

**THE CORPORATION OF THE
CITY OF WHITE ROCK
BYLAW 1928**



A Bylaw for the administration of the Building Code.

DISCLAIMER: THIS BYLAW IS CONSOLIDATED FOR CONVENIENCE ONLY. THE CITY DOES NOT WARRANT THAT THE INFORMATION CONTAINED IN THIS CONSOLIDATION IS CURRENT. IT IS THE RESPONSIBILITY OF THE PERSON USING THIS CONSOLIDATION TO ENSURE THAT IT ACCURATELY REFLECTS CURRENT BYLAW PROVISIONS.

Consolidated as of March, 2022.

TABLE OF CONSOLIDATION			
BYLAW	DATE APPROVED	AMENDMENT NO.	SUBJECT MATTER
2095	June 15, 2015	1	Schedules A & B
2177	December 12, 2016	2	Schedules A & B
2183	January 30, 2017	3	Schedule A
2233	December 11, 2017	4	Revisions to sections 8, 11, 13, 14, 20, 24, 30 (Deleting schedules A & B, and renumbering the remainder of the schedules as 1, 2 & 3)
2247	April 2018	5	Revisions to sections 12, 13 and 14 (and renumbering as required)
2419	March 28, 2022	6	Revisions to section 9 & 10

WHEREAS under the *Community Charter* the Council of the City of White Rock may, by bylaw, regulate, prohibit and impose requirements in relation to buildings and other structures, may provide for a system of permits, and may impose fees payable in respect of a municipal service;

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

AND WHEREAS it is deemed necessary to provide for the administration of the Building Code;

NOW THEREFORE the Council of the City of White Rock, in open meeting assembled, enacts as follows:

1.0 Title

1.1 This Bylaw may be cited for all purposes as "**Building Bylaw, 2012, No. 1928**".

2.0 Definitions

2.1 In this Bylaw, the following words and terms have the meanings set out in 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, medium-hazard industrial occupancy, mercantile occupancy, occupancy, owner, registered professional, and residential occupancy.**

2.2 In this Bylaw:

"**Building Code**" means the British Columbia Building Code established from time to time by the Province of British Columbia;

"**Building Official**" means a person employed or contracted by the **City** to administer this Bylaw, and includes Building Inspectors, Plumbing Inspectors and Plan Checkers;

"**City**" means the Corporation of the City of White Rock;

"**Complex (Part 3) Building**" means:

(a) a **building** used for one or more of the following **major occupancies**:

- (i) an **assembly occupancy**,
- (ii) a **care or detention occupancy**,

(iii) a **high-hazard industrial occupancy**; and

(b) a **building** exceeding 600 square meters in **building area** or exceeding three stories in **building height** used for one or more of the following **major occupancies**:

- (i) a **residential occupancy**,
- (ii) a **business and personal services occupancy**,
- (iii) a **mercantile occupancy**,
- (iv) a **medium and low hazard industrial occupancy**;

“**construction**” means the erection, alteration, addition, demolition, repair, reconstruction, removal or relocation of a **building** or **structure**, and includes the installation of a plumbing system, and includes all labour (even if provided by the **owner** or donated voluntarily by others), site development, excavation related to the building, roofing, electrical, plumbing, drains, heating, air conditioning, interior finishes, fire extinguishing systems, elevators, services provided by **registered professionals** and everything attached thereto as to constitute real property.

“**construction value**” means the fair market value of the work proposed to be undertaken, including materials and labour (**construction** costs), but excluding land, financing or marketing costs.

“**highway**” means the road right of way and includes municipal lanes, boulevards and street trees;

“**permit**” means permission or authorization in writing by a **Building Official** to perform work regulated by this Bylaw and, in the case of a **permit for occupancy**, to occupy a **building** or part of a **building**;

“**pool**” means every pool or man-made pond located in a residential zone or used in conjunction with a **residential occupancy**, with a water depth exceeding 450mm and includes the fence or other structure enclosing such **pool** and any plumbing or appurtenances attached thereto;

“**retaining structure**” means a wall or a series of walls constructed for the purpose of supporting or confining soils in excess of 1.2 meters in height or less than two horizontal to one vertical setback ratio;

“**Standard (Part 9) Building**” means a **building** of three stories or less in **building height**, having a **building area** not exceeding 600 square meters and used for one of the following **major occupancies**:

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

"structure" means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and **retaining structures** less or equal to 1.2 meters in height;

3.0 Purpose of Bylaw

- 3.1 Despite any other provision in this Bylaw, this Bylaw shall be interpreted in accordance with this section.
- 3.2 This Bylaw has been enacted for the purpose of regulating **construction** within the **City** in the general public interest.
- 3.3 The activities undertaken by or on behalf of the **City** under this Bylaw are for the sole purpose of providing a limited and interim spot-checking function for reasons of health, safety and the protection of persons and property.
- 3.4 The purpose of this Bylaw does not 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, codes or standards;
 - (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 under a building **permit** issued by the **City** is free from latent, or any defects; or
 - (e) providing to any person a warranty that **construction** is in compliance with the **Building Code**, this Bylaw or any other enactment with respect to a **building** or **structure** for which a building **permit** or occupancy **permit** is issued under this Bylaw.

4.0 Permit Conditions

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

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

5.0 Scope and Exemptions

- 5.1 This Bylaw applies to the design, **construction** and **occupancy** of new **buildings** and **structures**, and the alteration, **reconstruction**, demolition, removal, relocation, and **occupancy** of existing **buildings** and **structures**.
- 5.2 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 requirements of the **Building Code** and the bylaws of the City of White Rock.
- 5.3 This Bylaw does not apply to:
- (a) **buildings** or **structures** exempted by Division A Part 1 of the **Building Code** except as expressly provided herein;
 - (b) **retaining structures** less than or equal to 1.2 meters in height; nor
 - (c) the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, when such repairs do not involve or require the replacement or rearrangement of valves, pipes, fixtures or hot water tanks.

6.0 Prohibitions

- 6.1 No person shall construct any **building** or **structure** except in conformity with the requirements of the **Building Code** and this Bylaw.
- 6.2 No person shall commence or continue any **construction**, alteration, placement, demolition, removal, relocation or change the **occupancy** of any **building** or **structure** or other work related to **construction**, unless a **Building Official** has issued a valid and subsisting **permit** for the work.
- 6.3 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**.
- 6.4 No person shall knowingly submit false or misleading information to a **Building Official** in relation to any **permit** application or **construction** undertaken pursuant to this Bylaw.
- 6.5 No person shall, unless authorized in writing by a **Building Official**, reverse, alter, deface, cover, remove or in any way tamper with any notice, **permit** or certificate posted upon or affixed to a **building** or **structure** pursuant to this Bylaw.
- 6.6 No person shall do any work that is substantially at variance with the accepted design or plans of a **building**, **structure** or other works for which a **permit** has been issued, unless such change has been approved in writing by a **Building Official**.
- 6.7 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.

7.0 Building Officials

7.1 A Building Official may:

- (a) administer this Bylaw, including by prescribing forms to be used for **permits**, **permit** applications, notices and orders referred to in this Bylaw, except where the form is prescribed by this Bylaw;
- (b) keep records of **permit** applications, **permits**, notices and orders issued, inspections and tests made, and may retain copies of all documents related to the administration of this Bylaw;
- (c) establish whether a method or type of **construction** or materials used in the **construction** of a **building** or **structure** complies with the requirements and provisions of the **Building Code** and this Bylaw; and
- (d) enter any land, **building**, **structure** or premises at all reasonable times to ascertain whether the terms of this Bylaw are being observed, in accordance with the *Community Charter*.

7.2 A Building Official may order:

- (a) a person who contravenes any provision of this Bylaw, the **Building Code** or any **permit**, to comply with that provision within the time period ordered;
- (b) an **owner** to stop work on a **building** or **structure**, or any part of a **building** or **structure**, if the work is proceeding in contravention of this Bylaw, the **Building Code**, a permit, or any other applicable enactment respecting safety, and may enter on property to affix or post a stop work order in the form prescribed by a **Building Official** from time to time;
- (c) an **owner** to uncover any work that has been concealed in contravention of this Bylaw;
- (d) a person to cease any **occupancy** in contravention of this Bylaw, the **Building Code** or a permit;
- (e) an **owner** to correct any work that contravenes this Bylaw, the **Building Code**, or any other enactment of the City,

and every person served with an order under this section must immediately comply with that order.

7.3 If the cessation of work has been ordered, a **Building Official** may authorize the work to continue when the contravention has been corrected.

8.0 Applications

8.1 Every person shall apply for and obtain:

- (a) a building **permit** before constructing, repairing, altering, or changing the use or **occupancy** of any **building** or **structure**;
- (b) a moving **permit** before moving a **building** or **structure**;
- (c) a demolition **permit** before demolishing a **building** or **structure**;
- (d) an oil tank removal **permit** prior to removing an oil tank;
- (e) a fireplace and chimney **permit** prior to the **construction** of a masonry fireplace or the installation of a wood burning appliance or chimney unless the works are included in a valid and subsisting building **permit**;

- (f) a plumbing **permit** before constructing, installing, moving, repairing, or altering a plumbing system, including an interior or exterior sprinkler system, except a plumbing **permit** is not required:
 - (i) for the repair of leaks in water pipes or for the replacement of plumbing fixtures, provided such fixtures and their installation substantially conform with the requirements of the **Building Code**; or
 - (ii) for the removal of stoppages in sewer or drain pipes provided that clean-out vents are utilized for such purposes and it is not necessary to cut any sewer or drain pipe;
 - (g) a **pool permit** before constructing or installing a **pool**.
- 8.2 An application for a **permit** required under this Bylaw shall be made in the form prescribed by the **Building Official** or the **City** from time to time.
- 8.3 All plans submitted with a **permit** application shall bear the name and address of the **designer** and the **owner** of the **building** or **structure**.
- 8.4 Each **building** or **structure** to be constructed on a site requires a separate building **permit** and shall be assessed a separate building **permit** fee, calculated in accordance with Schedule "A" of the Fees and Charges Bylaw. *(updated by Bylaw 2233)*
- ~~Each **building** or **structure** to be constructed on a site requires a separate building **permit** and shall be assessed a separate building **permit** fee, calculated in accordance with Schedule "A" to this Bylaw.~~
- 8.5 A Building Permit application will expire if there is no meaningful activity on the part of the applicant or their appointed agent to address information requests or plan review comments within 6 months of being notified by phone or email. *(added by Bylaw 2233)*
- 8.6 A Building Permit application is not transferrable. *(added by Bylaw 2233)*
- 9.0 Building Permit Applications for Complex (Part 3) Buildings**
- 9.1 An application for a building **permit** with respect to a **Complex (Part 3) Building** shall:
- (a) be made in the form prescribed by the **Building Official** or the **City** from time to time, signed by the **owner**, or a signing officer if the **owner** is a corporation, and the **coordinating registered professional**;
 - (b) be accompanied by the **owner's** acknowledgment of responsibility and undertakings made in the form attached to this Bylaw as Schedule "C" Form A, signed by the **owner** or a signing officer if the **owner** is a corporation;
 - (c) include a copy of a title search for the relevant property made within thirty (30) days of the date of the application;
 - (d) include proposed plans 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 existing and proposed 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 the ocean or any lake, swamp, pond or watercourse;
- (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** in floodplain areas;
- (vii) the location, dimension and gradient of parking and driveway access;
- (viii) the proposed **building** foundation footprint and **building** heights calculated in relation to average natural grade;
- (ix) a statement on the plan from the British Columbia Land Surveyor that the elevations given on the property are, in the surveyors opinion, natural grades or their estimate of natural grade before a site was altered; and
- (x) the location, size and type of all trees in accordance with City of White Rock Tree Protection Bylaw, 2021, No. 2407, and amendments thereto; *(amended by Bylaw 2419)*
~~the location, size and type of all trees in accordance with City of White Rock Tree Management Bylaw, 2008, No. 1831, and amendments thereto;~~

except that the **Building Official** may waive, in whole or in part, the requirements for a site plan where the **permit** sought is for the repair or alteration of an existing **building** or **structure**;

- (e) include floor plans showing the dimensions and uses of all areas, including:
 - (i) the dimensions and height of crawl and roof spaces;
 - (ii) the location, size and swing of doors;
 - (iii) the location, size and opening of windows;
 - (iv) floor, wall, and ceiling finishes;
 - (v) plumbing fixtures;
 - (vi) structural elements; and
 - (vii) stair dimensions;
- (f) include longitudinal and cross sections through the **building** or **structure** illustrating foundations, drainage, ceiling heights, **construction** systems and driveway access;
- (g) include elevations of all sides of the **building** or **structure** showing finish details, roof slopes, windows, doors, finished grade, driveway access, and calculations for spatial separation requirements;
- (h) include:
 - (i) a plan that shows the location and size of every building drain and every trap and inspection piece that is on a building drain; and

- (ii) a sectional drawing that shows the size and location of every soil or waste pipe, trap and vent pipe,
all to be submitted in the form and quantities required by the **Building Official**, and containing complete design and calculation criteria;
- (i) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the **building** or **structure** substantially conforms to the **Building Code**;
- (j) include copies of approvals required under any enactment;
- (k) include a letter of assurance in the form set out in Schedule A of Division C, Part 2 of the **Building Code**, signed by the **owner**, or a signing officer of the **owner** if the **owner** is a corporation, and the **coordinating registered professional**;

- (l) include letters of assurance in the forms set out in Schedule B of 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**;
- (m) include two sets of certified drawings at a suitable scale of the design prepared by each **registered professional** containing the information set out in sections 9.1.(d) to 9.1(i) of this Bylaw;
- (n) state the intended use or uses of and the **value** of all existing and proposed **buildings** and **structures**; and
- (o) include copies of all covenants and rights of way registered on title to the relevant property.

9.2 In addition to the requirements of section 9.1 of this Bylaw, a **Building Official** may require that the following be submitted with a building **permit** application for the **construction** of a **Complex (Part 3) Building** where the complexity of the proposed **building** or **structure** or siting circumstances warrant:

- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a **registered professional**, in accordance with the City's subdivision servicing bylaw;
- (b) a section through the site showing grades, **buildings**, **structures**, parking areas and driveways; and
- (c) any other information required by the **Building Official** or the **Building Code** to establish substantial compliance with this Bylaw, the **Building Code** and other bylaws and enactments relating to the **building** or **structure**.

10.0 **Building Permit Applications for Standard (Part 9) Buildings**

10.1 An application for a building **permit** with respect to a **Standard (Part 9) Building** shall:

- (a) be made in the form prescribed by the **Building Official** or the **City** from time to time, signed by the **owner**, or a signing officer if the **owner** is a corporation;

- (b) be accompanied by the **owner's** acknowledgment of responsibility and undertakings made in the form attached to this Bylaw as Schedule “C” Form A, signed by the **owner** or a signing officer if the **owner** is a corporation;
- (c) include a copy of a title search for the relevant property made within thirty (30) days of the date of the **permit** application;
- (d) include proposed plans prepared by a British Columbia Land Surveyor showing:

- (i) the bearing, dimensions and area of the parcel taken from the registered subdivision plan; (*updated by Bylaw 2233*)

~~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 existing and proposed 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;
 - (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** in floodplain areas;
 - (vii) the location, dimension and gradient of parking and driveway access;
 - (viii) the proposed **building** foundation footprint and **building** heights calculated in relation to average natural grade;
 - (ix) a statement on the plan from the British Columbia Land Surveyor that the elevations given on the property are, in the surveyors opinion, natural grades or their estimate of natural grade before a site was altered; and
 - (x) the location, size and type of all trees in accordance with City of White Rock Protection Bylaw, 2021, No. 2407, and amendments thereto; (*amended by Bylaw 2419*)

~~the location, size and type of all trees in accordance with City of White Rock Tree Management Bylaw, 2008, No. 1831, and amendments thereto;~~

except that the **Building Official** may waive the requirements for a site plan, in whole or in part, where the **permit** sought is for the repair or alteration of an existing **building** or **structure**;

- (e) include floor plans showing the dimensions and uses of all areas, including:
 - (i) the dimensions and height of crawl and roof spaces;
 - (ii) the location, size and swing of doors;
 - (iii) the location, size and opening of windows;
 - (iv) floor, wall, and ceiling finishes;
 - (v) plumbing fixtures;
 - (vi) structural elements; and
 - (vii) stair dimensions.

- (f) include longitudinal and cross sections through the **building** or **structure** illustrating foundations, drainage, ceiling heights, **construction** systems and driveway access;
- (g) include elevations of all sides of the **building** or **structure** showing finish details, roof slopes, windows, doors, finished grade, driveway access and spatial separation requirements;
- (h) include:
 - (i) a plan that shows the location and size of every building drain and every trap and inspection piece that is on a building drain; and
 - (ii) a sectional drawing that shows the size and location of every soil or waste pipe, trap and vent pipe,all to be submitted in the form and quantities required by the **Building Official**, and containing complete design and calculation criteria;
- (i) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the **building** or **structure** substantially conforms to the **Building Code**;
- (j) include copies of approvals required under any enactment;

- (k) include geotechnical, foundation, structural and building envelope designs prepared by a **registered professional** in accordance with requirements of the **Building Code**, accompanied by letters of assurance in the form of Schedule B of 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 and conduct field reviews of the **construction** of the **building** or **structure**, unless:
 - (i) the requirements are waived by a **Building Official** because the **Building Official** required a **professional engineer's** report pursuant to section 56(2) of the *Community Charter* and the building **permit** is issued in accordance with sections 56 (5) and (6) of the *Community Charter*; or
 - (ii) documentation, prepared and sealed by a **registered professional**, is provided certifying that the foundation design substantially complies with Part 9 of the **Building Code**, and the foundation excavation substantially complies with Part 9 of the **Building Code**; or
 - (iii) the foundation is for a non-residential **building** less than 55 square meters (592 square feet) in size if, in the opinion of the **Building Official**, the ground conditions are sufficient to support the **building**;
- (l) include two copies of specifications and two sets of drawings at a suitable scale of the design including the information set out in sections 10.1(d) to 10.1(j) and 10.1(l) of this Bylaw.
- (m) state the intended use or uses and the **value** of all existing and proposed **buildings** and **structures**.

- 10.2 In addition to the requirements of section 10.1 of this Bylaw, a **Building Official** may require that the following be submitted with a building **permit** application for the **construction** of a **Standard (Part 9) Building** where the project involves two or more **buildings**, which in the aggregate total more than 1,000 square meters, or two or more **buildings** that will contain four or more dwelling units, or otherwise where the complexity of the proposed **building** or **structure** or siting circumstances warrant:
- (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 **building height** calculations;
 - (d) architectural, structural, electrical, mechanical or fire suppression drawings prepared and sealed by a **registered professional**;
 - (e) letters of assurance in the forms set out in Schedule B of Division C Part 2 of the **Building Code**, signed by the **registered professional**;
 - (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**.

11.0 Professional Plan Certification

- 11.1 The letters of assurance set out in Division C Part 2 the **Building Code** and provided pursuant to sections 9.1, 10.1, 10.2 and 16.1 of 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.
- 11.2 A building **permit** issued for the **construction** of a **Complex (Part 3) Building**, or for the **construction** of a **Standard (Part 9) Building** for which a **Building Official** has required professional design pursuant to section 10.2(d), and letters of assurance pursuant to section 10.2(e) of this Bylaw, shall be in the form prescribed by the City.
- 11.3 Geotechnical assessment in accordance with the current edition of the “Guidelines for Legislated Landslide Assessments for Proposed Residential Development in British Columbia” shall be required prior to the issue of building permits for those properties identified as Geotechnical Assessment Required areas on Schedule 3 – White Rock Geotechnical Assessment Areas. *(updated by Bylaw 2233)*

~~Geotechnical assessment in accordance with the current edition of the “Guidelines for Legislated Landslide Assessments for Proposed Residential Development in British Columbia” shall be required prior to the issue of building permits for those properties identified as Geotechnical Assessment Required areas on Schedule E – White Rock Geotechnical Assessment Areas.~~

- 11.4 A building **permit** issued pursuant to section 11.2 of this Bylaw shall include a notice to the **owner** that the building **permit** is issued in reliance upon the certification of the **registered professionals** that the design and plans submitted in support of the

application for the building **permit** comply with the **Building Code** and other applicable enactments relating to health and safety.

- 11.5 A building **permit** issued in accordance with section 11.2 is conditional upon the continued validity and existence of the **registered professional's** letters of assurance.
- 11.6 In the event that a **registered professional** or a **coordinating registered professional** withdraws his or her provided assurances, and in the event that any such letter of assurance is withdrawn or modified, the **permit** shall cease to authorize the work until such time as satisfactory letters of assurance are re-established for the work.
- 11.7 When the **Building Official** considers that, due to the complexity of a **building**, a professional engineer is required to coordinate three (3) or more professional design certifications, the building **permit** fees will be reduced by 2.5% as outlined in Schedule “A” to this Bylaw. *(amended by Bylaw 2095)*

12.0 Fees and Charges *(Amended by Bylaw 2247)*

- 12.1 In addition to applicable fees and charges required under other bylaws, a **permit** fee, prescribed and calculated in accordance with Schedule “A” of the Fees and Charges Bylaw, shall be paid in full prior to the review and issuance of any **permit** under this Bylaw.
- 12.2 The applicable plan review fee prescribed in Schedule “A” of the Fees and Charges Bylaw shall accompany an application made for a **permit** under this Bylaw, subject to the following:
- (a) the plan review fee is non-refundable;
 - (b) an application shall be cancelled and the plan review fee forfeited if the **permit** has not been issued and the **owner** provides written confirmation that they wish to withdraw their application;
 - (c) when an application is cancelled, the plans and related documents submitted with the application may be destroyed.
- 12.3 The **owner** may obtain a refund of the **permit** fees prescribed in Schedule “A” of the Fees and Charges Bylaw when a **permit** is surrendered and cancelled before any excavation or **construction** begins, to a maximum of 65% of the **permit** value, but the refund shall not include the plan review fee paid pursuant to section 12.2 of this Bylaw. Notwithstanding, where a **permit** is cancelled or withdrawn more than two (2) years following the date of permit issue, there shall be no refund.
- 12.4 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, the re-inspection charge prescribed in Schedule “A” of the Fees and Charges Bylaw shall be paid prior to additional inspections being performed.

- ~~12.1 In addition to applicable fees and charges required under other bylaws, a permit fee, prescribed and calculated in accordance with Schedules "A" and "B" to this Bylaw, shall be paid in full prior to the review and issuance of any permit under this Bylaw.~~
- ~~12.2 The applicable plan review fee prescribed in Schedules "A" and "B" shall accompany an application made for a permit under this Bylaw, subject to the following:~~
- ~~(a) the plan review fee is non-refundable;~~
 - ~~(b) an application shall be cancelled and the plan review fee forfeited if the permit has not been issued and the owner provides written confirmation that they wish to withdraw their application;~~
 - ~~(c) when an application is cancelled, the plans and related documents submitted with the application may be destroyed.~~
- ~~12.3 The owner may obtain a refund of the permit fees prescribed in Schedules "A" and "B" to this Bylaw when a permit is surrendered and cancelled before any excavation or construction begins, to a maximum of 65% of the permit value, but the refund shall not include the plan review fee paid pursuant to section 12.2 of this Bylaw. Notwithstanding, where a permit is cancelled or withdrawn more than two (2) years following the date of permit issue, there shall be no refund.~~
- ~~12.4 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, the re-inspection charge prescribed in Schedules "A" and "B" to this Bylaw shall be paid prior to additional inspections being performed.~~

13.0 Permits

13.1 When:

- (a) a completed **permit** application, including all required supporting documentation, has been submitted;
- (b) the proposed work set out in the **permit** application substantially conforms to the **Building Code**, this Bylaw and all other applicable bylaws and enactments respecting safety;
- (c) the **owner** or his or her representative has paid all applicable fees prescribed under section 12 of this Bylaw;
- (d) the **owner** or his or her representative has paid all charges and met all requirements imposed by any other enactment or bylaw;
- (e) no enactment, covenant, agreement, resolution or regulation of the **City** authorizes the **permit** to be withheld or prevents it from being issued;
- (f) the **owner** has retained a professional engineer or geoscientist if required by the *Engineers and Geoscientists Act* or by a **Building Official** pursuant to the *Community Charter*; and
- (g) the **owner** has retained an architect if required by the provisions of the *Architects Act*

a **Building Official** shall issue the **permit** for which the application is made.

- #### 13.2
- When the application is in respect of a **building** that includes, or will include, a **residential occupancy**, the **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 the **constructor** is a licensed residential builder; or
- (b) the owner is building as an “owner builder” as defined in the *Homeowner Protection Act*.

13.3 If a building **permit** expires, a **Building Official** may reactivate the building **permit** by way of additional time extension upon receipt of payment of the appropriate fee as outlined in Schedule “A” of the Fees and Charges Bylaw. Notwithstanding, a building **permit** is automatically expired following two (2) years of inactivity; a new permit is required under the current edition of the **Building Code** to complete the work started. *(updated by Bylaw 2233).*

(Added by Bylaw 2247)

Except when otherwise authorized in writing by a **Building Official**, every **permit** is issued upon the condition that the **permit** shall expire and the rights of the owner under the **permit** shall terminate if;

- (a) The work authorized by the **permit** is not commenced within 6 months from the date of issuance of the **permit**,
- (b) The work authorized by the **permit** is discontinued for a period of more than 12 months,
- (c) Any Letters of Assurance related to the **permit** are withdrawn or not reinstated within 60 days, or
- (d) The exterior finish of a **Standard (Part 9) Building** is not completed within 18 months from the date of issuance of the **permit**.

If a building permit expires, a **Building Official** may reactivate the building **permit** by way of additional time extension upon receipt of payment of the appropriate fee as outlined in the “Fees and Charges Bylaw”. Notwithstanding, a building **permit** is automatically expired and revoked following two (2) years of inactivity.

(Deleted by Bylaw 2233)

~~Except when otherwise authorized in writing by a **Building Official**, every **permit** is issued upon the condition that the **permit** shall expire and the rights of the owner under the **permit** shall terminate if:~~

- ~~(a) the work authorized by the **permit** is not commenced within 6 months from the date of issuance of the **permit**;~~
- ~~(b) the work authorized by the **permit** is discontinued for a period of more than 12 months;~~
- ~~(c) any letters of assurance related to the **permit** are withdrawn or not reinstated within 60 days; or~~
- ~~(d) the exterior finish of a **Standard (Part 9) Building** is not completed within 18 months from the date of issuance of the **permit**.~~

~~If a building **permit** expires, a **Building Official** may reactivate the building **permit** by way of additional time extension upon receipt of payment of the appropriate fee as outlined in Schedule “A” attached to this Bylaw. Notwithstanding, a building **permit** is automatically expired and revoked following two (2) years of inactivity.~~

- 13.4 A **Building Official** may issue a foundation **permit** for a **Complex (Part 3) Building** prior to the issuance of a building **permit**, subject to the **owner** depositing securities with the **City** in the amount of 125% of the estimated cost of filling in the excavation to restore the original gradient of the site, should the **permit** expire, not be issued, or be revoked.
- 13.5 A **Building Official** may issue a building **permit** for a portion of a **Complex (Part 3) Building** or **structure** before the design, plans and specifications for the entire **building** or **structure** have been accepted, provided that sufficient information has been provided to the **City** 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.
- 13.6 When a site has been excavated under a foundation **permit** issued pursuant to section 13.4 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 60 days of being served notice by the **City** to do so.

14.0 Plumbing Permits

- 14.1 A plumbing **permit** may only be issued to:
- (a) a plumber holding a valid British Columbia tradesman’s qualification; or
 - (b) an **owner** and intended occupant of a Single Family Dwelling without a Secondary Suite where the **owner** personally intends to install, alter or repair plumbing, in which case, a **building official** may require the **owner** to demonstrate competency to perform the work. *(updated by Bylaw 2233)*
- ~~an **owner** of premises where the **owner** personally intends to install, alter or repair plumbing in his own residential dwelling unit or related accessory **building**, in which case, a **building official** may require the **owner** to demonstrate competency to perform the work.~~
- 14.2 Every application for a plumbing **permit** shall:
- (a) be signed by the applicant, or signing officer of the applicant if the applicant is a corporation; and
 - (b) be accompanied by plans sufficient to describe the proposed work and establish substantial conformance with the **Building Code**, this Bylaw and any other applicable enactment concerning safety.
- 14.3 Where an application has been made for a plumbing permit pursuant to this Bylaw, and:

- (a) the proposed work as described in the application substantially conforms with the **Building Code**, this Bylaw and any other applicable enactment concerning safety;
 - (b) the applicant complies with the requirements set out in section 14.1 of this Bylaw;
 - (c) the prescribed fee as set out in Schedule “A” of the Fees and Charges Bylaw has been paid; the plumbing **permit** shall be issued. *(amended by Bylaw 2247)*
 - ~~(e) the prescribed fee as set out in Schedule B to this bylaw has been paid; the plumbing **permit** shall be issued.~~
- 14.4 The **owner** or his or her representative shall give at least 24 hours of notice to the **City** when requesting an inspection, and shall obtain an inspection and receive a **Building Official’s** written acceptance of the following aspects of the work prior to concealing it:
- (a) after the rough plumbing is complete, but before the installation of any fixtures or the covering thereof by insulation or interior or exterior finish that would conceal such work; and
 - (b) when the plumbing is complete and ready for use, but before the plumbing is put to use by the **owner** or occupier of the premise.
- 14.5 The requirements of section 14.4 do not apply to any aspect of the work that is the subject of a **registered professional’s** letter of assurance provided in accordance with this Bylaw.
- 15.0 Disclaimer of Warranty or Representation**
- 15.1 Neither the issuance of a **permit** under this Bylaw, nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the **City** shall in any way relieve the **owner** or his or her representative from full and sole responsibility to perform the work in strict accordance with this Bylaw, the **Building Code** and any other applicable enactments.
- 15.2 Neither the issuance of a **permit** under this Bylaw, nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the **City**, shall constitute in any way a representation, warranty, assurance or statement that the **Building Code**, this Bylaw, or any applicable enactments have been complied with.
- 15.3 Neither the issuance of a **permit** under this Bylaw, nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the **City** shall in any way constitute a representation that the **building** or **structure** meets any standard of materials or workmanship.
- 16.0 Professional Design and Field Review**
- 16.1 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** to provide design and plan certification and **field review**, supported by letters of assurance in the forms set out in Schedules B and C-B of Division C Part 2 of the **Building Code**.

16.2 Prior to the issuance of an occupancy **permit** for a **Complex (Part 3) Building**, or for a **Standard (Part 9) Building** in circumstances where letters of assurance have been required in accordance with sections 10.1, 10.2 or 16.1 of this Bylaw, the **owner** shall provide the **City** with letters of assurance in the forms set out in Schedules C-A or C-B of Division C Part 2 of the **Building Code**.

16.3 When a **registered professional** provides letters of assurance in accordance with the requirements of this Bylaw, he or she shall also provide proof of professional liability insurance to the **Building Official** in the form attached to this Bylaw as Schedule “D” Form B.

17.0 Responsibilities of the Owner

17.1 Every **owner** shall ensure that all **construction** complies with the **Building Code**, this Bylaw and all other applicable enactments, and must not omit to do any work required by the **Building Code**, this Bylaw, or any other applicable enactment.

17.2 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.

18.0 Inspections

18.1 When a **registered professional** provides letters of assurance in accordance with this Bylaw, the **City** will rely solely on **field reviews** undertaken by the **registered professional** and the letters of assurance submitted pursuant to this Bylaw as assurance that the **construction** substantially conforms to the design, plans and specifications and that the **construction** complies with the **Building Code**, this Bylaw and other applicable enactments.

18.2 Notwithstanding section 18.1 of this Bylaw, a **Building Official** may attend the site from time to time during the course of **construction** to ascertain that the **field reviews** are taking place and to monitor the **field reviews** undertaken by the **registered professionals**.

18.3 In addition to the inspections required under section 18.4, a **Building Official** may attend periodically at the site of the **construction** of **Standard (Part 9) Buildings** or **structures** to ascertain whether the work is being carried out in substantial conformance with the **Building Code**, this Bylaw and any other applicable enactment concerning safety.

18.4 The **owner**, or the **owner's** representative, shall give at least 24 hours of notice to the **City** when requesting an inspection and shall obtain an inspection and receive a **Building Official's** written acceptance of the following aspects of the work prior to concealing them:

- (a) installation of perimeter drains and rain water leaders, and damp-proofing prior to backfilling;

- (b) the preparation of ground, including ground cover, when required, prior to the placing of a concrete slab;
 - (c) rough in of factory built chimneys and fireplaces and solid fuel burning appliances;
 - (d) the framing and sheathing, including compliance with zoning bylaw **building height** requirements;
 - (e) duct work, roughed-in plumbing or gas venting;

 - (f) insulation and vapour barrier after the exterior finish is substantially complete or otherwise protected to the satisfaction of the **Building Official**;
 - (g) when the **building** or **structure** is substantially complete and ready for **occupancy**, but before **occupancy** takes place of the whole or part of the **building** or **structure**.
- 18.5 No aspect of the work referred to in section 18.4 of this Bylaw shall be concealed until a **Building Official** has accepted that aspect in writing.
- 18.6 The requirements of section 18.4 of this Bylaw do not apply to any aspect of the work that is the subject of a **registered professional's** letter of assurance provided in accordance with sections 9.1, 10.1, 10.2, 16.1 or 16.2 of this Bylaw.

19.0 Occupancy Permits

- 19.1 No person shall occupy a **building** or **structure** or part of a **building** or **structure** or change the class of **occupancy** of a **building** or **structure** until an occupancy permit has been issued in the form prescribed by the **Building Official** or the **City** from time to time.
- 19.2 An occupancy permit shall not be issued unless:
- (a) all final letters of assurance showing completion have been submitted when required in accordance with this Bylaw; and
 - (b) all aspects of the work requiring inspection and acceptance pursuant to section 18.4 of this Bylaw have been inspected and accepted.
- 19.3 A **Building Official** may issue an occupancy permit for part of a **building** or **structure** when that part of the **building** or **structure** is self-contained, is provided with essential services and meets the requirements set out in section 19.2 of this Bylaw.

20.0 Retaining Structures

- 20.1 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 horizontal to 1 vertical. 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 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.
(updated by Bylaw 2233)

~~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. 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 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.~~

21.0 Bonding Against Damage to Highway

21.1 Where an **owner** will, in the course of **construction** of a **building** or **structure** for which a **permit** is issued:

- (a) be excavating upon the property;
- (b) be bringing heavy equipment onto the site from the adjacent **highway**; or
- (c) be transporting materials from or to the site across a curb or ditch where no boulevard crossing has been constructed,

the **owner** must obtain a Highway or Right of Way Use **permit** from the City's Municipal Operations Department and must deposit with the **City** a sum of money sufficient to pay for the costs of repairing any damage likely to be done to the adjacent **highway**, or public utilities located in or on the adjacent **highway**, during the course of

construction. Securities will be required in the amount of 125% of the estimated cost of the works.

21.2 The sum of money required by subsection 21.1 herein shall be deposited with the **City** in the form of cash, certified cheque or irrevocable letter of credit in the **City's** standard format from a Chartered Bank of Canada, prior to the issuance of the building **permit**.

21.3 Where it is deemed necessary by the City's Manager of Operations or his designate or a **Building Official** to sweep the streets due to **construction** activities undertaken in connection with or under a building **permit**, there shall be deducted from the monies on deposit the fee for the sweeping of streets as determined by the City's Municipal Operations Department.

21.4 Where a **highway**, or a public utility on or adjacent to a **highway**, has been damaged by any work undertaken in connection with or under a building **permit**, and where the **owner** fails to clean up or repair the **highway** or public utility, or cause the **highway** or public utility to be cleaned up or repaired in a manner satisfactory to the City's Manager of Operations (or his delegate) within fourteen (14) days of being notified to do so by the Manager of Operations (or his delegate) or the **Building Official**, then the **City** or its authorized agents may carry out such repairs or clean up as is deemed necessary by the City's Manager of Operations (or his delegate) and may use the security provided by the **owner** under section 21.1 to pay the costs of such repairs or clean up.

21.5 Should there be an insufficiency of monies on deposit with the **City**, the **owner** shall be liable for payment, and shall pay forthwith, upon invoice, the balance that is

required by the **City** to carry out or cause to be carried out, the necessary repairs, clean-up or **highway reconstruction**, together with a 15% administration charge.

22.0 Driveway Access

- 22.1 No person shall construct any driveway or other access to any **building** from any **highway** without a **permit** from the **City's** Municipal Operations Department approving the location and grade of the driveway or other access.
- 22.2 No person may install a culvert unless a **permit** has been obtained under the Street and Traffic Bylaw for that purpose.

23.0 Pools

- 23.1 No person shall construct or install a **pool** on any parcel of land without first obtaining a **permit** from the **City**.
- 23.2 Every application for a **permit** to construct or install a **pool** shall include:
- (a) a plan showing the location of the proposed **pool** (including fencing) in relation to all existing **buildings** on the property and the property boundaries;
 - (b) the type of **construction**;
 - (c) the water supply and proposed method of drainage; and
 - (d) the proposed method of fencing.
- 23.3 Every **pool** shall be completely enclosed within a fence or other **structure** that is not less than 1.0668 metres (3.5 feet) in height. The fence or other **structure** shall be continuous except for access gates that are designed so that they will return to a latched or locked position when not in use, and secured by a latch or lock located not less than 150mm from the top of the gate and not less than one metre above grade, on the **pool** side of the fence. The fence shall be designed so that no member, attachment or opening, facilitates climbing.
- 23.4 Every gate in a fence or other **structure** which provides access to a **pool** shall be kept in a latched or locked closed position and shall only be open for the purpose of entry to or exit from the **pool** during such period.
- 23.5 No direct access shall be permitted to a **pool** from any residential **building**. A **pool** must be totally enclosed such that any person entering the enclosure must enter through a gate as described in section 23.3 of this Bylaw. A wall of a dwelling may serve as part of the required enclosure provided one of the following is complied with:
- (a) all doors with direct access to the **pool** through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. The alarm shall sound continuously for a minimum of thirty seconds immediately after the door is opened. The alarm shall have a minimum sound pressure rating of 85dBA at ten feet and the sound of the alarm shall be distinctive from other household sounds such as smoke alarms, telephones or bells. The alarm shall automatically reset under all conditions. The alarm shall be equipped with manual means, such as touchpads or switches, to temporarily deactivate the alarm for a single opening from either direction. Such deactivation shall last for no more than 15 seconds. The deactivations touchpads or switches shall be located at least 1.2 metres above the threshold of the door;

- (b) the **pool** shall be equipped with a power safety cover which complies with approved safety standards (ASTM ES 13-89);
 - (c) other means of protection, such as self-closing doors with self-latching devices which comply with approved safety standards may be considered acceptable so long as the degree of protection afforded is not less than the protection afforded by sections 23.3 and 23.4 of this bylaw.
- 23.6 The requirements of sub-sections 23.3 to 23.5 do not apply to a hot tub equipped with a locking cover. Further, sub-sections 23.1 and 23.2 also do not apply to a hot tub equipped with a locking cover that is located at grade.

24.0 Climatic/Earthquake Data

- 24.1 The climatic values for White Rock, B.C. as set out in Appendix C of the B.C. **Building Code** shall be utilized for the design of building in the **City**.
(updated by Bylaw 2233)

~~The climatic values for Cloverdale, BC as set out in the **Building Code** shall be utilized for the design of buildings in the **City**.~~

- 24.2 Climatic Data provided by Environment Canada for a specific site.
- 24.3 The Earthquake Zone requirements shall be as set out in the **Building Code**.

25.0 Drainage Requirements

- 25.1 Storm water from roofs and hard surfaces must be directed to the **City's** storm system, or an engineer designed system, by gravity wherever practicable.
- 25.2 Perimeter drainage and storm water drainage must be kept separate from each other until such drainage can be conveyed by a gravity system or a pump system to the **City's** storm system or to another system approved in writing by the **City**.

26.0 Permits, Applications and Forms

- 26.1 A **Building Official** may from time to time prescribe the form of application, permit, Stop Work notice, Do Not Occupy notice, and other forms required for the purpose of administering this Bylaw.

27.0 Cancellation of Permit

- 27.1 A **Building Official** may revoke a **permit** issued under this Bylaw where:
- (a) the application for the **permit** contained false or misleading information;
 - (b) there is a contravention of a provision of this Bylaw or the **Building Code**.
- 27.2 The revocation of a **permit** must be in writing and delivered to the **owner** and/or authorized agent in person or by registered mail.
- 27.3 An **owner** may, within 14 days of delivery of the notice of revocation, apply to the **City** for a reconsideration of the decision of the **Building Official** to revoke the **owner's permit**.

28.0 Penalties and Enforcement

- 28.1 Every person who contravenes any provision of this Bylaw commits an offence punishable by fine as set out in City of White Rock Ticketing for Bylaw Offences Bylaw 2011, No 1929.
- 28.2 Every person who contravenes any provision of this Bylaw commits an offence punishable on summary conviction and shall be liable to a fine of not more than Ten Thousand (\$10,000.00) Dollars or to imprisonment for not more than six months.
- 28.3 A person who fails to comply with an order or notice issued by a **Building Official** or who allows a violation of this Bylaw to continue, despite that order or notice, commits an offence.
- 28.3 A **Building Official** may order the cessation of any work proceeding in contravention of the **Building Code**, this Bylaw or other enactment, by posting a Stop Work notice on the site of the work.
- 28.4 The **owner** of property on which a Stop Work notice has been posted, and every other person, shall cease all **construction** work immediately and shall not do any work until all applicable provisions of this Bylaw have been substantially complied with and the Stop Work notice has been rescinded in writing by a **Building Official**.
- 28.5 Where a person occupies a **building** or **structure** or part of a **building** or **structure** in contravention of section 6.2 of this Bylaw, a **Building Official** may post a Do Not Occupy notice on the affected part of the **building** or **structure**.
- 28.6 The **owner** of property on which a Do Not Occupy notice has been posted, and every person, shall cease **occupancy** of the **building** or **structure** immediately and shall refrain from further **occupancy** until all applicable provisions of the **Building Code** and this Bylaw have been substantially complied with and the Do Not Occupy notice has been rescinded in writing by a **Building Official**.
- 28.7 Every person who commences work requiring a building **permit** without first obtaining such a **permit** shall pay an additional charge equal to double of the building **permit** fee prior to obtaining the required building **permit**. The **City** reserves the right to waive this requirement for a first-time offender.

29.0 Severability

- 29.1 The provisions of this Bylaw are severable and the invalidity of any part of this Bylaw shall not affect the validity of the remainder of this Bylaw.

30.0 Schedules

- 30.1 Schedules “1”, “2”, and “3” attached to this Bylaw form a part of and are enforceable in the same manner as this Bylaw. *(updated by Bylaw 2233)*

~~Schedules “A”, “B”, “C”, “D” and “E” attached to this Bylaw form a part of and are enforceable in the same manner as this Bylaw.~~

31.0 Transitional

- 31.1 The provisions of this Bylaw apply to every building **permit** for which an application is received after the date of adoption of this Bylaw.
- 31.2 The provisions of City of White Rock Building Bylaw 2005, No. 1782 as amended shall continue to apply to all building **permits** issued, and to all building **permit**

applications submitted in full prior to the adoption of this Bylaw, and in respect of which:

- (a) the **permit** has not been cancelled; or
- (b) an occupancy **permit** for the work authorized by the **permit** has not been issued.

32.0 Repeal Bylaw

32.1 Except to the extent provided in section 31.2, City of White Rock Building Bylaw 2005, No. 1782 and any amendments thereto, is hereby repealed in its entirety.

RECEIVED FIRST READING on the	9 th day of	January, 2012
RECEIVED SECOND READING on the	9 th day of	January, 2012
RECEIVED THIRD READING on the	9 th day of	January, 2012
RECONSIDERED AND FINALLY ADOPTED on the	23 rd day of	January, 2012

MAYOR

CITY CLERK

Note: Bylaw 2233 Deleted original schedules A & B, and renumbered the remainder accordingly as Schedules 1, 2 & 3.

SCHEDULE “1”

FORM A - Owner’s Acknowledgment of Responsibility and Undertakings

Re: Address _____
Building Permit Application No. _____

1. I am the **owner** of the land and premises located at _____, White Rock, B.C.
2. I understand and acknowledge that I am fully responsible for carrying out the work, or having the work carried out, in accordance with the requirements of the **Building Code**, the Building Bylaw No. 1928 and all other bylaws of the City of White Rock.
3. I will comply with, or cause those whom I employ to comply with, the **Building Code** and all bylaws of the City of White Rock and other statutes and regulations relating to the development, work, undertaking or permission in respect of which this application is made.
4. I understand and acknowledge that neither the issuance of a permit under Building Bylaw No. 1928, the review of plans and supporting documents, nor inspections by a building official shall in any way constitute a representation, warranty, or statement that the **Building Code**, Building Bylaw No. 1928, or any other bylaw of the City of White Rock has been complied with.
5. If the material submitted in support of the application for this Building Permit included certification provided by Registered Professionals as referred to in the **Building Code**, I understand and acknowledge that the City of White Rock and its **Building Officials** have relied on those letters of assurance as certification that the design and plans to which they relate comply with the **Building Code** and other applicable enactments.
6. In particular, I understand and acknowledge that the **City** has relied on the letters of “Assurance of Professional Design and Commitment for Field Review” provided by:

(Insert the name of the Registered Professionals where applicable)

Architectural: _____

Building Envelope: _____

Structural: _____

Mechanical: _____

Plumbing: _____

Fire Suppression Systems: _____

Electrical: _____

Geotechnical – temporary: _____

Geotechnical – permanent: _____

in reviewing the plans and supporting documentation submitted with this application for a Building Permit.

7. I am authorized to make this acknowledgement of responsibility and give these undertakings to the City of White Rock.

8. I understand that it would be prudent for me to seek independent legal advice with respect to the responsibilities I am assuming upon the granting of a Building Permit by the City of White Rock pursuant to this application and in respect of the execution of this acknowledgment.

Signed this _____ day of _____.

Signature of **owner** (or signing officer if
the **owner** is a corporation)

Signed this _____ day of _____.

Witness

Occupation

SCHEDULE “2”

Form B – Proof of Professional Liability Insurance

Re: Address _____

Building Permit Application No. _____

The undersigned hereby gives assurance that:

- a) I have fulfilled my obligation to obtain a subsisting policy of professional liability or errors and omissions insurance as outlined in section 16 of Building Bylaw No. 1928.
- b) I have enclosed a copy of my certificate of insurance indicating the particulars of such coverage.
- c) I am a registered professional as defined by section 1.1.3.2 of the **Building Code**.
- d) I will notify the **Building Official** immediately if this insurance coverage is reduced or terminated at any time during **construction**.

Signed this _____ day of _____.

Signature of Registered Professional

Signed this _____ day of _____.

Witness

Occupation

SCHEDULE “3”

GEOTECHNICAL ASSESSMENT AREAS

See Attached.



