, plus \$0.75 for each sprinkler head by which the total number of sprinkler heads exceeds 100;
 - (d) for the installation of fire hose outlets:
 - (i) \$5.00 for each outlet.
 - (e) for the installation of 1-1/2" standpipes;
 - (i) \$5.00 for each standpipe.
 - (f) for the installation of Fire Department connection standpipes;
 - (i) \$5.00 for each standpipe.
7. For building or plumbing inspections required as a result of call back where work was incomplete or improperly done- \$100.00 for each inspection.
8. For any inspection not listed above- \$100.00 for each.
9. If an engineer is to provide a sealed design drawing and on-site supervision to confirm construction meets the necessary requirements under this bylaw, the Building Permit cost will be reduced as follows:
- | | |
|--------------------|-------------------------------------------------------------------|
| CIVIL ENGINEERING: | 67% reduction of all civil inspection fees |
| GEOTECHNICAL: | No Reduction |
| STRUCTURAL: | 33% reduction of fees for building portion of the Building Permit |
| MECHANICAL: | 67% reduction of mechanical systems costed on the permit |
| ELECTRICAL: | No reduction |

10. Framed Construction

cost/sq.ft

No Basement – One Storey		\$110.
Basement – One Storey		\$120.
No Basement- Two Storey	Main Floor	\$110.
	2nd Floor	\$ 90.
Basement – Two Storey	Main Floor	\$110.
	2na Floor	\$ 90.
Split Level	Finished Floor Area	\$120.

11. Log Construction

One Storey	Finished Floor Area	\$125.
Two Storey	Finished Floor Area	\$125.

12.	Carport/Garage		Est. Value	Permit Cost
	Single Carport		\$ 6,000.	\$130.
	Double Carport		\$10,000.	\$154.
	Single Garage		\$10,000.	\$154.
	Double Garage		\$20,000.	\$214.
13.	Wood Heater, Fireplace and Chimney Inspection			
	Minimum \$6,000. value			\$130.
14.	Manufactured Home Foundation			
	Single Wide Manufactured Home		\$ 6,000.	\$130.
	Double Wide Manufactured Home		\$14,000.	\$184.
	For Manufactured Homes over 1 storey calculate extra construction value at \$80.00/sq.ft.			

D.B. (Doug) Fleming
Chief Administrative Officer



735 Cranberry Lake Road
P.O. Box 168
Valemount, BC V0E 2Z0
Phone: 250.566.4435
Fax: 250.566.4249

FORM B
Permit Application Form
Building Bylaw 542, 2003

Date:	Street Address:
Lot:	Plan: D.L. :
Block:	Present Zoning:
PID No.:	Folio No.:
	Development Permit No.:

CLASS OF WORK WILL BE:

*BUILDING	NEW	REPAIR	ALTER
ADDITIONAL	DEMOLITION	FIREPLACE AND CHIMNEY	
*MOVING	TEMPORARY	OCCUPANCY	*PLUMBING
COMMERCIAL	RESIDENTIAL	OTHER	

* = MAY REQUIRE ADDITONAL FORMS

DESCRIPTION OF PROPOSED WORK:

NOTE: THE VILLAGE MUST BE NOTIFIED OF ANY ALTERATIONS TO REVIEWED PLANS

TOTAL CONSTRUCTION VALUE (INCLUDES VALUE OF ALL MATERIALS AND SERVICES) \$
(Do not include Electrical & Plumbing values)

Property Owner:		
Mailing Address:	Town:	Province:
Postal Code:	Day Phone:	

Contractor:		
Mailing Address:	Town:	Province:
Postal Code:	Day Phone:	

I hereby agree to indemnify and save harmless the Village of Valemount and its employees against all claims, liabilities, judgments, costs and expenses of whatsoever kind that may in any way occur against the Village of Valemount and its employees in consequence of and incidental to the granting of this permit, if issued and I further agree to conform to all requirements of the Building Bylaw and all other statutes and Bylaws in force in the Village of Valemount. I understand that 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 Village of Valemount constitute in any way a representation, warranty, assurance or statement that the Building Code, or other applicable enactments respecting safety have been complied with and that this does not relieve me from my obligations under these bylaws.

Signature of Owner or Authorized Agent: _____ Date:

Completed form may be sent by [email](#). Signing of the form can be done at the Village Office.

OFFICE/DEPARTMENT USE ONLY	Permit #:	Permit Fee:
Date Received:	Date of Permit Issue:	Plumbing Fee:
Building Value: \$	Issued by:	Develop. Cost Charge:
Bond Required:	Sewer System Connection:	Utility Inspection:
		Utility Connection:
		Total

FORM C

Attachment to Plumbing Permit

Date: _____

Permit No.: _____

Job Address: _____

NUMBER OF FIXTURES TO BE INSTALLED

	BASEMENT	FIRST FLOOR	SECOND FLOOR	TOTAL	* UNIT COST	EXTENSION
Water Closets						
Urinals						
Wash Basins						
Bathtubs						
Sinks						
Laundry Tubs						
Hot Water Tanks						
Auto-Washers						
Floor Drains						
Extra Fixtures						
Grease Traps						
Sprinkler Heads						
Fire House Outlets						
2 1/2" Standpipes						
Fire Dept. Standpipes						
Additional Plumbing						
*As per Schedule "A"				TOTALS		

NOTE:

Owner or Agent: _____

Plumbing Inspector: _____

Village of Valemount
Schedule "D"
Building Bylaw No. 542, 2003

STOP WORK ORDER

REGARDING BUILDING OR
WORK SITUATED AT:

LOT _____ BLK. _____ D.L. _____ PLAN _____
CIVIC ADDRESS _____

YOU ARE HEREBY ORDERED THAT UNDER THE BYLAWS OF THE
VILLAGE OF VALEMOUNT ALL FURTHER WORK IS PROHIBITED
UNLESS AUTHORIZED IN WRITING BY THE BUILDING INSPECTOR.

DATED _____

REASON _____

SIGNED _____

VILLAGE OF VALEMOUNT
BUILDING INSPECTOR

IT IS UNLAWFUL FOR ANY PERSON TO ALTER OR
REMOVE THIS NOTICE

Village of Valemount
Schedule "E"
Building Bylaw No. 542, 2003

DO NOT OCCUPY

REGARDING BUILDING

SITUATED AT:

LOT _____ BLK. _____ D.L. _____ PLAN _____

CIVIC ADDRESS _____

YOU ARE HEREBY ORDERED THAT UNDER THE BYLAWS OF THE
VILLAGE OF VALEMOUNT THIS BUILDING IS NOT TO BE OCCUPIED
UNTIL AUTHORIZED IN WRITING BY THE BUILDING INSPECTOR.

DATED _____

REASON _____

SIGNED _____

VILLAGE OF VALEMOUNT

BUILDING INSPECTOR

IT IS UNLAWFUL FOR ANY PERSON TO ALTER OR
REMOVE THIS NOTICE

FORM F
Application for Permit to Move a Building

Date _____

I hereby apply for permission to move the following described building along Village streets and do agree to indemnify and keep harmless the Village of Valemount against all claims, liabilities, judgements, costs and expenses of whatsoever kind which may occur against the Village of Valemount in consequence of, and incidental to, the granting of this permit, if issued.

NAME OF APPLICANT _____
(PLEASE PRINT)

ADDRESS OF APPLICANT _____

SIGNATURE OF APPLICANT _____
PRESENT LOCATION OF BUILDING

Address _____ Lot _____ D.L. _____ Plan _____

Moved to (address) _____ Lots _____ D.L. _____ Plan _____

SIZE OF BUILDING
Total Length _____ Meters Total Width _____ Meters

PRESENT USE OF BUILDING: _____

PROPOSED USE OF BUILDING: _____

WHO IS RESPONSIBLE FOR DISCONNECTION OF SERVICES? _____

AGE OF BUILDING: _____

ROUTE TO BE TAKEN WILL BE: _____

Time of Moving between _____ AM/PM and _____ AM/PM
FIRE DEPARTMENT MUST BE NOTIFIED OF ANY CHANGE IN TIME .

DATE _____ OWNER OR AGENT _____

APPROVED BY TELUS _____ DATE _____

APPROVED BY BUILDING OFFICIAL _____ DATE _____

APPROVED BY R.C.M.P. _____ DATE _____

APPROVED BY FIRE DEPARTMENT _____ DATE _____

APPROVED BY B.C. HYDRO _____ DATE _____

APPROVED BY REGIONAL BLDG INSP. _____ DATE _____

AMOUNT OF BOND to be posted will be determined by the Village.
BUILDING INSPECTOR Approval _____ Denial _____ Signature _____

RECEIVED _____ Bond _____ Fee _____
(TREASURER)

MOVING PERMIT NO. _____ BUILDING INSPECTOR _____

NOTE: IF SO DESIRED BY B.C. HYDRO, QUALIFIED LINESMAN TO ACCOMPANY BUILDING BEING MOVED.

Building
Department



**VILLAGE OF VALEMOUNT
BYLAW NO. 542, 2003**

OCCUPANCY PERMIT

Building
Permit No. _____



**THIS IS TO CERTIFY THAT PURSUANT TO THE VILLAGE OF VALEMOUNT BUILDING BY-LAW,
THE BUILDING(S) OR PORTION THEREOF DESCRIBED AS FOLLOWS MAY BE USED AND
OCCUPIED AS INDICATED.**

FOLIO NO. _____

STREET ADDRESS _____

LEGAL DESCRIPTION _____

ISSUED TO _____

ZONING _____

DESCRIPTION OF USE _____

DATE: _____

BUILDING INSPECTOR _____

This permit confirms that inspections pursuant to the Building Bylaw No. 542, 2003 have been completed and no substantive violation of health and safety requirements has been observed. This permit is not a warranty that the subject building complies with all Municipal and Provincial regulations governing building construction nor that it is without defect.