

VILLAGE OF CLINTON

BYLAW 531, 2015

A bylaw to regulate construction, alteration, repair, moving or demolition of buildings and structures

WHEREAS the Village of Clinton Council considers it advisable to update the Building Regulations Bylaw;

AND WHEREAS the *Local Government Act* of British Columbia provides that the *Village* may, by bylaw, regulate the *construction*, alteration, repair or demolition of buildings and *structures* and regulate the installation, alteration or repair of plumbing (including septic tanks and sewer connections);

NOW THEREFORE, the Council of the *Village of Clinton* in open meeting assembled enacts as follows:

1. PREAMBLE

1.1 Title

- (a) This Bylaw may be cited as the "*Village of Clinton* Building Regulations Bylaw 531, 2015".

1.2 Repeal

- (a) *Village of Clinton* Building Bylaw No. 174.2, 2003 and all amendments thereto are hereby repealed.

1.3 Purpose of Bylaw

The bylaw shall, notwithstanding any other provision herein, be interpreted in accordance with this section.

This bylaw has been enacted for the purpose of regulating *construction* within the *Village* in the general public interest. The activities undertaken by or on behalf of the *Village* pursuant to this bylaw are for the sole purpose of providing a limited and interim spot-checking and *monitoring* function for reason of health, safety and the protection of *persons* and property. It is not contemplated nor intended, nor does the purpose of this bylaw extend:

- (a) to the protection of *owners*, *owner/builders*, constructors or occupiers from bodily injury or economic loss;
- (b) to the assumption by the *Village* or any *Building Official* of any responsibility for ensuring the conformance by any *owner*, his or her *agent* or any employees, constructors or designers retained by him or her, with the *Building Code*, the requirements of this bylaw or other applicable enactments respecting safety;
- (c) to provide any *person* a warranty of design or workmanship with respect to any building or *structure* for which a building *permit* or occupancy certificate is issued under this bylaw;
- (d) to provide a warranty or assurance that *construction* undertaken pursuant to building *permits* issued by the *Village* is free from latent or any defects or complies with this bylaw; and

- (e) to the assumption by the *Village* or any *Building Official* of any responsibility for ensuring that any *construction* will be geo-technically sound and will not be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence, avalanche or other geo-hazards.

1.4 **Metric Units**

Metric units are used for all measurements in this bylaw. The approximate imperial measure equivalent of those units are shown in brackets following the metric measurement and such bracketed figures are included for convenience only and do not form part of this bylaw.

1.5 **Scope and Exemptions**

- (a) This bylaw shall apply to:
- i. the design, *construction* and occupancy of a building when a building, or part thereof, is constructed on *site* or is assembled or placed on *site* as a factory-built unit or component;
 - ii. the work involved in the demolition when the whole or any part of a building is demolished or removed;
 - iii. all parts of the building when the whole or any part of a building is moved;
 - iv. any alteration and to any part of a building affected by alterations to an extent which, in the opinion of the *Building Official* reduces the levels of public health and safety below the levels existing prior to the alteration;
 - v. all parts of the building affected by the change of use when occupancy and/or use of a building is changed;
 - vi. all such replacements and alterations when materials and equipment regulated are replaced or altered in a building;
 - vii. any part remaining when a building is damaged or destroyed to the extent of seventy-five (75%) or more of its value above its foundations as determined by the *Building Official*;
 - viii. the design and *construction* of retaining walls where the difference in finish grade elevation is greater than 1.2 m (4 ft) in height;
 - ix. the design and installation of the entire system when a plumbing system is installed, repaired, renovated or altered;
 - x. the design and repair of the entire plumbing system where a condition exists that is, or may become dangerous or injurious to health, except where the portion of the system affected is completely independent from any other part of the system; and
 - xi. design, *construction*, or installation of solid fuel burning appliances, fireplaces and chimneys.
- (b) This bylaw does not apply to:
- i. Buildings or *structures* exempted by Division A – Part 1 of the *Building Code* except as expressly provided herein;

- ii. Single-storey accessory buildings less than 20 m² (215 ft²) in building area;
- iii. *Low-Human Occupancy* farm buildings less than 600 m² (6458 ft²) in building area, when situated on land assessed as Farm and used for a *Bona Fide Agricultural Operation*; and
- iv. Un-roofed decks attached to or adjacent to single and two-family dwellings if the deck surface is 600 mm (24 in) or less above the adjacent ground level.

1.6 Other Enactments

Where any provincial act or regulation or any other *Village* bylaw may apply to any matter covered by this bylaw, conformance with this bylaw shall not relieve the *owner* or his or her *agent* from conforming with provisions of such other act, regulation or bylaw.

1.7 Severability

If any provision of this bylaw is found invalid, such provision is severable and shall not affect the validity of the remainder of this bylaw.

2. DEFINITIONS

All words and phrases shall have their normal or common meaning except where changed, modified, or expanded by the definitions set out in this section, or Part 1 of the British Columbia Building Code.

"Accepted" means accepted in writing.

"Agent" means a person, firm, or company representing the *owner*, by designation or contract, and includes a hired tradesman or contractor.

"Bona Fide Agricultural Operation" means an operation classified as a farm by the Assessor under the Assessment Act.

"Building Code" means the current edition of the British Columbia Building Code pursuant to Section 692 (1) of the *Local Government Act*, as amended or re-enacted from time to time.

"Building Official" includes a person(s) designated or contracted by the Village as Building Inspectors, Plumbing Inspectors or Plan Checkers and includes supervisors for these positions.

"Complex Building" means all buildings used for major occupancies classified as:

- (a) assembly occupancies;
- (b) care or detention occupancies; or
- (c) high hazard industrial occupancies; and

All buildings exceeding 600 m² (6458 ft²) in building area or exceeding three storeys in building height used for major occupancies classified as:

- (a) residential occupancies;

- (b) business and personal services occupancies;
- (c) mercantile occupancies; and
- (d) medium and low hazard industrial occupancies.

“Construction” includes erection, repair, alteration, enlargement, addition, installation, demolition, removal, replacement, renovation, reconstruction, or relocation of a building or structure.

“Council” means the Council of the Village of Clinton.

“Health and Safety Aspects of the Work” means design and *construction* regulated by Part 3, Part 4, Part 7 and sections 9.4, 9.6, 9.8, 9.9, 9.10, 9.12, 9.14, 9.15, 9.17, 9.18, 9.19, 9.20, 9.21, 9.22, 9.23, 9.24, 9.25, 9.31, 9.32, 9.35, 9.36 and subsections 9.13.4, 9.18.7 and articles 9.33.5.2, 9.33.5.3 and 9.33.10.2 of the *Building Code*.

“Low-Human Occupancy” (as applied to farm buildings) means an occupancy having an occupant load of not more than one person per 40 m² (430 ft²) of floor area during normal use.

“Monitor” means the method by which a *Building Official* reviews the process of field reviews as conducted by registered professionals pursuant to the *Building Code* and this bylaw. The *Building Official’s monitoring* function is satisfied by the *Building Official’s* receipt of the applicable letters of assurance submitted by the registered professionals and as referred to in subsection 2.2.7 of the *Building Code*. Although a *Building Official* may review registered professionals’ field inspection reports to ascertain field review frequency, or visit a site from time-to-time to verify that registered professional field reviews are taking place, the *Building Official* is under no duty to do so. *Monitoring* does not include assessment of conformity with the *Building Code*, this bylaw or another enactments or the approval of any aspect of *construction*.

“Owner” means any *person*, firm or company controlling the property under consideration.

“Permit” means a *permit* required or issued pursuant to this bylaw.

“Person” means in addition to its ordinary meaning, a partnership, association, company, society and body corporate.

“Pool” means a water receptacle used for swimming or as a plunge or other bath designated to accommodate more than one bather at a time; for decorative or landscaping purposes; but does not include irrigation or natural ponds not filled from domestic water source.

“Site” means a lot or lots upon which work regulated under this bylaw is undertaken or intended to be undertaken and includes the *construction* thereon.

“Standard Building” means a building of three storey’s or less in building height, having a building area not exceeding 600 m² (6458 ft²) and used for major occupancies classified as:

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

“Structure” means a *construction* or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and retaining structures less than 1.2 m (4 ft) in height.

“Village” means the Village of Clinton.

3. **PROHIBITIONS**

- 3.1 No *person* shall, unless exempted by this bylaw or any enactment, undertake any of the following:
- (a) commence or continue any *construction* or change the occupancy of any building or *structure*, or other work related to *construction* unless a *Building Official* has issued a valid *permit* for the work;
 - (b) 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 any building, *structure* or *site* pursuant to this bylaw;
 - (c) perform any *construction* that is substantially at variance with the reviewed design or plans and specifications for the building, *structure* or other *construction* for which a *permit* has been issued, unless that variance has been *accepted* by a *Building Official*;
 - (d) occupy, use or allow the occupancy or use of any building or part thereof contrary to the terms of this bylaw or any *permit*, notice, certificate, or decision given or posted by the *Building Official*;
 - (e) knowingly or recklessly submit false or misleading information to a *Building Official* in relation to any *permit* application or *construction* undertaken pursuant to this bylaw; or
 - (f) interfere with or obstruct the entry of a *Building Official* or authorized official of the *Village* on property in the administration of this bylaw.
- 3.2 No *person* having authority for *construction*, on a *site* shall cause, allow, or maintain any unsafe condition.

4. **AUTHORITY OF BUILDING OFFICIAL**

4.1 The *Building Official*:

- (a) may administer this bylaw;
- (b) may enter any land, building, *structure*, or premises at any reasonable time for the purpose of ascertaining that the terms of this or any other *Village* bylaw are being observed;
- (c) may 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;

- (d) may establish whether the *construction* of a building or *structure* for which a *permit* is sought or issued under this bylaw substantially conforms to the requirements of the *Building Code*; and
- (e) shall carry proper credentials confirming their status as a *Building Official*.

4.2 The *Building Official* may order:

- (a) a *person* who contravenes this bylaw to conform with the bylaw in a specified time period;
- (b) the removal of any unauthorized encroachment on public property;
- (c) the removal of any building or part thereof constructed in contravention of this bylaw;
- (d) the termination of any occupancy, in contravention of this bylaw; and
- (e) the termination of any occupancy if in the opinion of the *Building Official* an unsafe condition exists because of *construction* undertaken or not completed.

4.3 The *Building Official* may, before issuing an occupancy certificate, require the *owner* to provide a professional engineer's or other appropriate certification, at the expense of the *owner*, where in the opinion of the *Building Official* such evidence is necessary to determine that the requirements of this bylaw and other applicable enactments respecting safety have been substantially complied with.

4.4 The *Building Official* may direct the immediate cessation or correction of all or any portion of the *construction* on any site, by attaching an order to that effect on such premises, when, in his or her opinion such work is not being performed substantially in accordance with the provisions of the *Building Code* or any relevant bylaws of the *Village*. Such order shall remain posted on the premises until all work that is not being performed in accordance with the *Building Code* or this or any other relevant bylaw has been remedied to the satisfaction of the *Building Official*. No work, other than the required remedial measures, shall be carried out on the portion of the work affected by the order until such order has been removed, and shall only be removed by the *Building Official* in writing.

4.5 The *Building Official* may upon expiration of a building *permit*, grant renewal *permits* for a period of twelve (12) months each if he or she is satisfied that the *construction* is progressing at a reasonable rate.

4.6 The *Building Official* may refuse to issue a *permit*:

- (a) if the information submitted is inadequate to determine substantial conformance with, or is contrary to the provisions of this bylaw or any other applicable enactment;
- (b) if the information submitted is incorrect;
- (c) if issuance is prohibited by or is contrary to a provision of this bylaw or any other

enactment;

- (d) for the connection of a fireplace insert to an existing chimney if the existing chimney has not been previously inspected and *accepted*; or
- (e) for the connection of a wood heater or furnace to an existing chimney if the existing chimney has not been previously inspected and *accepted*.

5. **DUTIES AND RESPONSIBILITIES OF THE OWNER**

5.1 It is the *owner's* responsibility, prior to commencing *construction* to:

- (a) investigate the status of the *construction site* and ensure that any concerns relating to flooding, drainage, soil stability or other potential hazards are addressed;
- (b) obtain a current State of Title Certificate from the Land Title Office to determine whether there are encumbrances, which may affect the proposed *construction*; and
- (c) investigate the availability, location and capacity of utility services to determine whether the proposed *construction* can be accommodated and arrange the plumbing to suit the location of the connections provided for the lot in a manner satisfactory to the *Building Official*.

5.2 The *owner* shall, during *construction*:

- (a) allow the *Building Official* to enter the building or premises at any reasonable time for the purpose of administering and enforcing this or any other relevant *Village* bylaw;
- (b) keep posted in a conspicuous place on the property in respect of which the *permit* was issued, the placard provided by the *Building Official*; and
- (c) ensure that the reviewed plans and specifications on which the *permit* is based are continuously available at the *site* during working hours.

5.3 The *owner* shall not continue building *construction* beyond the foundation stage until:

- (a) the *owner* has provided a current certificate of location by a registered British Columbia Land Surveyor to certify that the building and/or structure under *construction* is located on the property in conformance with *Village* regulations. Notwithstanding the requirements of this Division, where:
 - i. the building or structure is located on a large parcel such that setback distances to the nearest property line are not a concern;
 - ii. the building or structure is located greater than 300 mm (12 in) from a minimum setback as determined by exposing survey pins; or

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- (b) the *Building Official* may accept a letter of certification from the Land Surveyor in lieu of a Certificate of Location, or may waive the requirement entirely if satisfied that no certification is necessary.
- 5.4 The *owner*, when required by the *Building Official*, shall uncover and replace at his or her own expense any work that has been covered contrary to an order issued by the *Building Official*.
- 5.5 The *owner* when requested by the *Building Official* shall provide at his or her expense, tests or inspections necessary to establish substantial conformance with this bylaw in a form satisfactory to the *Building Official*.
- 5.6 The *owner* when requested by the *Building Official* shall provide, in a form satisfactory to the *Building Official*, evidence to certify substantial conformance with the requirements of this bylaw, other applicable enactments respecting health and safety and any *permits* issued.
- 5.7 The *owner* shall ensure that all work is confined within the boundaries of the property and does not adversely affect adjacent properties for which the *permit* has been issued.
- 5.8 The *owner* is responsible for the cost to repair any damage to *Village* property that may occur as a result of undertaking work for which a *permit* was required under this bylaw.
- 5.9 When a *site* is in an unsafe condition, the *owner* shall promptly take all action necessary to put the *site* in a safe condition.
- 5.10 The *owner* shall, prior to the occupancy or use of any *building* or *structure* or part thereof and after completion of *construction* of the building, or part thereof, including work required in connection with any change in classification of occupancy of any building, or part thereof, obtain from the *Building Official* an occupancy certificate.
- 5.11 Neither the issuance of a *permit* under this bylaw nor the acceptance or review of plans, drawings or supporting documents, nor any inspections made by or on behalf of the *Village* shall in any way relieve the *owner* and his or her *agent* from full and complete responsibility to perform the work in strict accordance with this bylaw, the *Building Code* and other applicable enactments respecting safety.
- 5.12 Where, at the time of application for a building *permit*, works and services exist on the land to be developed or within that portion of a highway immediately adjacent to the land up to the highway centre line, and if such works and services do not meet the minimum standards established by the *Village* Subdivision and Development Bylaw No 347 1997, as amended from time to time, then as a condition of issuing a building *permit*, the *owner* may be required to improve the substandard works and services to at least the minimum bylaw standard.
- 5.13 Where work is being done subject to a *permit* under the provisions of this bylaw, the *owner* and his or her *agent* shall be completely responsible for any damage or cost to adjacent property arising out of or incidental to the work and shall save the *Village* harmless in this regard.

6. GENERAL PERMIT REGULATIONS

- 6.1 A *permit* is required whenever work regulated by this bylaw is to be undertaken.
- 6.2 Each *building* or *structure* to be constructed on a *site* requires a separate building *permit* and shall be assessed a separate building *permit* fee as determined in accordance with Appendix "A" to this bylaw.
- 6.3 To obtain a *permit*, the *owner* or his or her *agent* shall apply in writing on the form available from the *Building Official*
- 6.4 No *person* shall rely upon any *permit* as establishing conformance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms. The *person* to whom the building *permit* is issued and his or her *agents* are responsible for making such determination.
- 6.5 The *Building Official* may require a registered professional to provide design and plan certification and field reviews supported by letters of assurance in the form of Schedules A, B, C-A and C-B as referred to in subsection 2.2.7 of the *Building Code*, if in the opinion of the *Building Official*:
- (a) the *site* conditions, soil types, contours or drainage require special foundation design;
 - (b) the proposed building or *structure* is not *standard construction*; or
 - (c) the proposed building or *structure* is of a category requiring professional design.
- 6.6 Sufficient information shall be filed with each application to clearly identify the property to be developed and to establish that the proposed work will substantially conform to this bylaw and other applicable enactments.
- 6.7 Prior to *construction*, the *Building Official* may require any *owner* to submit a current survey plan by a registered British Columbia Land Surveyor containing sufficient information regarding the *site* and location of any building or structure to establish conformance to this bylaw and any other applicable enactment.
- 6.8 No *permit* shall be issued until:
- (a) off-*site* utilities to service the subject property are completed to the approval of the authority having jurisdiction or the utility providing service and all appropriate connection fees or other *construction* costs have been paid;
 - (b) the prescribed *permit* fee as detailed in Appendix "A" attached to this bylaw has been paid; and
 - (c) where required, security has been posted.

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- 6.9 In instances where sanitary sewer is not available, no *permit* will be issued until the *Building Official* is provided with written verification that the proposed sewage disposal system is accepted by the Interior Health Authority or Village Public Works authorizes connection to *Village* system.
- 6.10 The *Building Official* shall issue the *permit* for which application is made upon:
- (a) a completed application in conformance with this bylaw, including all required supporting documentation submitted and reviewed;
 - (b) the *owner* or his or her *agent* has paid all applicable fees set out in this bylaw;
 - (c) the *owner* or his or her *agent* has paid all charges and met all requirements imposed by any other applicable statute or bylaw; and
 - (d) no covenant, agreement, or regulation of the Village authorizes the *permit* to be withheld.
- 6.11 The *Building Official* may issue, at the risk of the *owner*, a *permit* for the *construction* of a portion of a building or structure prior to all required plans and specifications for the whole building or complex having been submitted or reviewed, provided:
- (a) plans and specifications for the portion in question have been submitted in sufficient detail to satisfy the *Building Official* that the work to be done will substantially conform with all requirements of the *Building Code* and any other applicable enactment; and
 - (b) Adequate information and detailed statements have been filed to the extent that the *Building Official* is satisfied the remainder of the building or structure will substantially conform with all applicable enactments.
- 6.12 Every *permit* is issued upon the condition that the *permit* shall expire and the rights of the *owner* under the *permit* shall terminate if the work authorized by the *permit* is not commenced within six (6) months or is not completed within two (2) years of the issuance of a *permit*.
- 6.13 The *Building Official* may grant renewal *permits* for a further year if satisfied the *construction* is progressing in accordance with the reviewed plans at a reasonable rate of progress. A *permit* renewal fee shall be paid in accordance with Appendix "A" attached to and forming part of this bylaw.
- 6.14 The *Building Official* may revoke a *permit* where:
- (a) there is a contravention of any term or condition under which the *permit* was issued;
 - (b) there is a contravention of any provision of the *Building Code* or other applicable enactment; or

- (c) the *permit* was issued on the basis of incorrect information supplied by or on behalf of the applicant; and
 - (d) the *permit* holder shall be notified in writing of the revocation.
- 6.15 A registered professional shall undertake the design and conduct field reviews of the *construction* of a retaining *structure* greater than 1.2 m (4 ft) in height. Sealed copies of the design and plan certification and field reviews by means of letters of assurance in the form of Schedule B and C-B as referred to in subsection 2.2.7 of the *Building Code* shall be submitted to the *Building Official*.
- 6.16 For the purpose of identification, and as a condition of occupancy, every parcel of real property containing a building subject to a *permit* under this bylaw must display the street address or other lot identification by means of a clear and legible sign.
- 6.17 Where the *Village* has caused a notice to be filed on the title of a property in accordance with section 57 of the Community Charter, the notice may be removed provided:
- (a) the owner has obtained a new *permit* for the correction of the *construction*;
 - (b) deficient *construction* has been corrected and completed so that the conditions which gave rise to the filing of the notice have been rectified; and
 - (c) the *owner* has paid a title notice removal fee in accordance with Appendix "A" of this bylaw.

7. **PLUMBING**

- 7.1 Application for a *permit* shall be in writing and shall:
- (a) be submitted to the *Building Official* in the form provided by the *Building Official* and signed by the *owner*, his or her *agent*, or a signing officer if the *owner* is a company;
 - (b) state the number of fixtures to be installed in the building;
 - (c) include specifications and drawings made to a suitable scale, for the plumbing system with respect to multi-family, institutional, commercial and industrial buildings showing:
 - i. site services, including size and location of pipes;
 - ii. site drainage, including size and location of pipes, catch basins and dry wells;
 - iii. total fixture load on sanitary sewer and water supply systems;
 - iv. sanitary riser diagram complete with fixture loads at the base of stacks; and
 - v. rainwater leaders, size of pipe and area of roof drained;

- (d) contain any and all other information necessary to establish substantial conformance with this bylaw; and
 - (e) include drawings designed by a registered professional, for *complex buildings*, and buildings with complex plumbing systems as determined by the *Building Official*.
- 7.2 There shall be separate connections to utility services for each separate parcel of land within the Village connected to such utilities.
- 7.3 Except where specifically required by the *Village* and where a legal right-of-way has been obtained and such plans are accepted by the *Village*, no plumbing system, drainage system, house sewer, private sewage disposal system or parts thereof, shall be located in any lot other than the property which is the site of the building, structure, or premises serviced by such facilities.

8. COMPLEX BUILDINGS

- 8.1 An application for a building *permit* with respect to a *complex building* shall:
- (a) be submitted to the *Building Official* in the form provided by the *Building Official* and signed by the *owner*, or a signing officer if the *owner* is a company;
 - (b) be accompanied by the *owner's* acknowledgment of responsibility and undertakings made in the form attached as Appendix "B" to this bylaw, signed by the *owner*, or a signing officer if the *owner* is a company;
 - (c) include a copy of a title search issued within thirty (30) days of the date of the application;
 - (d) include *site* plans drawn to suitable scale and referenced to the current registered legal survey for the subject property which shall show:
 - i. the legal description and address of the *site*;
 - ii. by dimensions from property lines, the location of any proposed building or structure;
 - iii. means of access and egress to service the property and a detailed parking layout;
 - iv. by dimension from property lines, the location of any other existing building(s) on the *site*;
 - v. existing and finished ground levels to an established datum;
 - vi. all easements and rights-of-way whether registered or not, and the setbacks to the natural boundary of any lake, swamp, pond or watercourse;
 - vii. for other than single and two family dwellings, provisions for garage containers, proposed method of screening and a detailed landscape treatment for the site; and

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- viii. the *Building Official* may waive the requirements for a *site* plan, in whole or in part, where the *permit* is sought for the repair or alteration of an existing building or *structure*.
- (e) include *building* plans drawn to suitable scale showing sufficient information to determine substantial conformance with this bylaw including but not limited to:
- i. foundation plans
 - ii. floor plans showing the dimensions and uses of all areas;
 - iii. the dimensions and height of crawl and roof spaces;
 - iv. the location, size and swing of doors;
 - v. the location, size and opening of windows;
 - vi. floor, wall, ceiling and roof finishes;
 - vii. components of fire protection including firewalls; degree of fire separation of storeys, shafts and rooms; fire detection, suppression and alarm system;
 - viii. plumbing fixtures;
 - ix. structural mechanical and electrical elements;
 - x. stair, handrail and guard dimensions;
 - xi. a cross-section, through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;
 - xii. elevations of all sides of the building or structure showing finishes, roof slopes, roof top equipment screening, windows, doors, and finished grade; and
 - xiii. Cross-sectional detailed drawings at sufficient locations to illustrate that the building or structure substantially conforms to the Building Code.
- (f) include 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;
- (g) Include a letter of assurance in the form of Schedule A as referred to in subsection 2.2.7 of the *Building Code*, signed by the *owner*, or a signing officer of the *owner* if the *owner* is a company, and the Coordinating Registered Professional.
- (h) include letters of assurance in the form of Schedule B as referred to in subsection 2.2.7 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*;

- (i) include one (1) copy of specifications and two (2) sets of drawings at a suitable scale of the design prepared by each registered professional and including the information set out in 8.1(e) of this bylaw; and
- (j) Include any other information required by the *Building Official* or the *Building Code* to establish substantial conformance with this bylaw, the *Building Code* and other applicable enactments relating to the building or *structure*.

8.2 In addition to the requirements of 8.1 (d) of this bylaw, 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;
- (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 conformance with this bylaw, the *Building Code* and other bylaws and applicable enactments relating to the building or *structure*.

9. **STANDARD BUILDINGS**

9.1 An application for a building *permit* with respect to a *standard building* shall:

- (a) be submitted to the *Building Official* in the form provided by the *Building Official* and signed by the *owner*, or a signing officer if the *owner* is a company;
- (b) be accompanied by the *owner's* acknowledgment of responsibility and undertakings made in the form attached as Appendix "B" to this bylaw, signed by the *owner*, or a signing officer if the *owner* is a company;
- (c) include a copy of a title search issued within thirty (30) days of the date of the application;
- (d) include *site* plans drawn to suitable scale and referenced to the current registered legal survey for the subject property which shall show:
 - i. the legal description and address of the *site*;
 - ii. by dimensions from property lines, the location of any proposed building or structure;
 - iii. means of access and egress to service the property and a detailed parking layout;
 - iv. by dimension from property lines, the location of any other existing building(s) on

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- the *site*;
 - v. existing and finished ground levels to an established datum;
 - vi. all easements and rights-of-way whether registered or not, and the location of natural water courses;
 - vii. for other than single and two family dwellings, lot coverage and floor area ratio calculation;
 - viii. for other than single and two family dwellings, provision for garbage containers, proposed method of screening and a detailed landscape treatment for the *site*; and
 - ix. the *Building Official* may waive the requirements for a *site* plan, in whole or in part, where the *permit* is sought for the repair or alteration of an existing building or *structure*.
- (e) include *building* plans drawn to suitable scale showing sufficient information to determine substantial conformance with this bylaw including but not limited to:
- i. foundation plans
 - ii. floor plans showing the dimensions and uses of all areas:
 - iii. the dimensions and height of crawl and roof spaces;
 - iv. the location, size and swing of doors;
 - v. the location, size and opening of windows;
 - vi. floor, wall, ceiling and roof finishes;
 - vii. components of fire protection including firewalls, degree of fire separation of storeys, shafts and rooms; and fire detection, suppression and alarm system;
 - viii. plumbing fixtures;
 - ix. structural, mechanical and electrical elements;
 - x. stair, handrail and guard dimensions;
 - xi. a cross section, through the building or *structure* illustrating foundations, drainage, ceiling heights and *construction* systems;
 - xii. elevations of all sides of the building or *structure* showing finishes, roof slopes, roof top equipment screening, windows, doors, and finished grade; and
 - xiii. cross-sectional details drawn at sufficient locations to illustrate that the building or

structure substantially conforms to the *Building Code*.

- (f) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewerage disposal *permits*, and Ministry of Health approvals;
- (g) include two (2) sets of drawings at a suitable scale including information set out in 9.1(e) of this bylaw;
- (h) include any other information required by the *Building Official* or the *Building Code* to establish substantial conformance with this bylaw, the *Building Code*, and any other bylaw or enactments relating to the building or *structure*.

9.2 In addition to the requirements of 9.1(d) of this bylaw, 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 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;
- (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 in the form of Schedule B as referred to in subsection 2.2.7 of the *Building Code*, signed by the registered professional; and
- (f) any other information required by the *Building Official* or the *Building Code* to establish substantial conformance with this bylaw, the *Building Code*, and any other bylaw or enactments relating to the building or *structure*.

10. POOLS

10.1 A swimming pool shall be enclosed within a fence of not less than 1.5 metres (5ft) in height with no openings greater than 10 cm in their least dimension. Access through the fence enclosing the swimming pool shall be equipped with a self-closing gate so designed as to cause the gate to return to a locked position when not in use and secured by a spring lock, which will open on the swimming pool side only. Such lock shall be located not less than 150 mm from the top of the gate and not less than 1.0 (3ft) above grade. No inspection is required for this fencing.

11. RELOCATION OF A BUILDING OR STRUCTURE

11.0 An application for a *permit* to relocate a building other than a factory built building shall:

- (a) be submitted to the *Building Official* in the form provided by the *Building Official* and signed by the *owner*, or a signing officer if the *owner* is a company;
- (b) be accompanied by the *owner's* acknowledgment of responsibility and undertakings made in the form attached as Appendix "B" to this bylaw, signed by the *owner*, or a signing officer if the *owner* is a company;
- (c) include a copy of a title search issued within thirty (30) days of the date of the application;
- (d) include *site* plans drawn to suitable scale and referenced to the current registered legal survey for the subject property and shall show:
 - i. the legal description and civic address of the parcel;
 - ii. by dimensions from property lines, the location of any proposed building or structure;
 - iii. means of access and egress to service the property and a detailed parking layout;
 - iv. by dimension from property lines, the location of any other existing building or structure on the *site*;
 - v. existing and finished ground levels to an established datum;
 - vi. all easements and rights-of-way whether registered or not, and the location of natural water courses;
 - vii. for other than single and two family dwellings, lot coverage and floor area ratio calculation; and
 - viii. for other than single and two family dwellings, provision for garbage containers, proposed method of screening and a detailed landscape treatment for the *site*.
- (e) identify the existing location of the building or structure and proposed location to which the building or structure is to be moved; and
- (f) provide written verification by the appropriate utility authorities that all utility services have been disconnected and/or sealed as required.

11.2 Every application for a *permit* to relocate a building or structure shall be accompanied by security in an amount equal to the estimated cost of completing the building or structure in its new location, in a form and amount acceptable to the *Village*.

11.3 Should a building or structure which has been relocated subject to the provisions of this

bylaw not be completed within one (1) year from the date of issuance of the *permit*, the *Building Official* may send a written notice to the *owner* stating that the building does not conform with this bylaw or other enactment and direct the *owner* to remedy the non-conformance within thirty (30) days from the date of service of the notice. If the non-conformance is not remedied within the period of thirty (30) days, the *Village* may draw upon the security on deposit and take whatever action is necessary to effect completion of the building and *site*.

12. DEMOLITIONS

12.1 An application for a *permit* with respect to a demolition shall:

- (a) be submitted to the *Building Official* in the form provided by the *Building Official* and signed by the *owner*, or a signing officer if the *owner* is a company;
- (b) be accompanied by the *owner's* acknowledgment of responsibility and undertakings made in the form attached as Appendix "B" to this bylaw, signed by the *owner*, or a signing officer if the *owner* is a company;
- (c) include a copy of a title search issued within thirty (30) days of the date of the application; and
- (d) include *site* plans drawn to a suitable scale and referenced to the current registered legal survey for the subject property which shall show:
 - i. the legal description and civic address of the parcel;
 - ii. location of any existing buildings or structures on the *site*; and
 - iii. identify the building or buildings to be demolished.

12.2 Every *person* making application for a *permit* to demolish a building or structure shall, as part of his or her application, provide the *Building Official* with satisfactory evidence that:

- (a) no unsafe condition will be created or permitted; and
- (b) provide written verification by the appropriate utility authorities that all utility services have been disconnected and/or sealed as required.

12.3 Before issuing a *permit* to demolish any building or structure, the *Village* may demand, as a condition of issuance that security be provided in a form satisfactory to the *Village* to ensure that the *site* of the demolition will be left in a safe condition, free from debris or dust, and compatible with neighbouring properties. The security amount shall be equal to the estimated cost of *site* restoration as approved by the *Village*. In the event that the *site* is not properly restored to a standard satisfactory to the *Village*, written notice may be sent to the *owner* requiring that the *site* be properly restored within thirty (30) days from the date of notice service of the. If the restoration is not carried out within the thirty (30) days, the *Village* may draw upon the security and take whatever action is necessary to effect restoration of the *site*.

13. TEMPORARY BUILDINGS

13.1 The word "temporary" shall mean a period not exceeding one (1) year.

13.2 An application for a *permit* with respect to a temporary building or structure shall:

- (a) be submitted to the *Building Official* in the form provided by the *Building Official* and signed by the *owner*, or a signing officer if the *owner* is a company;
- (b) be accompanied by the *owner's* acknowledgment of responsibility and undertakings made in the form attached as Appendix "B" to this bylaw, signed by the *owner*, or a signing officer if the *owner* is a company;
- (c) include a copy of a title search made within thirty (30) days of the date of the application;
- (d) include *site* plans drawn to suitable scale and referenced to the current registered legal survey for the subject property which shall show:
 - i. the legal description and civic address of the parcel;
 - ii. by dimensions from property lines, the location of proposed building or structure;
 - iii. means of access and egress to service the property and a detailed parking layout;
 - iv. by dimension from property lines, the location of any other existing building or structure on the *site*;
 - v. existing and finished ground levels to an established datum;
 - vi. all easements and rights-of-way whether registered or not, and the location of natural water courses;
 - vii. for other than single and two family dwellings, lot coverage and floor area ratio; and
 - viii. for other than single and two family dwellings, provision for garbage containers, proposed method of screening and a detailed landscape treatment for the *site*; and
- (e) include security in a form and amount satisfactory to the *Village* but in any event not less than Two Thousand Dollars (\$2000.00) in value, to guarantee that the building or structure will be removed from the site within the time limit indicated.

13.3 Temporary buildings shall conform to the requirements of this bylaw and the siting requirements of the *Village Zoning Bylaw* in effect at the time.

14. PROFESSIONAL DESIGN AND FIELD REVIEW

14.1 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 form of Schedules B and C-B referred to in subsection 2.2.7 of the *Building Code*.

- 14.2 Prior to the approval of a final inspection 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 *Building Official* with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in subsection 2.2.7 of the *Building Code*.
- 14.3 When a registered professional provides letters of assurance in accordance with this bylaw, he or she shall also provide proof of professional liability insurance to the *Building Official* in the form of Appendix "C" to this bylaw.

15. PROFESSIONAL PLAN CERTIFICATION

- 15.1 The letters of assurance in the form of Schedule B referred to in subsection 2.2.7 of the *Building Code* and required pursuant this bylaw are relied upon by the *Village* and its *Building Official* as certification that the design and plans to which the letters of assurance relate substantially conform to the *Building Code* and other applicable enactments relating to health and safety.
- 15.2 A building *permit* issued pursuant to the requirements 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* conform with the *Building Code* and other applicable enactments relating to safety.
- 15.3 When a building *permit* is issued in accordance with the requirements of this section of the bylaw, *permit* fee shall be reduced pursuant to Appendix "A" to this bylaw.

16. INSPECTIONS

- 16.1 When a registered professional provides letters of assurance in accordance with this bylaw, the *Village* will rely solely on the letters of assurance submitted pursuant to section 14.2 of this bylaw as certification that the *construction* substantially conform to the design, plans and specifications and that the *construction* complies with the *Building Code*, this bylaw and other applicable enactments.
- 16.2 Notwithstanding section 16.1 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.
- 16.3 A *Building Official* may attend periodically at the *site* of the *construction* of *standard buildings* or *structures* to ascertain whether the *Health and Safety Aspects of the Work* are being carried out in substantial conformance with those portions of the *Building Code*, this bylaw and any other applicable enactment concerning safety.
- 16.4 The *owner*, or his or her *agent*, shall give a minimum of one working day notice of the

following aspects of the work and, in the case of a *Standard Building*, shall obtain an inspection and receive a *Building Official's* acceptance of the following aspects of the work prior to concealing it:

- (a) of intent to do work that has been ordered by the *Building Official* inspected during *construction*;
- (b) of intent to cover work that has been ordered by the *Building Official* to be inspected prior to covering;
- (c) when work has been completed so that a final inspection can be made;
- (d) and, while not limiting the generality of the foregoing, at the following stages of *construction*:
 - i. when the forms for footings are complete, but prior to placing of any concrete therein;
 - ii. when concrete slab damp proofing or soil gas control measures have been installed, but prior to pouring a concrete slab;
 - iii. when foundation concrete damp-proofing, waterproofing and perimeter drains are complete, or after framing of a preserved wood foundation wall and floor assembly and application of damp-proofing, but prior to any backfill being placed;
 - iv. when framing and sheathing of the building are complete, including the installation of roof membrane, all exterior doors and windows, fire-stopping, bracing, chimneys, duct work, plumbing, gas venting and wiring, but before any insulation, drywall or other interior or exterior finish is applied which would conceal such work;
 - v. when the rough-in plumbing system, including interior water supply and drain waste and vent piping are complete, but before any such plumbing is covered;
 - vi. when exterior stucco wire and flashing is complete but prior to placement of any scratch coat thereon;
 - vii. when insulation and vapour barrier are complete but prior to placement of any finish thereon;
 - viii. during the *construction* of any masonry fireplace, when cantilevered hearth forms are in place but prior to pouring concrete; at the smoke chamber stage; for a free-standing masonry chimney, at the thimble stage; before any factory-built or site constructed fireplace or chimney is enclosed by combustible material; and before the chimney cap is placed on a masonry chimney; and
 - ix. when all work is complete but prior to occupancy.

16.5 For greater certainty, in the case of *Complex Buildings*, the requirement under 16.4 to notify the *Building Official* of the listed stages of *construction* does not oblige the *Building Official* to

attend the *site* for inspections, *monitoring* or any other purpose.

17. OCCUPANCY CERTIFICATE

- 17.1 No *person* shall occupy or use a building or *structure* or part of a building or *structure* until an occupancy certificate has been issued.
- 17.2 An occupancy certificate shall not be issued unless:
- (a) all letters of assurance have been submitted when required in accordance with this bylaw; and
 - (b) all aspects of the work requiring inspection and acceptance pursuant to section 15.4 of this bylaw have been inspected and *accepted*.
- 17.3 A *Building Official* may issue an occupancy approval for part of a building or *structure* when that part of the building or *structure* is self-contained, provided with essential services and meets health and safety requirements.

18. FEES AND CHARGES

- 18.1 In addition to applicable fees and charges required under other bylaws, a *permit* fee, calculated in accordance with Appendix "A" to this bylaw, shall be paid in full prior to issuance of any *permit* under this bylaw.
- 18.2 The application fee as set out in Appendix "A" shall accompany an application made for a building *permit* to this bylaw and shall be subject to the following:
- (a) *permit* application fee is non-refundable;
 - (b) an application shall be cancelled and the *permit* application fee forfeited if the *permit* has not been issued and the *permit* fee paid within six months of the date of notification to the *owner* that the *permit* is ready to be issued; and
 - (c) when an application is cancelled the plans and related documents submitted with the application may be destroyed.
- 18.3 The *owner* may obtain a refund of the *permit* fees set out in Appendix "A" to this bylaw when a *permit* is surrendered and cancelled before any *construction* begins, provided the refund shall not include the *permit* application fee paid pursuant to section 18.2 of this bylaw.
- 18.4 Where, due to non-conformance 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 Appendix "A" to this bylaw shall be paid prior to additional inspections being performed.
- 18.5 Where a required inspection is requested to be done, after the hours during which the offices of the *Village* are normally open, an inspection charge shall be payable based on the time

actually spent in making such inspection, including travel time.

19. DISCLAIMER OF WARRANTY OR REPRESENTATION

19.1 Neither the issuance of a *permit* under this bylaw nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the *Village* constitute in any way a representation, warranty, assurance or statement that the *Building Code*, this bylaw or other applicable enactments have been complied with.

20. PENALTIES AND ENFORCEMENT

20.1 Every *person* violating any provision of this bylaw commits an offence punishable on summary conviction to a fine of not less than One Hundred Dollars (\$100) or more than Ten Thousand Dollars (\$10,000) or to imprisonment of not more than six months for each offence. A separate offence shall be deemed to be committed on each day during or on which a violation occurs or continues.

20.2 Every *person* who fails to conform with any order or notice issued by a *Building Official*, or who allows a violation of this bylaw to continue, contravenes this bylaw.

20.3 A *Building Official* may order the cessation of any work that is proceeding in contravention of the *Building Code* or this bylaw, or other applicable enactments by posting a Stop Work Order.

20.4 The *owner* of property on which a Stop Work Order has been posted, and every other *person*, shall cease all *construction* work immediately and shall not do any work until all applicable provisions of this bylaw have been substantially complied with and the Stop Work Order has been rescinded in writing by a *Building Official*.

20.5 Where a *person* occupies a building or *structure* or part of a Building or *structure* in contravention of section 3.1.4 of this bylaw a *Building Official* may post a "Do Not Occupy" notice on the affected part of the building or *structure*.

20.6 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*.

21. APPENDICES

21.1 The Appendices attached to this bylaw form part of and are enforceable in the same manner as this bylaw.

22. EFFECTIVE DATE

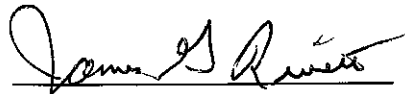
22.1 This bylaw shall come into effect on the date of adoption by Council

READ A FIRST TIME this 9th day of December 2015.

READ A SECOND TIME this 9th day of December 2015.

READ A THIRD TIME this 9th day of December 2015.

RECONSIDERED AND ADOPTED this 19th day of January 19, 2016.



MAYOR



Corporate Officer

APPENDIX "A"

SCHEDULE OF PERMIT FEES

A. For the purpose of calculating the fee for *permits* under this bylaw, the value of *construction* shall be the total contract price for the work including all subcontracts or the value of *construction* as determined by the *Building Official* on the basis of plans, specifications and information available to him, whatever value shall be greater.

B. BUILDING PERMIT APPLICATION FEES

A non-refundable *permit* application fee of \$200 or the calculated building *permit* fee, whichever is less, shall be charged for all *permits*. The building *permit* fee shall include this non-refundable application fee.

C. BUILDING PERMIT FEE

(1) <u>Construction Value</u>	<u>Fee</u>
(a) \$1 to \$1,000;	\$50
(b) \$50 plus for each \$1,000 or part thereof by which the value exceeds the sum of \$1,000 up to a maximum value of \$100,000 as additional fees; or	\$8
(c) \$842 plus for each additional \$1,000 or part thereof by which the value exceeds the sum of \$100,000 as additional fees.	\$6

D. PLUMBING PERMIT FEE

(1) Minimum fee for any plumbing <i>permit</i> or first fixture	\$50
(2) <i>Permit</i> fee for each fixture after the first fixture	\$6
(3) <i>Permit</i> fee for an interceptor or catch basin	\$15
(4) <i>Permit</i> fee for the installation of a backflow prevention device in any plumbing system.	\$15
(5) <i>Permit</i> fee for any fire sprinkler system	
(a) First 25 sprinkler heads	\$50
(b) Each additional sprinkler head after the first 25	\$1

E. PERMIT FEE SURCHARGE

- (1) In addition to other fees payable in accordance with this Appendix at the time of *permit* issuance, a surcharge will apply to all building *permits* as follows:
 - (a) \$50 where the *construction* value is less than \$10,000;
 - (b) \$200 where the *construction* value is from \$10,000 to \$50,000; or
 - (c) \$500 where the *construction* value is in excess of \$50,000.

- (2) When all work associated with a building *permit* is completed within 24 months of the date of issue, the *Building Official* shall rebate the surcharge fee as follows:
 - (a) \$50 where the *construction* value is less than \$10,000;
 - (b) \$200 where the *construction* value is from \$10,000 to \$50,000; or
 - (c) \$500 where the *construction* value is in excess of \$50,000.

F. SPECIAL INSPECTION

Voluntary inspection to establish conformance or status of a building. \$80

G. MANUFACTURED HOMES OR BUILDING RELOCATION

- (1) *Permit* fee for manufactured homes including skirting, foundation, blocking 2m² (21 ft²) landing and stairs, water and sewer service connections. \$250

- (2) *Permit* fee for manufactured homes or relocated buildings placed on permanent foundations extending below ground level will be \$250 plus an additional fee based on the value of the foundation as determined by the *Building Official*.

H. RENEWAL PERMIT FEE

The fee for a renewal *permit* shall be \$100 for each renewal period of 12 months.

TEMPORARY BUILDING

For a *permit* to construct, place or occupy a temporary building for one year or part thereof. \$50

J. CHIMNEY / SOLID FUEL APPLIANCE

Fee for the installation of a chimney, fireplace or solid fuel-burning appliance. \$100

K. REMOVAL OF NOTICE ON LAND TITLE

Fee for the removal of a land title notice. \$200

L. **DEMOLITION OR RELOCATION**

The fee for a *permit* to demolish a building. \$50

M. **REINSPECTION FEE**

Where any re-inspection carried out pursuant to this bylaw discloses faulty work and a subsequent inspection is thereby made necessary, the fee for each subsequent inspection shall be \$50.

N. **DOUBLE PERMIT FEE**

Where work for which a *permit* is required by this bylaw has been commenced prior to issuance of a *permit*, the applicant shall pay double the fee prescribed in this Schedule, provided that the additional fee shall not exceed \$2,000.

O. **PERMIT FEE REFUND**

Where no construction has commenced within six months of building permit issuance, should the *permit* holder apply in writing to cancel the application or *permit*, the *Building Official* shall refund 75% of the original *permit* fee.

P. **FEE REDUCTION FOR PROFESSIONAL SUPERVISION**

Where a professional engineer or architect is retained by the *owner* and an undertaking is provided to coordinate design and field reviews on the project, the building *permit* fee will be reduced by 5%.

Q. **BUILDING INFORMATION REQUEST**

The fee for researching building *permit* files. \$40

APPENDIX "B"

Owner(s) Undertaking Letter

1. This Appendix "B" document must be:
 - a. signed by the owner(s) of the property for which a building permit is sought in the presence of a witness; and
 - b. submitted to the Village prior to issuance of a building permit.
2. This document will have legal consequences for the owner(s). As such, the owner(s) is encouraged by the Village to obtain independent advice from a lawyer prior to signing and submitting this Appendix B document.

ATTENTION: BUILDING OFFICIAL

Dear Sir:

RE: _____ (the "Property")
(Legal Description of Property)

Building Permit Application No. _____ (the "Project")

In consideration of the Village of Clinton (the "Village") accepting and processing an application for a building permit in respect of the Project, and as required by the Villages Building Regulations Bylaw, the following representations, warranties and indemnities are given to the Village .

1. I am:
 - () the/an *owner* of the Property; or
 - () where the Property is owned by a company, I am authorized by the *owner*-company to sign this undertaking letter on behalf of the company.

Name: _____

Address: _____

2. I understand and acknowledge that the *owner* of the Property is fully responsible for carrying out the work, or having the work carried out by a contractor or a registered professional, to ensure compliance with the current version of the *Building Code*, the Village's Building Regulations Bylaw, other applicable Village Bylaws or any other applicable enactments.
3. I understand and acknowledge that neither:
 - a) the issuance of a building *permit* by the *Village*,
 - b) the acceptance or review of plans and supporting documents in respect of the Project, nor
 - c) any *monitoring* visits made by *Village Building Officials*,

shall in any way constitute a representation, warranty or statement by or on behalf of the *Village* that the Project complies with current version of the *Building Code*, the *Village* Building Regulations Bylaw, other applicable *Village* bylaws or any other applicable enactments nor relieve the *owner*

and/or his or her *agent* from full and complete responsibility to perform the work in strict accordance with *Building Code*, the *Village Building Regulations Bylaw*, other applicable *Village* bylaws or any other applicable enactments respecting safety.

- 4. I am not in any way relying on *Village* or any of the *Village Building Officials* to protect:
 - a) the *owner(s)* or any future *owner(s)* of the Property,
 - b) any use or occupier of the Property, or
 - c) any other *person(s)* as contemplated in Division 1 of the current version of the *Village Building Regulations Bylaw*,

from injury or physical harm, property loss or damage, economic loss or any other form of claim or cause of action and I will not make any claim, counterclaim, or initiate Third Party proceedings, alleging responsibility or liability on the part of the *Village* or any of its *Building Officials* in connection with the Project.

- 5. Where “Letters of Assurance of Professional Design and Commitment for Field Review” are required, I have authorized, and am relying upon the following registered professionals to prepare and submit adequate plans and supporting documents and conduct all appropriate and necessary field reviews in respect of the Project:

(Print Name of each registered professional)

Coordinating: _____

Architectural: _____

Building Envelope: _____

Structural: _____

Mechanical: _____

Plumbing: _____

Fire Suppression Systems: _____

Electrical: _____

Geotechnical – temporary: _____

Geotechnical – permanent: _____

(the “Registered Professionals”).

- 6. I understand and acknowledge that the *Village* will rely solely upon the “Letters of Assurance of Professional Design and Commitment for Field Review” prepared by the Registered Professionals in respect of the Project to ensure compliance with the current version of the *Building Code*.
- 7. I understand that the word “work” in this document includes all work necessary to complete the Project such that it is compliance with the current version of the *Building Code*, the *Village Building Regulations Bylaw*, other applicable *Village* bylaws and any other applicable enactments.

8. In the case where the Property is owned by a company, I have been authorized by the *owner*-company to make the representations, warranties and assurances to the *Village* as are contained in this Appendix "B" document.

9. I have been advised by the *Village* that I should obtain independent advice from a lawyer prior to signing and submitting this Appendix "B" document to the *Village*.

<i>Where owner is an individual:</i>	
Signature of Witness	Signature of <i>Owner</i>
Witness (print name)	<i>Owner</i> (print name)
Address of Witness	<i>(additional owner):</i>
Signature of Witness	Signature of <i>Owner</i>
Witness (print name)	<i>Owner</i> (print name)
Address of Witness	(if required, reproduce and attach another copy of this page for additional <i>owner</i> signatures)
<i>Where owner is a company:</i>	
Signature of Witness	Name of Company
Witness (print name)	Signature of authorized signatory for Company
Address of Witness	Name of authorized signatory for Company
	Title of authorized signatory for Company

APPENDIX "C"

Registered Professional's Proof of Insurance

ATTENTION: BUILDING OFFICIAL

RE: _____
(Legal Description of Property)

Building *Permit* No. _____ Project Address: _____

Project Description: _____

This is to confirm that the undersigned registered professional is insured by a policy of insurance covering liability to third parties for errors and omissions in the provision of professional services in respect of the captioned project, a certificate of which insurance is attached.

The undersigned will notify both the *Building Official* and the *owner* who has engaged the undersigned to provide professional services in respect of the captioned project, in writing, of any termination of or change in terms of the coverage provided by the policy, immediately upon being informed of or becoming aware of such termination or change.

Signature of Registered Professional

Name of Firm

(affix seal)