



Council Report

For the Meeting of October 12, 2017

To: Council **Date:** September 22, 2017
From: Jonathan Tinney – Director, Sustainable Planning and Community Development
Subject: Update and Consolidation of Building and Plumbing Bylaws

RECOMMENDATION

1. That Council give three readings to:
 - a. Building and Plumbing Bylaw No. 17-113; and
 - b. Miscellaneous Bylaws Consequential Amendments Bylaw No. 17-112

EXECUTIVE SUMMARY

The Building and Plumbing Bylaw (Appendix A) was presented to Committee of the Whole on June 15, 2017 (Appendix B) for consideration and direction. Direction was sought to present for feedback to stakeholders and interested members of the public. Direction to revise applicable engineering bylaws and/or standards was also requested at that time.

Stakeholder feedback regarding the bylaw was minimal and resulted in one person attending the in-house information session on August 29th. Feedback was generally to communicate support for the approach of the bylaw to administer Building Code effectively in the context of influences such as the MIA Core bylaw and the Building Act.

The Building and Plumbing Bylaw is attached, and since presented initially on June 15th, 2017 to Committee of the Whole, the bylaw has been modified minimally to address a limited number of grammatical and structural errors. In addition to these, a fee exemption for Affordable Housing Projects has also been added to remain consistent with the Land Use Procedures Bylaw, recently amended to provide fee exemptions for the same types of projects.

The approach provides a simple, effective and functional Building and Plumbing bylaw that satisfies the objectives and needs of the City which include the following:

- bring current bylaw into compliance with the Building Act
- limit the City's risk to liability exposure through adoption of MIA's core bylaw principles
- update the bylaw to reflect the four cycles of building code changes
- increase permit fee rate to reflect service costs

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- update, remove or provide administrative requirements as needed for clarity, to address voids or remove unneeded or outdated regulation
- consolidate separate building and plumbing bylaws into a single bylaw
- define Inspection Process for both complex and standard building projects.

OPTIONS & IMPACTS

2015 – 2018 Strategic Plan

Objective 1: Innovate and Lead:

Create an efficient and purposeful permitting and inspection process.

Objective 3: Strive for Excellence in Planning and Land Use:

Reduced processing times for permit applications through improved process.

Objective 5: Create Prosperity through Economic Development:

Simplify permitting process reducing hurdle for businesses and developers to open businesses and create jobs.

Impacts to Financial Plan

Over the 2012 to 2016 period, costs have exceeded revenues from development applications and permits by a total of approximately \$1.5 million.

At the same time, Council has endorsed increasing levels of service. The proposed updates aim to keep rates as low as possible to support ongoing development and renewal of the City's building stock while minimizing, to the extent possible, inputs to support these functions from general tax revenue. The approach also supports graduation of the overall fee structure to generate a larger share of total revenue later in the development process when applicants have greater surety of timing and some entitlements are already in place.

Based on this approach, the proposed bylaw recommends the increase in permit fee rates from 1.25% of construction costs to 1.4%. This is in addition to changes to fee schedules for Development Services considered separately by Council as part of the update to the Land Use Procedures Bylaw.

Based on analysis undertaken by staff, this would see the fees collected within an average year to match accumulated costs. In years of higher construction volume, such as those observed in 2016, it is proposed that surplus funds be directed to a reserve account to cover administration costs in years of lower construction activity. This would support more consistent financial and staffing planning for these departments going forward.

CONCLUSIONS

The consolidated Building and Plumbing bylaw is an effective tool to administer all types of construction. It reduces exposure to liability risks, addresses 20 years' worth of legislative and code changes, provides better tools for the City to administer construction efficiently, and streamlines a number of items related to upkeep of bylaws and processes for customers.


Respectfully submitted,


Ryan Morhart
Manager, Permits & Inspections


Jonathan Tinney
Director, Sustainable Planning & Community
Development

Report accepted and recommended by the City Manager:

Date:


Oct 6, 2017

List of Attachments

- Appendix A: Building and Plumbing Bylaw
- Appendix B: COTW Report June 15, 2017
- Appendix C: Miscellaneous Bylaws Consequential Amendments Bylaw
- Appendix D: Ticket Bylaw (Existing)

NO. 17-113

BUILDING AND PLUMBING REGULATION BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to regulate the construction, alteration, repair, and demolition of buildings and other structures within the City of Victoria by providing for a limited and interim spot-checking of health and safety aspects of the work and a permitting system for the purpose of keeping of records.

Under its statutory powers, including section 8(3)(l) and 63 of the *Community Charter*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

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PART 1 – INTERPRETATION AND PURPOSE

Title

- 1 This bylaw may be cited as the "Building and Plumbing Regulation Bylaw, 2017".

Definitions

- 2 (1) In this bylaw the following words and terms have the meanings set out in Division A 1.4.1 of the Building Code: 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, plumbing contractor, plumbing system, registered professional, and residential occupancy.
- (2) In this bylaw:
- "affordable housing" means any housing unit which is:
- (a) part of a development wholly owned and operated by a registered non-profit residential housing society or government agency, or operated by a registered non-profit residential housing society or government agency pursuant to a legally binding arrangement with the property owner; and
 - (b) subject of a housing agreement with the City, or a covenant in favour of the City, securing its use as below-market housing unit in perpetuity;

"applicant" means either the owner or a person authorized by the owner to apply for and obtain a building permit;

"Building Code" means the *British Columbia Building Code 2012* 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 official" means the same as that defined by the *Building Act* and includes the chief building official;

"chief building official" means the person employed by the City as the Chief Building Official and includes a person authorized to act on his or her behalf;

"City" means The Corporation of the City of Victoria;

"complex building" means:

- (a) all buildings used 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, or
 - (iv) medium and low hazard industrial occupancies;

"cost of construction" means costs calculated in accordance with section 19(9);

"former bylaw" means any building or plumbing bylaw of the City in force at any time prior to the adoption of this bylaw;

"health and safety aspects of the work" means aspects of design and construction regulated by the Building Code and attributed in Division B Appendix A of the Building Code with either of the following Objectives: OS Safety, OH Health;

"owner" includes a lessee, a person in charge, a person who has care and control and a person who holds out that the person has the powers and authority of ownership or who for the time being exercises the powers and authority of ownership;

"Plumbing Code" means the plumbing system part of the Building Code.

"standard building" means any building that is not a complex building; and

"structure" means a construction or portion thereof of any kind, whether fixed to, supported by, or sunk into land or land covered by water, but does not include landscaping, fences, paving, or retaining structures less than 1.2 meters in height.

Interpretation and Purpose

- 3 (1) This bylaw shall, notwithstanding any other provision herein, be interpreted in accordance with this section.
- (2) This bylaw has been enacted for the purpose of regulating construction within Victoria in the general public interest and the activities undertaken by or on behalf of the City pursuant to this bylaw are for the sole purpose of providing a limited and interim spot checking function of health and safety aspects of the work.
- (3) It is not contemplated nor intended, nor does the purpose of this bylaw extend to
- (a) the protection of owners, owner/builders, or constructors from economic loss;
 - (b) the assumption by the City or any building official of any responsibility for ensuring the compliance by any owner, his or her representatives or any employees, constructors or designers retained by him or her, with the Building Code, the requirements of this bylaw or other applicable enactments respecting safety;
 - (c) providing any person a warranty of design or workmanship with respect to any building or structure for which a building permit or occupancy permit is issued under this bylaw;
 - (d) providing a warranty or assurance that construction undertaken pursuant to building permits issued by the City is free from latent, or any defects.

PART 2 – ADMINISTRATION

Permit Required and Effect of the Permit

- 4 (1) A permit is required whenever work regulated under this bylaw is to be undertaken.
- (2) Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or supporting documents, nor any inspections shall
- (a) 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; and
 - (b) constitute in any way a representation, warranty, assurance or statement that the Building Code, this bylaw or other applicable enactments respecting safety have been complied with.
- (3) It shall be the full and sole responsibility of the owner 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) 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.

Scope and Exemptions

- 5 (1) Subject to subsection (2), 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.
- (2) This bylaw does not apply to buildings or structures exempted by Division A Part 1 of the Building Code except as expressly provided herein, nor does it apply to the following:
- (a) retaining structures less than 1.2 meters in height;
 - (b) platforms less than 0.6 meters above grade;
 - (c) plumbing systems outside of private property (municipal infrastructure);
 - (d) irrigation systems downstream of a backflow prevention device; or
 - (e) plumbing systems separately serviced for the purpose of site drainage.

Prohibitions

- 6 (1) No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building, structure or plumbing system, including excavation or other work related to construction unless a building official has issued a valid and subsisting permit for the work.
- (2) No person shall occupy or use any building or structure:
- (a) unless a valid and subsisting occupancy permit has been issued by a building official for the building or structure; or
 - (b) contrary to the terms of any permit issued or any notice given by a building official.
- (3) No person shall knowingly submit false or misleading information to a building official in relation to any permit application or construction undertaken pursuant to this bylaw.
- (4) No person shall, unless authorized in writing by a building official, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to a building or structure pursuant to this bylaw.
- (5) No person shall do any work that is substantially at variance with the accepted design or plans of a building, structure or other works for which a permit has been issued, unless that variance has been accepted in writing by a building official.
- (6) No person shall obstruct the entry of a building official or other authorized official of the City on property in the administration of this bylaw.

Building Officials

- 7 (1) A building official may:
- (a) administer this bylaw;
 - (b) keep records of permit applications, permits, notices and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of this bylaw or microfilm copies of such documents; and
 - (c) establish whether the methods or types of construction and types of materials used in the construction of a building or structure for which a permit is sought under this bylaw substantially conform to the requirements of the Building Code.
- (2) A building official may enter any land, building, structure, or premises at any reasonable time for the purpose of ascertaining that the terms of this bylaw or the Building Code are being observed.
- (3) Before exercising the authority under subsection (2) in relation to any residence that is occupied, a building official shall
- (a) obtain the consent of the occupant or provide written notice to the occupant 24 hours in advance of entry; and
 - (b) carry proper credentials confirming his or her status as a building official.
- (4) A building official may order the correction of any work that is being or has been done in contravention of this bylaw.

Record Searches

- 8 (1) A person may request a search to be conducted to locate a building, plumbing or electrical plan deposited with the City.
- (2) A person may obtain a written statement or report on the status of a building's construction or permits as determined from permit records deposited with the City.
- (3) A building official may collect a prescribed fee for services identified under this section as set out in Schedule A.

PART 3 – APPLICATIONS

General Application Requirements

- 9 (1) Every person shall apply for and obtain:
- (a) a building permit before constructing, demolishing, repairing, changing the use of, or altering a building or other structure; and
 - (b) a plumbing permit before constructing or altering a plumbing system.

- (2) An application for a building or plumbing permit shall be made using the forms prescribed by the chief building official.
- (3) All plans submitted with permit applications shall bear the name and address of the designer of the building or structure.
- (4) The application process for standard buildings applies to any applications for permits required under this bylaw in relation to any structure that is not a building.
- (5) Each building or other structure to be constructed on a site requires a building permit and shall be assessed a separate building permit fee based on the value of that building or other structure as determined in accordance with Schedule A to this bylaw.

Applications for Complex Buildings

- 10 (1) An application for a building permit with respect to a complex building shall include with the application:
- (a) information for the proposed work as required by the Building Code;
 - (b) a site plan prepared by a British Columbia Land Surveyor showing:
 - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (ii) the legal description and civic address of the parcel;
 - (iii) the location and dimensions of all statutory rights of way, easements and setback requirements;
 - (iv) the location and dimensions of all existing and proposed buildings or structures on the parcel;
 - (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse where the City's land use regulations establish siting requirements related to flooding;
 - (vi) 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 City's land use regulations establish siting requirements related to minimum floor elevation; and
 - (vii) the location, dimension and gradient of parking and driveway access;
 - (c) 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;
 - (d) any letters of assurance required by the Building Code;

- (e) the required number of drawing sets at a suitable scale of the design prepared by each registered professional and including the information set out in this section.
- (2) In addition to the requirements of subsection (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, in the opinion of the building official, the complexity of the proposed building or structure or siting circumstances warrant:
 - (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional, in accordance with the City's subdivision servicing bylaw.
 - (b) a section through the site showing grades, buildings, structures, parking areas and driveways;
 - (c) any other information required by the building official or the Building Code to establish substantial compliance with this bylaw, the Building Code and other bylaws and enactments relating to the building or structure.
- (3) The building official may waive the requirements under subsection (1)(b) 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.

Applications for Standard Buildings

- 11 (1) An application for a building permit with respect to a standard building shall include:
 - (a) information for the proposed work as required by the Building Code;
 - (b) a site plan prepared by a British Columbia Land Surveyor showing:
 - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (ii) the legal description and civic address of the parcel;
 - (iii) the location and dimensions of all statutory rights of way, easements and setback requirements;
 - (iv) the location and dimensions of all existing and proposed buildings or structures on the parcel;
 - (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse where the City's land use regulations establish siting requirements related to flooding;
 - (vi) 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 City's land use regulations establish siting requirements related to minimum floor elevation; and

- (vii) the location, dimension and gradient of parking and driveway access;
 - (c) 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;
 - (d) the required number of sets of drawings at a suitable scale of the design including the information set out in this section.
- (2) In addition to the requirements of subsection (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 with the aggregate footprint area that totals more than 1000 square meters, or two or more buildings that will collectively contain four or more dwelling units, or otherwise where, in the opinion of the building official, the complexity of the proposed building or structure or siting circumstances warrant:
 - (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional, in accordance with the City's subdivision servicing bylaw.
 - (b) a section through the site showing grades, buildings, structures, parking areas and driveways;
 - (c) a roof plan and roof height calculations;
 - (d) structural, electrical, mechanical or fire suppression drawings prepared and sealed by a registered professional;
 - (e) letters of assurance as required by the Building Code,
 - (f) any other information required by the building official or the Building Code to establish substantial compliance with this bylaw, the Building Code and other bylaws and enactments relating to the building or structure.
- (3) The building official may waive the requirements under subsection (1)(b) 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.

PART 4 – PERMITS AND INSPECTIONS

Building and Plumbing Permits

- 12 (1) Subject to subsection (2), a building official shall issue the permit for which the application is made if:
- (a) a completed application including all required supporting documentation has been submitted;

- (b) the building official is satisfied that the proposed work set out in the application substantially conforms with the Building Code, this bylaw and all other applicable bylaws and enactments;
 - (c) the owner or his or her representative has paid all applicable fees under this bylaw;
 - (d) the owner or his or her representative has paid all charges and met all requirements imposed by any other enactment; and
 - (e) no enactment, covenant, agreement, or regulation in favour of, or regulation of, the City authorizes the permit to be withheld.
- (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:
 - (a) is covered by home warranty insurance, and
 - (b) the constructor is a licensed residential builder.
- (3) Subsection (2) 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* and the owner has provided evidence in support of this.
- (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:
 - (a) the work authorized by the permit is not substantially commenced within 12 months from the date of issuance of the permit; or
 - (b) work is discontinued for a period of 12 months.
- (5) A building official may extend the period of time set out under subsections (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 and the applicable fee as set out in Appendix A has been paid.
- (6) A building official may issue a 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 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 for the entire cost of the building or structure has been paid.
- (7) Notwithstanding issuance of a permit pursuant to subsection (6), 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.

Inspections

- 13 (1) When a registered professional provides letters of assurance in accordance with this bylaw, the City will rely solely on field reviews undertaken by the registered professional and the letters of assurance submitted pursuant to this bylaw 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 and attendance by a building official on site, for any reason or purpose, at any time during construction shall not impose on the building official or the City any duty or obligation in relation to work covered by the letters of assurance.
- (2) A building official may attend the site from time to time during the course of construction to ascertain that the field reviews are taking place and to monitor the field reviews undertaken by the registered professionals.
- (3) A building official may attend periodically at the site of the construction of standard buildings or structures to ascertain whether the health and safety aspects of the work are being carried out in substantial conformance with the those portions of the Building Code, this bylaw and any other applicable enactment concerning safety.
- (4) The owner or his or her representative shall give at least 24 hours' notice to the City when requesting an inspection and shall obtain an inspection and receive a building official's acceptance of the following aspects of the work prior to concealing it:
- (a) installation of potable water service, sanitary service and storm service;
 - (b) installation of perimeter drain tiles and dampproofing, prior to backfilling;
 - (c) the preparation of ground, including ground cover, when required, prior to the placing of a concrete slab;
 - (d) rough-in of factory built chimneys and fireplaces and solid fuel burning appliances;
 - (e) the framing and sheathing;
 - (f) any underground plumbing is installed and tested;
 - (g) plumbing system roughed-in and tested;
 - (h) bathtubs, showers and site constructed shower pans and tested;
 - (i) plumbing fixtures;
 - (j) insulation and vapour barrier; and
 - (k) when the building or structure is substantially complete and ready for occupancy, but before occupancy takes place of the whole or part of the building or structure.

- (5) No aspect of the work referred in subsection (4) shall be concealed until a building official has accepted it in writing.
- (6) The requirements of subsection (5) do not apply to any aspect of the work that is the subject of a registered professional's letter of assurance.
- (7) Work that is the subject of a registered professional's letter of assurance shall have inspections requested according to subsection (4) solely for the purpose of monitoring progress of construction and that field reviews are being undertaken by the registered professionals and attendance by a building official on site, for any reason or purpose, at any time during construction shall not impose on the building official or the City any duty or obligation in relation to work covered by the letters of assurance.
- (8) A building official may authorize work regulated by the Plumbing Code to be covered or concealed without inspection subsequent to a request for inspection provided the request for inspection includes declaration that the work has been installed in compliance with the Plumbing Code and that the declaration is made by an individual who possesses a Canadian tradesman's qualification certification as a plumber and has overseen the work.

Occupancy Permits

- 14 (1) No person shall occupy a building or structure or part of a building or structure until an occupancy permit has been issued.
- (2) An occupancy permit shall not be issued unless:
 - (a) all letters of assurance have been submitted when required in accordance with this bylaw and the Building Code; and
 - (b) all aspects of the work requiring inspection and acceptance pursuant to this bylaw have both been inspected and accepted unless the inspections and acceptance are not required in accordance with section 13(7) or (8) of this bylaw.
- (3) A building official may issue an occupancy permit for part of a building or structure when the part of the building or structure is self-contained, provided with essential services and the requirements set out in subsection (2) have been met with respect to it.

PART 5 - PROFESSIONAL CERTIFICATION AND RESPONSIBILITY

Professional Plan Certification

- 15 (1) The letters of assurance in the form of Schedules A, B, C-A and C-B referred to in Division C of the Building Code and provided pursuant to this bylaw are relied upon by the City and its building officials as certification that the design and plans to which the letters of assurance relate comply with the Building Code and other applicable enactments relating to safety.

- (2) A building permit issued with reliance on letters of assurance as stated in subsection (1) may 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.
- (3) When a building permit is issued in accordance with subsection (2) the permit fee shall be reduced by 5% up to a maximum reduction of \$500.00.

Disclaimer of Warranty or Representation

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

Professional Design and Field Review

- 17 (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 A, B, C-A and C-B referred to in Division C of the Building Code.
- (2) Prior to the issuance of an occupancy permit for a complex building, or standard building in circumstances where letters of assurance have been required in accordance with this bylaw, the owner shall provide the City with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in Division C of the Building Code.

Responsibilities of the Owner

- 18 (1) Every owner shall ensure that all construction complies with the Building Code, this bylaw and other applicable enactments respecting safety.
- (2) Every owner to whom a permit is issued shall be responsible for the cost of repair of any damage to municipal works that occurs in the course of the work authorized by the permit.
- (3) Every owner to whom a permit is issued shall, during construction:
 - (a) post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;
 - (b) keep a copy of the accepted designs, plans and specifications on the property; and

- (c) post the civic address on the property in a location visible from any adjoining streets.
- (d) where a building permit is issued, post and maintain a Neighbourhood Notice of Construction placard in the format provided by the City such that it is readable from each street frontage the property adjoins.

PART 6 – FEES AND CHARGES

Fees and Charges

- 19 (1) In addition to applicable fees and charges required under other bylaws, a permit fee, calculated in accordance with Schedule A to this bylaw, must be paid in full prior to issuance of any permit under this bylaw.
- (2) An application made for a building permit or plumbing permit shall be accompanied by the application fee as set out in Schedule A to this bylaw.
- (3) An application fee is non-refundable.
- (4) An application shall be cancelled and the application fee forfeited if the building permit or plumbing permit has not been issued and the permit fee paid within 12 months of the date of written notification to the owner that the permit is ready to be issued.
- (5) When an application is cancelled the plans and related documents submitted with the application may be destroyed.
- (6) The owner may obtain a refund of 50% of the permit fees set out in Schedule A to this bylaw when an issued permit is surrendered and cancelled before any construction begins, provided:
 - (a) the refund shall not include the application fee paid pursuant to subsection (2); and
 - (b) no refund shall be made where construction has begun or an inspection has been made.
- (7) Where, due to non-compliance with this bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in Schedule A to this bylaw shall be paid prior to additional inspections being performed.
- (8) Where work has commenced without a valid and subsisting issued permit, the Permit Fee for that work shall be assessed at the rate set out in Schedule A for work without permit.
- (9) For the purpose of calculating fees under Schedule A, the cost of construction shall be the greater of:
 - (a) the contract price including professional fees and a reasonable allowance for extras; and

- (b) the cost as determined by the Chief Building Inspector based on fair market value of the work as determined in accordance with the Marshall & Swift "*Marshall Valuation Service*" or "*Statistics Canada's Construction Price Indexes*."
- (10) Subsection (1) does not apply in relation to a permit for a project consisting entirely of affordable housing dwelling units.
- (11) Where a permit relates to a building which will contain affordable housing dwelling units, the fee required under subsection (1) shall be reduced based on the floor area of affordable housing dwelling units as a percentage of the total floor area of the building.

PART 7 – OFFENCES AND ENFORCEMENT

Offences and Penalties

- 20 (1) A person commits an offence and is subject to the penalties imposed by this bylaw, the *Ticket Bylaw* and the *Offence Act* if that person:
 - (a) contravenes a provision of this bylaw;
 - (b) consents to, allows, or permits an act or thing to be done contrary to this bylaw; or
 - (c) neglects or refrains from doing anything required by a provision of this bylaw.
- (2) Each day that a contravention of a provision of this bylaw occurs or continues shall constitute a separate offence.
- (3) The maximum fine that may be imposed for a contravention of this bylaw is \$10,000.

Stop Work Notice

- 21 (1) 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 prescribed by the chief building official.
- (2) Without limiting the generality of subsection (1), the chief building official may order the cessation of any work that, in the opinion of the chief building official, is unsafe or represents danger to the public or the neighbouring properties whether or not a permit for such work is required under this bylaw.

- (3) Every persons who fails to comply with any order or notice issued by a building official, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- (4) The owner of property on which a Stop Work notice has been posted, and every other person having knowledge of the Stop Work notice, shall cease all construction work immediately and shall not do any work until all applicable provisions of this bylaw have been complied with and the Stop Work notice has been rescinded by a building official.

PART 8 – MISCELLANEOUS PROVISIONS

Building Inspector under the *Community Charter*

- 22 (1) A building official is a "building inspector" for the purposes of the *Community Charter*.
- (2) In addition to building officials, the City's Manager of Bylaw and Licensing Services, is designated as the "building inspector" for the purposes of section 57(1)(b) of the *Community Charter*.

Permits under Former Bylaw

- 23 Subject to the provisions of the former bylaw, a permit issued pursuant to the former bylaw, remains valid and work authorized under the permit may be carried out in accordance with the terms of the permit, the Building Code and this bylaw as if the permit had been issued under this bylaw.

Severability

- 24 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.

Schedule

- 25 Schedule "A" attached to this bylaw forms part of this bylaw.

Commencement and Repeal

- 26 (1) This bylaw comes into force upon adoption.
- (2) Bylaw No. 93-111 is repealed.
- (3) Bylaw No. 04-067 is repealed.
- (4) Bylaw No. 88-024 is repealed.

| | | |
|------------------------|--------|------|
| READ A FIRST TIME the | day of | 2017 |
| READ A SECOND TIME the | day of | 2017 |
| READ A THIRD TIME the | day of | 2017 |
| ADOPTED on the | day of | 2017 |

CITY CLERK

MAYOR

SCHEDULE "A"**Fees****Building Permits**

- a. Application Fee \$100.00
- b. Permit Fee 1.40% of Cost of Construction
- c. Permit Fee where work has commenced without a permit:
..... 2.8% of Cost of Construction up to \$20,000.00
and 1.4% of Cost of Construction for the remainder in excess of \$20,000.00
- d. Permit Extension Fees (expired permit) \$100.00
- e. Plan Revision Fees (issued permits) – greater of (i) or (ii)
 - i. 10% of the original permit fee plus the permit fee on the revised cost of construction. Where the revised cost of construction is less than the original, no refund is issued for the difference.
 - ii. not less than \$100
- f. Re-inspection Fee (Pursuant to 19(7)) \$50.00
- g. Excavation Deposit 1.2 times the estimated cost to backfill the excavation

Plumbing Permits

- h. Application Fee \$100.00
- i. Permit Fee 1.40% of Cost of Construction
- j. Permit Fee where work has commenced without a permit:
..... 2.8% of Cost of Construction up to \$20,000.00
and ... 1.4% of Cost of Construction for the remainder in excess of \$20,000.00 for
- k. Permit Extension Fees (expired permit) \$100.00
- l. Plan Revision Fees (issued permits) – greater of (i) or (ii)
 - i. 10% of the original permit fee plus the permit fee on the revised cost of construction. Where the revised cost of construction is less than the original, no refund is issued for the difference.
 - ii. not less than \$100
- m. Re-inspection Fee (Pursuant to 19(7)) \$50.00

Record Searches

- n. Records access fee \$25.00
- o. Fee for digitization or copying of plans under section 8(1) actual cost
- p. Fee for a written statement pursuant to section 8(2) \$50.00

To: Committee of the Whole **Date:** June 8, 2017
From: Jonathan Tinney – Director, Sustainable Planning and Community Development
Subject: Update and Consolidation of Building and Plumbing Bylaws

1. Present the proposed Building and Plumbing Bylaw for information to the Urban Development Institute and the Victoria Residential Homebuilders Association as well as to the public at an in-house information session prior to adoption.
2. Revise applicable engineering bylaws and/or standards to address technical requirements related to infrastructure, site drainage and enforcement where they are more appropriately addressed.

- bring current bylaw into compliance with the Building Act
- limit the City's risk to liability exposure through adoption of MIA's core bylaw principles

- update the bylaw to reflect the four cycles of building code changes
- update, remove or provide administrative requirements as needed for clarity, to address voids or remove unneeded or outdated regulation
- consolidate separate building and plumbing bylaws into a single bylaw
- define Inspection Process for both complex and standard building projects.

BACKGROUND

The current Building Bylaw was last updated in 1993. Since that time a number of significant changes in the municipal building context have occurred including four cycles of plumbing and building code updates, along with changes to the Local Government Act and Community Charter.

Further, the fundamental sections of the new Building Act came into force as of September 18, 2015. While additional provisions of the Act continue to be phased in to allow municipalities to adjust to the change, the current provisions of the Act nullify a number of items within the current bylaw that are under the regulatory authority of the building code.

Since the City's last update of the bylaw, BC's leaky condo crisis in the 1990s and early 2000s prompted initiatives by the Municipal Insurance Association (MIA) to mitigate liability risk for municipalities in their building regulation activities. These initiatives included the development of a model building bylaw in 2002 that aims to guide individual cities in developing new bylaw provisions that support liability risk mitigation.

While the City joined the MIA in 2008, Victoria has yet to adopt the key principles recommended in the MIA's model bylaw and remains one of the few municipalities in BC which have not done so. The model bylaw leverages Part 290 of the Local Government Act to separate construction that includes certified professionals (Complex Buildings or Part 3 Buildings) from buildings that do not have professionals support (Standard Buildings or Part 9 Buildings). The Local Government Act permits a municipality to rely on professional assurances to ensure conformance with building codes in those complex projects have professional involvement. Below is an excerpt from the Local Government Act that outlines limitation on municipal liability regarding building plan approval:

"Limitation on municipal liability regarding building plan approval

290 (1) If a municipality issues a building permit for a development that does not comply with the Provincial building regulations or another applicable enactment respecting safety, the municipality must not be held liable, directly or vicariously, for any damage, loss or expense caused or contributed to by an error, omission or other neglect in relation to its approval of the plans submitted with the application for the building permit if

(a) a person representing himself or herself as a professional engineer or architect registered as such under Provincial legislation certified, as or on behalf of the applicant for the permit, that the plans or the aspects of the plans to which the non-compliance relates complied with the then current Provincial building regulations or other applicable enactment to which the non-compliance relates, and

(b) the municipality, in issuing the building permit, indicated in writing to the applicant for the permit that it relied on the certification referred to in paragraph (a)."

In addition, building design, management and construction practices here in Victoria have changed significantly in the past two decades as the City has grown and densified. Construction projects have increased in size and complexity, and as such, the City's permitting processes and regulatory framework now require greater flexibility to administer these more complicated projects.

Managing limited staff resources effectively and influencing good behaviour from those using the permitting system is a goal of the new bylaw. This will be accomplished through provisions that focus inspections on those areas having the highest potential for issues or risk and by incentivizing actions by applicants to better utilize City resources (i.e. such as adding fees for multiple inspections or permit reviews)

Further, at this time the City's Building and Plumbing bylaws are separate pieces of legislation; however, as the plumbing code is part of the building code and both are regulated through the Building Act, there exists efficiencies and consistency benefits from the consolidation of the bylaws. There is also potential to increase flexibility and support better utilization of staff resources through this change

On August 25, 2016 Council passed a motion directing staff to undertake a review of current fees associated with development and building approvals and to engage the Urban Development Institute and the Victoria Residential Builders Association as part of this review; staff are including an update to the building and plumbing permit fees associated with this update.

Table 1: Fee Revenue and Expenditures for Development Services Functions - 2012 to 2016 (In Millions)

| | 2012 | 2013 | 2014 | 2015 | 2016 |
|---------------------|---------|---------|---------|---------|---------|
| Expenditures | \$3.215 | \$3.319 | \$3.378 | \$3.376 | \$3.539 |
| Revenues | \$2.458 | \$2.633 | \$2.864 | \$3.243 | \$4.046 |

As noted in the previous staff report (Appendix A), and summarized in the table above, existing fees do not cover City costs associated with development applications. Over the past five-year period, costs have exceeded revenues from development applications and permits by a total of approximately \$1.5 million.

At the same time, staff and Council have made strong commitments to increasing levels of service. The proposed bylaw updates aim to keep rates as low as possible to support ongoing development and renewal of the City's building stock while minimizing, to the extent possible, inputs to support these functions from general tax revenue. The approach also supports graduation of the overall fee structure to generate a larger share of total revenue later in the development process when applicants have greater surety of timing and some entitlements are already in place.

Based on this approach, the proposed bylaw recommends the increase in permit fee rates from 1.25% of construction costs to 1.4%. Based on analysis undertaken by staff, this would see the fees collected within an average year to match accumulated costs. In years of higher construction volume, such as observed in 2016, it is proposed that surplus funds be directed to a reserve account to cover administration costs in years of lower construction activity. This approach would support more consistent financial and staffing planning for these departments going forward.

ISSUES & ANALYSIS

Key considerations in preparation of the Building and Plumbing Bylaw are as follows:

- limit exposure to liability risks by incorporating core provisions of the model bylaw put forth by the Municipal Insurance Act
- become compliant with the Building Act and consistent with other applicable legislation
- promote efficient and normalized use of the City's permitting and inspection services
- define the inspection process for both complex and standard building projects

- consolidate the Building and Plumbing bylaws to support flexibility in application and staff resourcing
- update fee schedules to support cost-recovery for development approval and permitting functions.

In addition to the considerations identified, it is important to note that the development of the bylaw also aims to support the following objectives:

- support opportunities for a higher-level of code conformance
- support corporate strategic objectives
- simplify processes and limit bureaucracy.

Limiting Exposure to Liability Risks

The MIA's model bylaw builds on the Local Government Act and its provision for a municipality to be reliant on professionals when they are involved in a construction project. A key principle in the MIA bylaw is the clarification of the role of municipal staff in determining that due regard has been given to health, safety, accessibility and protection of property by the owner, design professionals and constructors during the period of design and construction of buildings and structures. Victoria's proposed Building Bylaw includes a provision that the role of the building official in the case of complex buildings is to:

- monitor design of professional submissions for completeness
- monitor the professional's supervisory activity of the construction
- monitor the activity of the construction contractors.

Where the monitoring indicates that professional oversight is not occurring, construction is deviating from approved plans or the inspector becomes aware that deficiencies exist, the building official may bring this to the attention of the professional for attention and action.

The BC Building Code sets out the role of owners and design professionals in the development of complex buildings and requires the owners to retain architects and professional engineers throughout the project development. The role of professionals is described in the Code as the designer and supervisor of the construction as it is they that provide assurance that the work meets the minimum standards of the Code.

These relationships are well-established and incorporated into the bylaws of many municipalities such as Port Coquitlam, Maple Ridge, Kelowna, Quesnel, Nanaimo, Surrey and District of North Vancouver. As such, staff are recommending a similar definition of roles where professional oversight is a part of an application to support limiting of liability for the City and to support more streamlined compliance processes where applicable.

Compliance with the Building Act

The BC Building Act came into effect in Spring of 2015 with the intent to promote consistency, competency and innovation province-wide. The current building bylaw needs minimal revision to be compliant with the Act, but revision is required nonetheless.

The main areas of the bylaw affected by the Building Act are the requirements for Canopies (Part 7) and Pre-1950 Buildings (Part 10). These items are regulated by the building code and do not require specific attention in the Building Bylaw. The regulations imposed on these items will remain the same except that now those regulations will come from the source which is the Building Code.

Terms defined in the Building Code are no longer redefined in the bylaw where it is unnecessary to do so. The bylaw was written to remove redundant content that repeats the Building Code to the extent possible. Continual referral to source documents lessens the need for maintenance to the bylaw in the future.

Permit Partial Scopes of Progress and Partial Scopes of Occupancy

The size and complexity of buildings is ever increasing and methods employed to construct them are evolving. Project managers of these larger, complex buildings are often ready to begin work on foundations while the details of unit layouts or mechanical systems may not follow for months. Likewise, in the construction of new complex buildings, developers are often ready to begin occupying a portion of a building while the remainder is still under construction. The Building Code recognizes this practice and provides accommodation to allow for these partial scopes of progress and it is proposed that this accommodation be reflected in the City's bylaw.

The proposed bylaw allows inspectors to issue a permit or occupancy in full or in part. This allows building officials to work with developers with discretionary tools. The provisions proposed decreases redundancy in paperwork and record keeping without imposing requirement for redundant submissions onto applicants. This translates into efficiencies in both time and process for all involved, which is particularly important where staff resources are considered.

Better Definition of Inspection Processes

As stated previously, the existing bylaw requires Inspections staff to inspect up to seven separate times throughout the progress of new construction. Some inspections provide a lower level of value than others. As construction technology advances, the focus of inspection resources should shift towards new areas carrying a higher risk of failure. A risk-based approach makes better use of City staffing resources while addressing issues by trend. By focusing inspection requirements to address known areas of concern, much greater value can be derived from the inspection process. In more complex buildings where professionals are involved, the updated bylaw proposes a balanced approach whereby the City will rely on professionals for technical oversight and ultimate responsibility of a project in order to reduce exposure to liability risks while the City monitors this professional oversight to ensure work is not deviating from approved parameters.

Consolidate Building and Plumbing Bylaws.

Introduction of the Building Act and undertaking the Development and Permit Fee Review have given cause to also review the existing Plumbing Bylaw and provide a strong rationale for consolidation of these two bylaws into a single piece of legislation. As the Plumbing Code is part of the Building Code, regulation of both under a common bylaw is intuitive and provides for efficiency gains in administration.

That said, there are a number of requirements within the City's current Plumbing Bylaw that would more appropriately belong in City engineering standards. Requirements for connection to City infrastructure and requirements for dealing with surface drainage, which are currently regulated through the Plumbing Bylaw, should more appropriately exist with groups tasked with maintaining and operating those systems. As such, staff are recommending updates to relevant Engineering bylaws to include these items prior to adoption of the new consolidated Building Bylaw.

Promote Efficient and Normalized Use of the City Permitting and Inspection Services

The City's existing bylaws have few tools within them to support or influence efficient use of the permitting and inspections services offered by the City.

The proposed bylaw addresses these gaps through a set of additional charges for unreasonable additional work items such as applications that are revised after issuance, inspection requests in excess of two per required inspection, and for permits that are applied for after work has commenced without a permit. The fees associated with each are not overly punitive as they are intended to incent good behaviors rather than penalize bad behaviors.

The Bylaw also contains a requirement for informational placards to be posted at all construction sites. As building permits are not public files, there is no opportunity for neighbours to have access to proposed plans, project timelines and conformance with other provincial standards. In addition to providing the site contact, the placards would also contain general information and contact information for organizations such as WorkSafe BC or City web resources.

The general interest and concerns of neighbours generates draws on staff time providing basic project information to those people when this info could be provided more directly on site.

OPTIONS & IMPACTS

2015 – 2018 Strategic Plan

Objective 1: Innovate and Lead:

Create an efficient and purposeful permitting and inspection process.

Objective 3: Strive for Excellence in Planning and Land Use:

Reduced processing times for permit applications through improved process.

Objective 5: Create Prosperity through Economic Development:

Simplify permitting process reducing hurdle for businesses and developers to open businesses and create jobs.

IMPACTS TO FINANCIAL PLAN

Over the 2011 to 2016 period, costs have exceeded revenues from development applications and permits by a total of approximately \$1.15 million.

At the same time, staff and Council have made strong commitments to increasing levels of service. The proposed updates aim to keep rates as low as possible to support ongoing development and renewal of the City's building stock while minimizing, to the extent possible, inputs to support these functions from general tax revenue. The approach also supports graduation of the overall fee structure to generate a larger share of total revenue later in the development process when applicants have greater surety of timing and some entitlements are already in place.


Based on this approach, the proposed bylaw recommends the increase in permit fee rates from 1.25% of construction costs to 1.4%. This is in addition to changes to fee schedules for Development Services considered separately by Council as part of the update to the Land Use Procedures Bylaw.

Based on analysis undertaken by staff, this would see the fees collected within an average year to match accumulated costs. In years of higher construction volume, such as those observed in 2016, it is proposed that surplus funds be directed to a reserve account to cover administration costs in years of lower construction activity. This would support more consistent financial and staffing planning for these departments going forward.

CONCLUSIONS

The consolidated Building and Plumbing bylaw is an effective tool to administer all types of construction. It reduces exposure to liability risks, addresses 20 years' worth of legislative and code changes, provides better tools for the City to administer construction efficiently, and streamlines a number of items related to upkeep of bylaws and processes for customers.

Respectfully submitted,

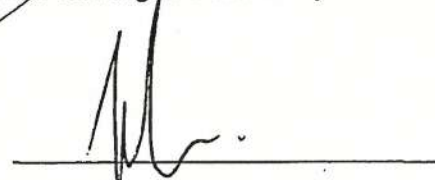


Ryan Morhart
Manager, Permits & Inspections



Jonathan Tinney
Director, Sustainable Planning & Community
Development

Report accepted and recommended by the City Manager:



Date: June 12, 2017

List of Attachments

- Appendix A: Fee Review Report
- Appendix B: MIA – Model Bylaw Project
- Appendix C: BC Building Act
- Appendix D: Proposed Consolidate Building and Plumbing Bylaw
- Appendix E: Existing Building Bylaw
- Appendix F: Existing Plumbing Bylaw
- Appendix G: Existing Plumbing Fee Bylaw

NO. 17-112

MISCELLANEOUS BYLAWS CONSEQUENTIAL AMENDMENTS BYLAW
A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to update various City of Victoria bylaws as a consequence of the repeal of the *Building Bylaw* No. 93-111, the *Plumbing Bylaw* No. 04-067, and the *Plumbing Permit Fees Bylaw* No. 88-024, and the adoption of the new *Building and Plumbing Regulation Bylaw* No. 17-113.

Contents

- 1 Title
- 2 Amendments to the *Sanitary Sewer and Stormwater Utilities Bylaw*
- 3 Amendments to the *Ticket Bylaw*
- 4 Amendments to the *Victoria Subdivision and Development Servicing Bylaw*
- 5 Effective Date

Under its statutory powers, including sections 8(3)(l) and 63 of the *Community Charter*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "Miscellaneous Bylaws Consequential Amendments Bylaw".

Amendments to the *Sanitary Sewer and Stormwater Utilities Bylaw*

- 2 The *Sanitary Sewer and Stormwater Utilities Bylaw* No. 14-071 is amended by inserting, immediately after section 5, a new section 5A as follows:

"5A Stormwater Sewer Connection Required

- (1) Except as permitted by this bylaw, stormwater collected by impervious surfaces or redirected as a result of the alteration of existing topography conditions must drain into a stormwater sewer system.
- (2) Subsection (1) does not apply to stormwater that is directed to onsite stormwater management system designed by a qualified professional and approved by the Director.
- (3) A person must not drain stormwater from one parcel onto, or through, another parcel unless an easement permitting that drainage, in a form satisfactory to the City Solicitor, is first registered against title to the parcel the stormwater drains onto or through."

Consequential amendment to the *Ticket Bylaw*

- 3 The *Ticket Bylaw No. 10-071* is amended by
- (a) repealing Schedule G and replacing it with the new Schedule G that is attached to this bylaw as Schedule 1; and
 - (b) repealing Schedule Z without replacement.

Amendments to the *Victoria Subdivision and Development Servicing Bylaw*

- 4 The *Victoria Subdivision and Development Servicing Bylaw No. 12-042* is amended in section 19 by:
- (a) deleting in subsection (3) the words “Except as permitted under sections 34 and 35 of the Plumbing Bylaw” and replacing them with “Subject to subsection (5)”; and
 - (b) adding and new subsection (5) as follows:
 - “(5) If a property cannot be connected to the municipal storm drainage system, the owner of lands to be subdivided or developed must provide a water management plan prepared by a qualified professional that adequately deals with stormwater collected on the lands to be subdivided.”

Effective Date

- 5 This Bylaw comes into force upon adoption.

READ A FIRST TIME the _____ day of _____ 2017.

READ A SECOND TIME the _____ day of _____ 2017.

READ A THIRD TIME the _____ day of _____ 2017.

ADOPTED on the _____ day of _____ 2017.

CITY CLERK

MAYOR

Schedule 1

Schedule G
Building and Plumbing Regulation Bylaw
Offences and Fines

| Column 1 – Offence | Column 2 – Section | Column 3 – Set Fine | Column 4 – Fine if paid within 30 days |
|---------------------------------------------------------------------------|--------------------|---------------------|----------------------------------------|
| Work without permit | 6(1) | \$400.00 | \$350.00 |
| Occupying or using a building or other structure without occupancy permit | 6(2) | \$400.00 | \$350.00 |
| Submitting false or misleading information | 6(3) | \$350.00 | \$300.00 |
| Altering or tampering with notice, permit or certificate | 6(4) | \$350.00 | \$300.00 |
| Work substantially at variance with accepted plans | 6(5) | \$300.00 | \$250.00 |
| Obstructing entry by authorized official | 6(6) | \$500.00 | \$500.00 |
| Concealing work prior to inspection | 13(5) | \$200.00 | \$175.00 |
| Occupying a building or structure without occupancy permit | 14(1) | \$400.00 | \$350.00 |
| Failing to post permit | 18(3)(a) | \$200.00 | \$175.00 |
| Failing to keep copy of plans on the property | 18(3)(b) | \$200.00 | \$175.00 |
| Failing to post civic address on the property under construction | 18(3)(c) | \$150.00 | \$125.00 |
| Failing to post Neighbourhood Notice of Construction | 18(3)(d) | \$200.00 | \$175.00 |
| Failing to comply with an order or notice | 21(3) | \$100.00 | \$75.00 |
| Failing to cease work under Stop Work order | 21(4) | \$1000.00 | \$900.00 |

Schedule G

Building Bylaw
Offences and Fines

| Column 1 - Offence | Column 2 - Section | Column 3 - Set Fine | Column 4 - Fine if paid within 30 days |
|-----------------------------------------------------------------|--------------------|---------------------|----------------------------------------|
| No building permit | 2.2(1) | \$400.00 | \$350.00 |
| No occupancy permit | 2.2(2) | \$400.00 | \$350.00 |
| Tampering with construction site ID card | 2.3(a) | \$350.00 | \$300.00 |
| Work at variance with plans | 2.3(b) | \$300.00 | \$250.00 |
| Obstructing/interfering with entry of inspector | 2.3(c) | \$500.00 | \$500.00 |
| Erasing/altering/modifying plans | 2.3(d) | \$350.00 | \$300.00 |
| Submitting false/misleading information | 2.3(e) | \$350.00 | \$300.00 |
| Construction without posting address | 2.3(f)(i) | \$200.00 | \$175.00 |
| Fail to place number on building | 2.4(3)(a) | \$150.00 | \$125.00 |
| Maintain/occupy/allow dangerous building | 2.5(1) | \$500.00 | \$500.00 |
| Unpaid recalculated permit fee | 4.5(3) | \$200.00 | \$175.00 |
| Transfer/assignment of permit without authorization | 4.8(2)(b) | \$200.00 | \$175.00 |
| Construction site identification card not posted | 4.8(3)(a) | \$200.00 | \$175.00 |
| No plans on construction premises | 4.8(3)(b) | \$200.00 | \$175.00 |
| No/inadequate surveyor's plan | 5.1 | \$200.00 | \$175.00 |
| No/inadequate notice for chimney/fireplace/appliance inspection | 6.2(1) | \$200.00 | \$175.00 |
| No/unavailable installation instructions for appliance | 6.2(2) | \$200.00 | \$175.00 |
| Illegal canopy material | 7.3 | \$200.00 | \$175.00 |
| Illegal size of canopy | 7.4(1)/(3)/(4) | \$200.00 | \$175.00 |
| Illegal size of awning | 7.4(2) | \$200.00 | \$175.00 |
| Illegal slope of canopy | 7.4(5) | \$200.00 | \$175.00 |
| Insecure canopy | 7.5(1) | \$200.00 | \$175.00 |
| Canopy supports over boundary of property | 7.5(2) | \$200.00 | \$175.00 |

| | | | |
|-----------------------------------------------------|---------------|------------|------------|
| Canopy projecting too far over sidewalk | 7.5(3) | \$200.00 | \$175.00 |
| Illegal height of canopy | 7.5(4)/7.5(5) | \$200.00 | \$175.00 |
| Canopy structure exposed to pedestrian | 7.5(6) | \$200.00 | \$175.00 |
| Canopy interfering with fire escape | 7.5(7) | \$250.00 | \$200.00 |
| No/inadequate notice for inspection of construction | 9.1(a)-(h) | \$200.00 | \$175.00 |
| Fail to secure property after stop work order | 9.2(2) | \$500.00 | \$500.00 |
| Work after stop work order | 9.2(3) | \$1,000.00 | \$1,000.00 |
| Unauthorized removal of stop work order | 9.2(4) | \$350.00 | \$300.00 |

Schedule Z

Plumbing Bylaw
Offences and Fines

| Column 1 – Offence | Column 2 - Section | Column 3 - Set Fine | Column 4 – Fine if paid within 30 days |
|-------------------------------------------------------------------|--------------------|------------------------|-------------------------------------------|
| Work without permit | 6(1) | \$400.00 | \$350.00 |
| Submit false/misleading information | 6(2) | \$350.00 | \$300.00 |
| Alter/remove official notice | 6(3) | \$350.00 | \$300.00 |
| Work at variance with plans | 6(4) | \$300.00 | \$250.00 |
| Obstruct entry of Plumbing Inspector | 6(5) | \$500.00 | \$500.00 |
| Modify plans without approvals | 6(6) | \$350.00 | \$300.00 |
| Cover/conceal plumbing work without approval | 6(7) | \$300.00 | \$250.00 |
| Placement of fitting without listing fixture on application | 11(3) | \$300.00 | \$250.00 |
| Changing work without consent | 12(1) | \$300.00 | \$250.00 |
| Failure to give notice for inspection of work | 19 | \$200.00 | \$175.00 |
| Failure to install backflow preventer | 27(2) | \$200.00 | \$175.00 |
| Illegal connection of drainage system | 28(1) | \$200.00 | \$175.00 |
| Failure to obtain easement for drainage system connection | 28(2) | \$200.00 | \$175.00 |
| Failure to install cap or plug on abandoned sewer pipe | 29 | \$200.00 | \$175.00 |
| Lack of holding tank | 31(1) | \$200.00 | \$175.00 |
| Improper holding tank | 31(2) | \$200.00 | \$175.00 |
| Failure to allow access to holding tank | 31(3) | \$200.00 | \$175.00 |
| Failure to maintain holding tank | 31(4)(a) | \$200.00 | \$175.00 |
| Failure to remove/ discard/backfill holding tank | 31(4)(b)/(c) | \$200.00 | \$175.00 |
| No air gap/backflow preventer for pool | 32(2) | \$200.00 | \$175.00 |

| | | | |
|----------------------------------------------------|----------|----------|----------|
| Improper discharge of waste water from pool | 32(3) | \$200.00 | \$175.00 |
| No backflow preventer for pool apron/walkway | 32(4) | \$200.00 | \$175.00 |
| Improper drainage of pool apron/walkway | 32(5) | \$200.00 | \$175.00 |
| Improper drainage of impervious surface | 33(1) | \$200.00 | \$175.00 |
| Failure to install curtain drain | 33(3) | \$200.00 | \$175.00 |
| No sump for paved/impervious surface | 34(1) | \$200.00 | \$175.00 |
| Failure to connect sump | 34(3) | \$200.00 | \$175.00 |
| Failure to install settling chamber/catch basin | 34(6) | \$200.00 | \$175.00 |
| No/improper leader | 35(1) | \$200.00 | \$175.00 |
| Improperly working cross-connection control device | 36(2)(a) | \$200.00 | \$175.00 |
| Failure to test cross-connection control device | 36(2)(b) | \$200.00 | \$175.00 |
| Improper drainage system | 38(1) | \$200.00 | \$175.00 |
| Improper installation of pipes for water service | 39 | \$200.00 | \$175.00 |
| Illegal deposit | 40 | \$200.00 | \$175.00 |
| Failure to register - plumbing contractor | 41(1) | \$350.00 | \$300.00 |
| Failure to register – fire sprinkler contractor | 42(1) | \$350.00 | \$300.00 |