

DISTRICT OF SECHULT
Building Amendment Bylaw No. 409 - 8, 2021

Being a bylaw to amend District of Sechelt Building Bylaw No. 409, 2003

WHEREAS the *Community Charter* authorizes the District of Sechelt, 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 under the Building Act and Regulation to govern standards in respect of the construction, alteration, repair, and demolition of buildings in municipalities and regional districts in the Province;

AND WHEREAS the District of Sechelt has previously adopted Building Bylaw No. 409, 2003;

NOW THEREFORE, the Council of the District of Sechelt in open meeting assembled enacts as follows:

TITLE

1. This bylaw may be cited for all purposes as, "Building Amendment Bylaw No. 409 – 8, 2021".

AMENDMENTS

2. Section 1.2 of Building Bylaw No. 409, 2003, as follows:

"The following words and terms have the meanings set out in Section 1.1.3.2 of the British Columbia Building Code 1998: ***assembly occupancy, building, building area, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, field review, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, occupancy, owner or agent, registered professional, and residential occupancy.***"

is deleted and replaced with the following:

"The following words and terms have the meanings set out in the definitions of the current edition of the British Columbia Building Code: ***assembly occupancy, auxiliary water supply, building, building area, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, field review, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, plumbing system, occupancy, owner or agent, registered professional, and residential occupancy.***"

3. Section 1.2 of Building Bylaw No. 409, 2003, as follows:

“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.”

is deleted and replaced with the following in alphabetical order:

“Building Code means the current edition of the *British Columbia Building Code* as adopted by the Minister pursuant to the *Building Act*, as amended or re-enacted from time to time.”

“Retaining Structure means a wall, or a series of walls constructed for the purpose of supporting or confining soils 1.2 meters or greater in height or less than two horizontals to one vertical setback ratio.”

4. Section 1.2 of Building Bylaw No. 409, 2003, as follows:

“Sprinkler System means a functional sprinkler system to the appropriate N.F.P.A. standard of the National Fire Protection Association Regulations, as amended from time to time.”

is deleted and replaced with the following:

“Sprinkler System means a functional sprinkler system, including Standpipes, to the appropriate NFPA standard of the National Fire Protection Association Regulations as referenced in the *Building Code*.”

5. Section 1.2 of Building Bylaw No. 409, 2003, as follows:

“Value of Construction means the completed **building** value of all **construction** or work related to the **building** including finishes, roofing, electrical, plumbing, heating, air conditioning, fire extinguishing systems, elevators, and any other building service equipment and materials, the current monetary worth of all plans and specifications, labour and fees for design, testing, consulting, management, contractors’ profit and overhead, and current monetary worth of all contributed labour and materials and site works, as confirmed by the **building official**.”

is deleted and replaced with the following:

“Value of Construction means the completed **building** value of all **construction** or work related to the **building** including finishes, roofing, electrical, plumbing, heating, air conditioning, fire extinguishing systems, elevators, and any other building service equipment and materials, the current monetary worth of all plans and specifications, labour and fees for design, testing, consulting, management, contractors’ profit and overhead, and current monetary worth of all contributed labour and materials and site works, as confirmed by the **building official** using the Marshall Swift construction valuation system or other means acceptable to the **building official**.”

6. Section 1.5.1 of Building Bylaw No. 409, 2003, as follows:

“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.”

is renumbered 1.5.1 (1).

7. Section 1.5.1 of Building Bylaw No. 409, 2003, as follows:

“When the value of proposed alterations, renovations, repairs, or an addition to an existing building exceeds 50% of the current assessed value of that building, the entire building must be made to substantially conform to the Life/Safety requirements of the Building Code and the Bylaws of the District of Sechelt.”

is added as 1.5.1 (2)

8. Section 1.5.2 (1) of Building Bylaw No. 409, 2003, as follows:

“*buildings or structures* exempt by Part 1 of the *Building Code* except as expressly provided herein,”

is deleted and replaced with:

“*buildings or structures* exempt by Division A, Part 1 of the *Building Code* except as expressly provided herein,”

9. Section 1.5.2 (4) of Building Bylaw No. 409, 2003, as follows:

“non-structural repairs or alterations to a **building** or **structure** or the repair or replacement of plumbing works”

is deleted and replaced with:

“non-structural repairs to a **building** or the repair of a plumbing system”

10. Section 1.5 (8) of Building Bylaw No. 409, 2003, as follows:

“deck additions, except a deck where the difference in elevation between the deck surface and the ground surface at any point is 0.6 m (2 ft) or more and the condition that the deck is sited in accordance with the **Zoning Bylaw**, other bylaws or enactments.”

is deleted and replaced with:

“deck additions, except a deck where the difference in elevation between the deck surface and the ground surface within 1.2 m of the deck at any point is 0.6 m (2 ft) or

more and the condition that the deck is sited in accordance with the **Zoning Bylaw**, other bylaws or enactments.”

11. Section 3.1 (2) of Building Bylaw No. 409, 2003, as follows:

“keep records of permit applications, permits, notices, and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of this bylaw or microfilm copies of such documents for a period of thirty (30) years.”

is deleted and replaced with:

“keep records of permit applications, permits, drawings, notices, and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of this bylaw or microfilm copies of such documents for a period of not less than thirty (30) years or such a period of time as required by provincial or federal enactments.”

12. The following is added to Part 4 – APPLICATIONS of Building Bylaw No. 409, 2003 and numbered as 4.1 (4):

“a plumbing permit before constructing, installing, moving, repairing, or altering a plumbing system, including a **sprinkler system** or exterior irrigation system backflow preventer or connection,”

13. Section 4.4 of Building Bylaw No. 409, 2003, as follows:

“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 building construction** of that **building** or **structure** as determined in accordance with Schedule “A” attached to this bylaw.”

is deleted and replaced with:

“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 building construction** of that **building** or **structure** as determined in accordance with Schedule “G” of the Fess and Charges Bylaw No. 575, 2019.”

14. The following is added to PART 4 – APPLICATIONS of Building Bylaw No. 409, 2003 and numbered as 4.6:

“An application shall expire 6 months after a request for information has been sent by the **building official** to the owner or agent for which there has been no meaningful response received. An expired application cannot be renewed.”

15. Section 5.1 (5) of Building Bylaw No. 409, 2003, as follows:

“Include four (4) sets of plans showing:

- (a) 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.”

Is deleted and replaced with:

“Include four (4) sets of plans showing, but not limited to:

- (a) an excavation and shoring plan showing the location, length and type of the shoring components whether temporary or permanent; the dimensions and uses of all areas; the dimensions and height of crawl and roof spaces; the location, size, fire resistance ratings and swing of doors; the location, size and opening of windows; floor, wall and ceiling assemblies, fire resistance ratings and finishes; plumbing system; mechanical ventilation systems; structural elements and stair dimensions.”

16. Section 5.1 (7) of Building Bylaw No. 409, 2003, as follows:

“Include letters of assurance in the form of Schedule “A” as referred to in section 2.6 Part 2 of the **Building Code**, each signed by the **owner** or **agent**, or a signing officer of the **owner** or **agent** if the **owner** or **agent** is a corporation, and the **coordination registered professional**.”

is deleted and replaced with:

“Include letters of assurance in the form of Schedule “A” as referred to in Division C, Part 2 of the **Building Code**, each signed by the **owner** or **agent**, or a signing officer of the **owner** or **agent** if the **owner** or **agent** is a corporation, and the **coordination registered professional**.”

17. Section 5.1 (8) of Building Bylaw No. 409, 2003, as follows:

“Include letters of assurance in the form of Schedule 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**.”

is deleted and replaced with:

“Include letters of assurance in the form of Schedule B as referred to in Division C, 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**.”

18. The following is added to Part 5 – APPLICATIONS FOR COMPLEX BUILDINGS of Building Bylaw No. 409, 2003:

5.3 For a **complex building** a **building official** may consider the following;

19. The following is added to Part 5 – APPLICATIONS FOR COMPLEX BUILDINGS of Building Bylaw No. 409, 2003:

“5.3 (1) A **building official** may issue a foundation permit for a **complex building** prior to the issuance of the **building permit**, subject to the **owner** depositing securities with the District in the amount of 125% of the estimated cost of filling in the excavation it restore the original gradient of the site, should the permit expire, not be issued, or be revoked.”

“5.3 (2) A **building official** may issue a building permit for a portion of a **complex building** or **structure** before the design, plans, and specifications for the entire **building** or **structure** have been accepted, provided that sufficient information had been provided to the District to demonstrate to the **building official** that the portion authorized to be constructed substantially complies with the **Building Code**, and with this and other applicable bylaws, and provided 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.”

“5.3 (3) When a site has been excavated under a foundation permit issued pursuant to Section 5.3 (1) of this bylaw and a building permit is not subsequently issued or a subsisting building permit has expired or is revoked, the **owner** shall fill in the excavation to restore the original gradients of the site within sixty (60) days of being served notice by the District to do so.”

20. The following is added to PART 6 – APPLICATIONS FOR STANDARD BUILDINGS of Building Bylaw No. 409, 2003, and numbered as 6.1 (3)(h):

“If the proposed building permit includes a retaining structure or an alteration of grade greater than two horizontals to one vertical, a lot grading plan may be required.”

21. Section 6.1 (10) of Building Bylaw No. 409, 2003, as follows:

“include a sealed foundation plan 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**.”

is deleted and replaced with:

“include a sealed foundation plan prepared by a **registered professional** in accordance with Part 4 of Division B of the **building code**, accompanied by letters of assurance in the form of Schedule B as referenced in Division C, Part 2 of the **building code**.”

22. Section 6.2 of Building Bylaw No. 409, 2003, as follows:

“The requirements of section 6.1 (10) may be waived by a **building official** in circumstances where the **building official** has required a professional engineer’s report pursuant to Part 21 of the *Local Government Act* and the building permit is issued in accordance with sections 699 (5) and (6) of the *Local Government Act*.”

is deleted and replaced with;

The requirements of section 6.1 (10) may be waived by a Building Official in circumstances where the Building Official has required a professional engineer’s report pursuant to Part 3, Division 8 of the Community Charter and the building permit is issued in accordance with sections 56 (4) and (5) of the Community Charter.

23. Section 6.3 of Building Bylaw No. 409, 2003, as follows:

“The requirements of section 6.1 (10) may be waived by a **building official** if documentation, prepared and sealed by a **registered professional**, is provided asserting the foundation design substantially complies with section 9.4.4 of Part 9 of the **Building Code** and the foundation excavation substantially complies with section 9.12 of Part 9 of the **Building Code**.”

is deleted and replaced with;

“The requirements of section 6.1.(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.”

24. Section 6.4 (4) of Building Bylaw No. 409, 2003, as follows:

“structural, electrical, mechanical or fire suppression drawings prepared and sealed by a **registered professional**,”

is deleted and replaced with:

“architectural, building envelope, structural, electrical, mechanical or fire suppression drawings prepared and sealed by a **registered professional**,”

25. Section 6.4 (5) of Building Bylaw No. 409, 2003, as follows:

“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**,”

is deleted and replaced with:

“a letter of assurance in the form Schedule A as referenced in Division C Part 2 of the

Building Code, signed by the **coordinating registered professional** and the **owner**”

26. The following is added to Section 6.4 of Building Bylaw No. 409, 2003 and numbered as 6.4 (6):

“letters of assurance in the form of Schedule B as referenced in Division C Part 2 of the **Building Code**, signed by the **registered professional**;”

27. Section 6.4 (6) of Building Bylaw No. 409, 2003 s renumbered as 6.4 (7)

28. Section 7.1 of Building Bylaw No. 409, 2003, as follows:

“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 5.1 (6), 6.1 (10), 6.4 (5), and 10.1 of this bylaw are relied upon by the District of Sechelt 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.”

is deleted and replaced with:

“The letters of assurance in the form of Schedule B referred in section Division C, Part 2 of the **Building Code** and provided pursuant to sections 5.1 (6), 6.1 (10), 6.4 (6), and 10.1 of this bylaw are relied upon by the District of Sechelt 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.”

29. Section 8.1 of Building Bylaw No. 409, 2003, as follows:

“In addition to 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 issuance of any permit under this bylaw.”

is deleted and replaced with:

“In addition to applicable fees and charges required under other bylaws, a permit fee, calculated in accordance with Schedule “F” of the District of Sechelt Fees and Charges Bylaw No. 575, 2019, shall be paid in full prior issuance of any permit under this bylaw.”

30. Section 8.2 of Building Bylaw No. 409, 2003, as follows;

“When a building permit is issued in accordance with Part 7 of this bylaw the permit fee shall be reduced by 10% of the fees payable pursuant to Schedule “A” to this bylaw, up to a maximum reduction of \$2000.00 (two thousand dollars).”

is deleted and replaced with:

“When a building permit is issued in accordance with Part 7 of this bylaw the permit fee

shall be reduced by 10% of the fees payable pursuant to Schedule "F" of the District of Sechelt Fees and Charges Bylaw No. 575, 2019, up to a maximum reduction of \$1000.00 (one thousand dollars)."

31. Section 8.3 of Building Bylaw No. 409, 2003, as follows:

"An application made for a building permit shall be accompanied by the appropriate application fee as set out in Schedule "A" to this bylaw."

is deleted and replaced with:

"An application made for a building permit shall be accompanied by the appropriate application fee as set out in Schedule "F" of the District of Sechelt Fees and Charges Bylaw No. 575, 2019."

32. Section 8.7 of Building Bylaw No. 409, 2003, as follows:

"The owner or agent 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, provided:

- (1) The refund amount shall be 50% of the total building permit fee as set out in Schedule "A" attached to this bylaw less the non-refundable application processing fee paid pursuant to section 8.4 of this bylaw; and
- (2) No refund shall be made where construction has begun, or an inspection has been made."

is deleted and replaced with:

"The owner or agent may obtain a refund of the permit fees set out in Schedule "F" of the District of Sechelt Fees and Charges Bylaw No. 575, 2019 when a permit is surrendered and cancelled before any construction begins, provided:

- (1) The refund amount shall be 50% of the total building permit fee as set out in Schedule "F" of the District of Sechelt Fees and Charges Bylaw No. 575, 2019 less the non-refundable application processing fee paid pursuant to section 8.4 of this bylaw; and
- (2) No refund shall be made where construction has begun, or an inspection has been made."

33. Section 8.10 of Building Bylaw No. 409, 2003, as follows:

"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."

is deleted and replaced with:

“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 “F” of the District of Sechelt Fees and Charges Bylaw No. 575, 2019 shall be paid prior to additional inspections being performed.”

34. Section 8.11 of Building Bylaw No. 409, 2003, as follows:

“For a required permit inspection requested to be done after the hours during which the offices of District of Sechelt are normally open, an inspection charge shall be payable by the owner, based on actual staff costs incurred by the District of Sechelt in making such inspection, including travel time, as set out in Schedule “A” to this bylaw.”

is deleted and replaced with:

“For a required permit inspection requested to be done after the hours during which the offices of District of Sechelt are normally open, an inspection charge shall be payable by the owner, based on actual staff costs incurred by the District of Sechelt in making such inspection, including travel time, as set out in Schedule “F” of the District of Sechelt Fees and Charges Bylaw No. 575.”

35. Section 8.12 of Building Bylaw No. 409, 2003, as follows:

“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.”

is deleted and replaced with:

“An inspection charge, as set out in Schedule “F” of the District of Sechelt Fees and Charges Bylaw No. 575, 2019 shall be payable in advance to obtain a report on the status of an existing **building** or **structure** for which a permit is sought under this bylaw.”

36. PART 9 – BUILDING PERMITS

Section 9.2 of Building Bylaw No. 4090, 2003, as follows:

“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 or agent** provides evidence pursuant to Section 30 (1) of the *Homeowner or agent Protection Act* that the proposed **building**.”

is deleted and replaced with:

“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 or agent** provides evidence pursuant to Section 30 (1) of the *Homeowner Protection Act* that the proposed **building**.”

37. Section 9.3 of Building Bylaw No. 409, 2003, as follows:

“Section 9.2 of this bylaw does not apply if the **owner or agent** is not required to be licensed and to obtain home warranty insurance in accordance with sections 20 (1) or 30 (1) of the *Homeowner or agent Protection Act*.”

is deleted and replaced with:

“Section 9.2 of this bylaw does not apply if the **owner or agent** 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*.”

38. Section 9.6 of Building Bylaw No. 409, 2003, as follows:

“A **building official** may issue an excavation permit in the form prescribed by the **building official** prior to the issue of a building permit.”

is deleted. Subsequent sections of Part 9 are renumbered accordingly.

39. Section 9.13 of Building Bylaw No. 409, 2003, as follows:

“A **building official** may issue a building permit for a portion of a **building** before the design, plans and specifications for the entire **building** have been accepted, provided sufficient information has been provided to the District of Sechelt that demonstrates 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** has been paid. The issuance of the permit notwithstanding, the requirements of this bylaw apply to the remainder of the **building** as if the permit for the portion of the **building** had not been issued.”

is deleted. Subsequent sections of Part 9 are renumbered accordingly.

40. Section 9.15 of Building Bylaw No. 409, 2003, as follows, is deleted;

“When a site has been excavated under an excavation permit issued pursuant to section 9.6 of this bylaw and a building permit is not subsequently issued or a subsisting building permit has expired in accordance with the requirements of section 9.4, but without the construction of the **building** for which the building permit was issued having commenced, the **owner or agent** shall fill in the excavation to restore the original gradients of the site within 60 days of being served notice by the District of Sechelt to do so.”

41. PART 10 – PROFESSIONAL DESIGN AND FIELD REVIEW

Section 10.1 of Building Bylaw No. 409, 2003, as follows:

“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** to 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.**”

is deleted and replaced with:

“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** to provide design and plan certification and **field review** by means of letters of assurance in the form of Schedules B and C-B referred to in Division C, Part 2 of the **Building Code.**”

42. Section 10.2 of Building Bylaw No. 409, 2003, as follows:

“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 provisions of this bylaw, the **owner or agent** shall provide the District of Sechelt 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.**”

is deleted and replaced with:

“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 provisions of this bylaw, the **owner or agent** shall provide the District of Sechelt with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in Division C, Part 2 of the **Building Code.**”

43. Section 10.4 of Building Bylaw No. 409, 2003, as follows:

“Despite the other provisions of this bylaw, the **owner or agent** must provide Letters of Assurance for professional design and a field review in the form of Schedules B-1 & B-2 in respect of a building for:

is deleted and replaced with:

“Despite the other provisions of this bylaw, the **owner or agent** must provide letters of assurance for professional design and a field review in the form of Schedules B referred to in Division C, Part 2 of the **Building Code** in respect of a building for:”

44. Section 10.4 (3) of Building Bylaw No. 409, 2003, as follows:

“A **building** on a parcel the **building official** believes is subject to or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche, and the requirement for professional design and a field review is in addition to a requirement under Part 21 of the Local Government Act for a report certified by a professional engineer with experience in geotechnical engineering that the parcel may be used safely for the use intended and that the plans submitted with the application comply with the relevant provisions of the **Building Code** and applicable bylaws of the District of Sechelt.”

is deleted and replaced with:

“A **building** on a parcel the **building official** believes is subject to or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche, and the requirement for professional design and a field review is in addition to a requirement under Section 56 of the *Community Charter* for a report certified by a professional engineer with experience in geotechnical engineering that the parcel may be used safely for the use intended and that the plans submitted with the application comply with the relevant provisions of the **Building Code** and applicable bylaws of the District of Sechelt.”

45. PART 11 – RESPONSIBILITIES OF THE OWNER OR AGENT

Section 11.1 of Building Bylaw No. 409, 2003, as follows:

“The **owner or agent** shall ensure that all construction complies with the **Building Code**, this bylaw and other applicable enactments respecting safety.”

is deleted and replaced with:

“The **owner** shall ensure that all construction complies with the **Building Code**, this bylaw and other applicable bylaws and enactments.”

46. PART 13 – SWIMMING POOLS AND HOT TUBS

Section 13.1 of Building Bylaw No. 409, 2003, as follows:

“A registered professional shall undertake the design and conduct field reviews of the construction of any reinforced concrete Swimming Pool. 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** must be submitted.”

Is deleted and replaced with:

“A registered professional shall undertake the design and conduct field reviews of the construction of any reinforced concrete Swimming Pool. Letters of assurance in the

form of Schedules B and C-B referred to in Division C, Part 2 of the **Building Code** must be submitted.”

47. Section 13.6 of Building Bylaw No. 409, 2003, as follows:

“Access shall be provided around the perimeter of all swimming pools, including those within a building, by means of an apron or walkway not less than 30 inches (+762 mm) in width and not more than 18 inches (457 mm.) above the water level of the swimming pool. The walkway (apron) shall have no obstructions and be readily accessible to those using the swimming pool.”

is deleted and replaced with:

“Access shall be provided around the perimeter of all swimming pools, including those within a building, by means of an apron or walkway not less than 750 mm in width and not more than 450 mm above or below the water level of the swimming pool. The walkway (apron) shall have no obstructions and be readily accessible to those using the swimming pool.”

48. The following Section 13.9 is added to Building Bylaw No. 409, 2003:

The drainage from a pool, hot tub, or equipment that serves them must be connected to or directed to a Sanitary Drainage system or disposed of by other means acceptable to the Chief Building Official.

49. PART 15 – DEMOLITION PERMITS

Section 15.4 of Building Bylaw No. 409, 2003 s renumbered as 15.5.

50. The following Section 15.4 of Building Bylaw No. 409, 2003, is added:

“Prior to the issuance of a demolition permit for a building constructed prior to 1990, the owner must provide a Hazardous Materials Survey and, if required, an Asbestos Abatement Report stating that any Asbestos identified in the assessment has been removed and disposed of in accordance with applicable enactments and regulations.”

51. PART 16 – MOVING BUILDINGS AND STRUCTURES ON TO NEW FOUNDATION

Section 16.1 (2) (e) of Building Bylaw No. 409, 2003, as follows:

“Include a foundation design prepared by a registered professional in accordance with section 4.2 of Part 4 of the **Building Code**, accompanied by letters of assurance in the form 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;”

is deleted and replaced with:

“Include a foundation design prepared by a registered professional in accordance with Part 4 of the **Building Code**, accompanied by letters of assurance in the form of Schedules B as referred to in Division C, Part 2 of the **Building Code**, signed by the registered professional;”

52. Section 16.1 (2) (i) of Building Bylaw No. 409, 2003, as follows:

“Be accompanied by confirmation of liability insurance including the District of Sechelt as an additional insured in the amount of \$2,000,000 with a maximum deductible of \$5000;”

is deleted and replaced with:

“Be accompanied by confirmation of liability insurance including the District of Sechelt as an additional insured in the amount of \$5,000,000 with a maximum deductible of \$5000;”

53. PART 18 – OCCUPANCY PERMITS

The following Section 18.4 is added to Building Bylaw No. 409, 2003:

“The Chief Building Official may revoke an Occupancy Permit, if it was determined that the Occupancy Permit was issued in error. Notice of Revocation shall be sent by registered mail to the building permit applicant and registered owner of the property.”

54. PART 19 – RETAINING STRUCTURES of Building Bylaw No. 409, 2003 is renamed:

“PART 19 – RETAINING STRUCTURES AND GRADES CREATED BY FILL OR EXCAVATION”

55. Section 19.1 of Building Bylaw No. 409, 2003, as follows:

“A **registered professional** shall undertake the design and conduct **field reviews** of the construction of a retaining structure greater than 1.2 meters in height. Sealed copies of the design plan and **field review** reports prepared by the **registered professional** for all retaining structures greater than 1.2 meters in height, as well as 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** shall be submitted to a **building official** prior to acceptance of the works.”

is deleted and replaced with:

“A **registered professional** shall undertake the design and conduct **field reviews** of the construction or structural repair of any **retaining structure** greater than 1.2 meters in height or series of **retaining structures** where the cumulative height of the **retaining structures** is greater than 1.2 m and have a ratio of less than 2 horizontals to 1 vertical. Sealed copies of the design plan, letters of assurance in the form of Schedule B as referred to in Division C, Part 2 of the **Building Code** and **field review** reports prepared by the **registered professional** for all **retaining structures** greater than 1.2 meters in

height shall be submitted to a **building official** prior to acceptance of the work by the **building official**. The **registered professional** shall ensure that any drainage changes resulting from the construction or structural repair shall not adversely impact adjacent and downstream properties or municipal infrastructure or right of ways.”

56. The following Section 19.2 is added to Building Bylaw No. 409, 2003:

Except as certified by a **registered professional** with expertise in geotechnical engineering, an excavation of or fill material placed on a parcel, unless restrained by permitted **retaining structures**, must not have a surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally. The **registered professional** shall ensure that any drainage changes resulting from the excavation or fill shall not adversely impact adjacent and downstream properties or municipal infrastructure or right of ways.

57. The following PART 21 – PLUMBING SYSTEMS, is added to Building Bylaw No. 409, 2003:

“21.1 APPLICATION

- (1) A plumbing permit may only be issued to:
 - (i) a plumber holding a valid Canadian tradespersons qualification as a plumber, or
 - (ii) an owner and intended occupant of a Single-Family Dwelling without a Secondary Suite where the owner personally intends to install, alter, or repair a plumbing system, in which case, the **building official** may require the owner to demonstrate competency to perform the proposed work.
- (2) The British Columbia Building Code, in whatever form brought into force from time to time by the Province of British Columbia shall apply to all plumbing systems falling within the jurisdiction of these regulations.
- (3) The requirements of this Bylaw apply to all plumbing systems, including:
 - (a) All plumbing system installations, alterations or additions.
 - (b) Plumbing systems in buildings moved into the District of Sechelt.
 - (c) Plumbing systems in buildings raised or otherwise moved.
 - (d) Building Sewer connections between a building and sewage disposal system or public sewer.
 - (e) all fire sprinkler systems
 - (f) all solar hot water systems
 - (g) auxiliary water systems

21.2 Auxiliary Water Systems

Auxiliary Water Systems are permitted subject to the approval of the Chief Building Official.

21.3 FEES

Plumbing and Sprinkler permit fees shall be paid in accordance with the current District of Sechelt Fees and Charges Bylaw.”

58. Schedule “B” of Building Bylaw No. 409, 2003 Is deleted and replaced with:

Section 22.1 of Building Bylaw No. 409, 2003;

Climatic and Seismic Data shall be that which is stated in Division B, Appendix C of the ***Building Code.***”

59. PART 20 – PENALTIES AND ENFORCEMENT is renamed “PART 23 – PENALTIES AND ENFORCEMENT.

60. Section 20.1 of Building Bylaw No. 409, 2003 is renumbered as 23.1 (2).

61. The following is added to Building Bylaw No. 409, 2003 as 23.1 (1):

Every person who contravenes any provision of this bylaw commits an offense punishable by the fine listed in Schedule A Designated Bylaw Contravention and Penalties of the Bylaw Notice Enforcement Implementation Bylaw No. 515, 2012.

62. Schedule “A” and “B” of Bylaw No. 409, 2003 are deleted.

63. The following section 24 is added to Building Bylaw No. 409, 2003:

“24. REPEAL

District of Sechelt Plumbing Bylaw No. 176, 1993, and all amendments thereto are hereby repealed.”

64. The following section 25 is added to Building Bylaw No. 409, 2003:

“25. VALIDITY

If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.”

READ A FIRST TIME THIS	21 st	DAY OF	April,	2021
READ A SECOND TIME THIS	21 st	DAY OF	April,	2021
READ A THIRD TIME THIS	21 st	DAY OF	April,	2021
RESCIND THIRD READING THIS	5 th	DAY OF	May,	2021
READ A THIRD TIME, AS AMENDED THIS	5 th	DAY OF	May,	2021
ADOPTED THIS	19 th	DAY OF	May,	2021



Mayor



Corporate Officer