

VILLAGE OF ELKFORD

BYLAW NO. 96

A Bylaw for the administration and enforcement of the Building Code.

WHEREAS Section 719A<sup>694</sup> of the Municipal Act of the Province of British Columbia and the regulations made thereunder provide that the "Building Code" as defined by the same act apply to the Village of Elkford;

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

TITLE:

This Bylaw may be cited as the "Village of Elkford Building Bylaw No. 96,, 1977."

DEFINITIONS:

In this Bylaw:

AGENT includes a person, firm or corporation representing the owner, by designation or contract, and interalia who may be granted permits for work within the limitations of his licence.

BUILDING CODE means the Building Code of British Columbia as defined by the British Columbia Municipal Act, Section 719A and the regulations made thereunder.

BUILDING INSPECTOR means the person or persons appointed by the Council of the Village of Elkford as the authority (ies) having jurisdiction.

CONFLICT:

In the case of any conflict between the provisions of this Bylaw and those of any referenced document, the provisions of this Bylaw shall take precedence.

In the case of any conflict between the provisions of this Bylaw and of any other Village of Elkford Bylaw or Provincial regulations, the provisions of the more restrictive Bylaw or regulation shall take precedence.

PROHIBITION:

1. No person shall commence or continue any work related to building unless he is the holder of a valid and subsisting permit issued by the Building Inspector.
2. No person shall occupy or use any building or part thereof contrary to the terms of any permit, notice or certificate given by the Building Inspector.
3. No person shall, unless authorized by the Building Inspector, reverse, alter, deface, cover, remove or in any way tamper with any notice or certificate posted upon or affixed to any building pursuant to any provision of this bylaw.
4. No person shall interfere with or obstruct the entry of the Building Inspector acting in the conduct of administration and enforcement of this bylaw.

CONSTRUCTION ACCORDING TO APPROVED PLANS ONLY:

5. No person shall do any work that is at variance with the description, plans and specifications for the building, structure, work or thing for which a permit has been issued, unless such change has been approved by the Building Inspector.

OCCUPANCY PERMIT:

6. No person shall use or occupy any building until the building complies with the health and safety requirements of the Bylaws of the Village of Elkford, as evidenced by a valid and subsisting occupancy permit issued by the Building Inspector.

DUTIES OF THE BUILDING INSPECTOR:

- (a) administer this bylaw;
- (b) keep records of any application received, permits and orders issued, inspections and tests made, and shall retain copies of all papers and documents connected with the administration of this bylaw;
- (c) establish whether any method or type of construction or material used in the construction of any building conforms with the requirements and provisions of the building code.

POWERS:

8. The Building Inspector:

- Access (a) may enter any building or premises at any reasonable time for the purpose of administering or enforcing this bylaw;
- Credentials (b) shall ensure that employees or persons charged with administration and enforcement of this bylaw carry proper credentials;
- Revoke Permit (c) may revoke or refuse to issue a permit where the results of tests or materials, devices, construction methods, structural assemblies or foundation conditions are not satisfactory, in his opinion;
- Correct Work (d) may order the correction of any work which is being or has been improperly done under the permit;
- Stop Work (e) may order the cessation of work that is proceeding in contravention of this bylaw.

PERMITS:

9. Where:

- (a) an application has been made, and
- (b) the proposed work set out in the application conforms with this bylaw and all other applicable bylaws:
- (c) the applicant for a permit has paid the fee prescribed and as set out in Appendix 'A' attached hereto,

the Building Inspector shall issue the permit for which the application is made.

PERMIT CONDITIONS:

10. Every permit is issued upon the condition that:

- (a) the work is to be started within six months from the date of issuing the permit;
- (b) the work is not to be discontinued or suspended for a period of more than one year;
- (c) the permit shall lapse in the event that either condition above is not met;
- (d) an additional fee shall be paid if the permit is renewed.

NO REFUND:

- 11. No fee or part thereof paid to the Municipality shall be refunded if a start has been made on the construction of the building. If no start has been made and the Building Inspector so certifies, the Municipal Treasurer may refund to the applicant such proportionate part of the fee as the Building Inspector shall recommend.

DOUBLE THE FEE:

- 12. If any construction for which a permit is required by this Bylaw has been commenced before a permit has been issued by the Building Inspector, the owner of the real property on which the construction is being done shall pay to the Municipality double the fee prescribed and set out in Appendix 'A' attached hereto, provided how-

ever that the maximum additional fee shall not exceed TWO HUNDRED AND FIFTY DOLLARS (\$250).

APPLICATION FORMAT:

13. The application shall:

(a) be made in the form prescribed by the Building Inspector;

(b) be signed by the owner or his agent;

Classification (c) state the intended use or uses of the building;

Drawings (d) include as exhibits copies in duplicate of the specifications and scale drawings of the building with respect to which the work is to be carried out showing:-

(i) the dimensions of the building;

(ii) the proposed use of each room or floor area;

Site Plan (iii) the dimensions of the land on which the building is, or is to be, situated;

Elevations (iv) the grades and elevations of the streets and sewers abutting the land referred to in clause (iii), when required by the Building Inspector;

(v) the position, height and horizontal dimensions of all buildings on the land referred to in clause (iii);

(vi) a survey of the building site by a registered provincial surveyor, when required by the Building Inspector;

Technical (vii) the technical information specified in other parts of this bylaw required to be included on the drawings relating to those parts;

(viii) such other information as is necessary to illustrate all essential features of the design of the buildings;

(ix) when required by the Building Inspector the application shall also be accompanied by;

Plumbing Sketch (a) a plan that shows the location and size of every building drain and of every trap or inspection piece that is on a building drain, and

(b) a sectional drawing that shows the size and location of every soil or waste pipe, trap and vent pipe. The plans and specifications shall be submitted in the form and quantities required by the authority having jurisdiction and shall have thereon complete design and calculation criteria so that the authority having jurisdiction shall have this information available for examination and bear the name and address of the designer; and

Technical Information

(e) contain any and all other information necessary to establish compliance with this bylaw.

SUPERVISION OF CONSTRUCTION:

14. Notwithstanding any other provisions of this bylaw, whenever in the opinion of the Building Inspector the proposed work required specialized technical knowledge, it may be required as a condition of the issuance of any permit that all drawings, specifications and plot plans, or any part thereof, be prepared and signed by and the construction carried out under the supervision of an architect or professional engineer registered in the Province of British Columbia.

STOP WORK:

15. The Building Inspector may revoke a permit where there is violation of:
- (a) any condition under which the permit was issued, or
  - (b) any provision of the Building Code.

This revocation shall be in writing and transmitted to the permit holder by registered mail.

PARTIAL PERMIT:

16. The Building Inspector may issue a permit for the construction of a phase of a building before the entire plans and specifications for the whole building have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the bylaw. The issuance of the permit notwithstanding, the requirements of this bylaw apply to the remainder of the building, as if the permit had not been issued.

NO PERMIT REQUIRED:

17. No permit shall be required for 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 re-arrangement of valves, pipes or fixtures or hot water tanks.

TEMPORARY BUILDING:

18. Subject to any other bylaw, the Building Inspector may issue a permit for the erection or placement of a temporary building, structure or shelter, if he is satisfied that the building, structure or shelter is safe for the stated use and duration.

OCCUPATION PRIOR TO COMPLETION:

19. Where a building permit has been issued for a single family residence the owner may apply for a permit to occupy the building prior to completion of construction, which permit may be withheld until the building or part thereof complies with the health and safety requirements of the bylaw of the municipality or of any Statute.

RESPONSIBILITY OF THE OWNER:

20. Neither the granting of a permit nor the approval of the drawings and specifications nor inspections made by the Building Inspector shall in any way relieve the owner of such building from full responsibility for carrying out the work or having the work carried out in accordance with the requirements of this bylaw or the Building Code.

DAMAGE TO MUNICIPAL WORKS:

21. Any owner of property for which a permit is issued shall be responsible for the cost of repair of any damage to municipal works that occurs as a result of the work covered by the permit.

DUTIES OF THE OWNER:

22. Every owner of a property or his agent shall:

Obtain  
Permits

- (a) obtain where applicable from the Building Inspector permits relating to demolition, excavation, building, repair of buildings, zoning, change in classification of occupancy, swimming pools, canopies, awnings, marquees, blasting, street occupancy, electricity, building to be moved, and all other permits required in connection with the proposed work prior to the commencement of such work;

Street Occupancy

- (b) for any type of street occupancy also furnish a valid insurance certificate as appended hereto. (Appendix 'B')

- 3 -
- Public Sewer (c) in all cases where it is proposed to conduct the waste from plumbing fixtures, trade waste or surface or roof water to a public sewer, make certain, by inquiring from the Building Inspector such public sewer is at a sufficient depth and of a capacity to receive such discharge; and also to arrange the plumbing to suit the location of the connection provided for the lot;
- Notice (d) give at least 48 hours notice to the Building Inspector of the intention to start work on the building site;
- Inspections (e) give at least 24 hours notice to the Building Inspector and obtain his inspection and approval of the work;
- Footings (i) after the forms for footings and foundations are complete but prior to placing of any concrete therein;
- Foundations (ii) after removal of framework from a concrete foundation and installation of perimeter drain tiles and damp-proofing, but prior to backfilling against foundations;
- Framing (iii) when framing and sheathing of the building are complete including fire-stopping, bracing, chimney, duct work, plumbing, gas venting, wiring, but before any finish is applied which would conceal such work;
- Sewer and Water Connections (iv) before a building drain, sanitary or storm sewer is covered and if any part of a plumbing system is covered, before it is inspected and approved, it shall be uncovered if the Building Inspector so directs, and when considered necessary, underground building drains, branches, storm drains, and sewers shall be re-tested after the completion of all backfilling and grading by heavy equipment;
- Final (v) after the building or portion thereof is complete and ready for occupancy, but before occupancy takes place of the whole or a portion of the building.

DOCUMENTS ON THE SITE:

23. The owner to whom a permit is issued shall during construction, keep:-
- (a) posted in a conspicuous place on the property in respect of which the permit is issued the building permit or a poster or placard in lieu thereof, and
- (b) a copy of the approved drawings and specifications on the property in respect of which the permit was issued.

EQUIVALENTS:

24. The provisions of this bylaw are not intended to limit the appropriate use of materials, equipment or methods of construction not specifically authorized herein. An owner desirous of providing an equivalent material, equipment or method of construction not specifically authorized by this bylaw shall submit to the Building Inspector sufficient evidence to satisfy the Building Inspector that the proposed equivalent will provide the level of performance required by this bylaw.

ELKFORD CLIMATIC DATA:

25. January 2½% Design Temperature	-30°C	-21°F	
January 1% Design Temperature	-32°C	-25°F	
July 2½% Dry Temperature	29°C	84°F	
July 2½% Wet Temperature	19°C	66°F	
Annual total degree days below	18°C	9144	65°F
Maximum fifteen (15) minute rainfall	13 mm	0.5 in	
Maximum one day rainfall	100 mm	4 in	
<del>Maximum ground snow load</del>	<del>400 kg per m<sup>2</sup></del>	<del>80 PSF</del>	
<del>Wind effect: probability 1/10</del>	<del>34 kg per m<sup>2</sup></del>	<del>6.8 PSF</del>	
<del>Wind effect: probability 1/30</del>	<del>45 kg per m<sup>2</sup></del>	<del>8.9 PSF</del>	
<del>Wind effect: probability 1/100</del>	<del>58 kg per m<sup>2</sup></del>	<del>11.5 PSF</del>	
<del>(B.G. Engineer uses for windload)</del>	<del>(75 kg per m<sup>2</sup>)</del>	<del>(15 PSF)</del>	

Design snow load - 80% of ground snow level.

SEE BYLAW  
# 102

Suggested insulation - R Value for Elkford.

Other Than Electrical Heating				Electrical Heating			
Walls	Roofs	Floors	Perimeter	Walls	Roofs	Floors	Perimeter
	Roofs	Roof Decks	Slab of Ground		Roofs	Roof Decks	Slab of Ground
12.34	12.34	7.77	5	12.80	14.63	8.86	5
		(Rigid)	(Rigid)				(Rigid)

OTHER REGULATIONS:

Swimming Pool 26. The Building Inspector shall not issue a building permit for the construction of a swimming pool unless provision is made for the pool to be enclosed with a fence of not less than 1.5 m in height, with no openings greater than 10 cm in their least dimension. Any access through the fence shall be equipped with a self-closing gate so designed, as to cause the gate to return to a locked position when not in use and secured by a spring lock which can be opened on the swimming pool side only. For the purpose of this section, swimming pool shall include any construction, constructed or prefabricated pool used or intended to be used for wimming, bathing, or wading, having a surface area exceeding 15 m<sup>2</sup> or a depth of more than 50 cm.

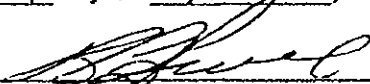
PENALTY:

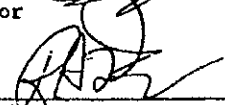
- 27. (a) Any person who violates the provisions of this bylaw or the Building Code is liable on summary conviction to a penalty not exceeding five hundred dollars (\$500) and also the costs of the prosecution.
- (b) Each day during which such violation is continued shall be deemed to constitute a new and separate violation, except where the court otherwise orders.

REPEAL:

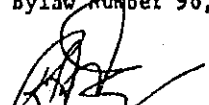
- 28. (a) Bylaw No. 4 of 1971 being the Village of Elkford Building Bylaw, 1971 is hereby repealed.
- (b) Bylaw No. 5 of 1971 being the Village of Elkford Plumbing Regulations Bylaw, 1971 is hereby repealed.

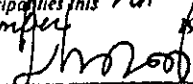
Read a first time this 12 day of Sept, 1977.  
 Read a second time this 24 day of Oct, 1977.  
 Read a third time this 24 day of Oct, 1977.  
 Reconsidered and finally adopted this 7 day of Nov, 1977.

  
 \_\_\_\_\_  
 Mayor

  
 \_\_\_\_\_  
 Clerk-Treasurer

Certified to be a true and correct copy of Bylaw Number 96, cited as the "Village of Elkford Building Bylaw No. 96, 1977."

  
 \_\_\_\_\_  
 Clerk-Treasurer

A true copy of By-Law No. 96  
 registered in the office of the Inspector  
 of Municipalities this 7th day of  
December 1977.  
  
 \_\_\_\_\_  
 Deputy Inspector of Municipalities

APPENDIX B

APPENDIX 'B' - INSURANCE CERTIFICATE

The \_\_\_\_\_ being an Insurance Company licenced to conduct business in the Province of British Columbia hereby certify that: \_\_\_\_\_ is the holder of a Bodily Injury and Property Damage Liability Policy No. \_\_\_\_\_ which has been issued in respect of \_\_\_\_\_ located at: \_\_\_\_\_ and is in full force and effect and shall not be cancelled, expire or be terminated without thirty (30) days prior notice in writing has been filed with the Village of Elkford, hereinafter referred to as the Municipality. A permit having been granted by the Municipality for the installation and maintenance of a \_\_\_\_\_ at any time during the currency of this policy, the said policy has been issued to indemnify the Village of Elkford against loss by reason of accidents which might result therefrom and it is hereby understood and agreed that the insurance provided by this policy shall first be used to indemnify the Village against all loss, costs, expenses, damages and claims arising from the liability imposed by law upon the said Municipality for damage on account of bodily injuries accidentally sustained including death resulting therefrom as well as for property damage sustained by the said Municipality and for all property damage for which the said Municipality may be held liable by reason of the construction, installation, maintenance, use, non-repair, servicing, or removal of the said \_\_\_\_\_ provided that the insurer's liability shall not in any event exceed in amounts the limits named in this policy.

The legal liability shall be:

Public Liability: One Person \$ 50,000.00

Two or more  
Persons 100,000.00

Property  
Damage 10,000.00

Any terms, conditions, agreements, or exclusions contained in the policy shall not be held applicable to the prejudice of the said Municipality. Policy shall remain in full force and effect and shall not be cancelled, expired, or be terminated without thirty (30) days prior notice in writing having been filed with the Municipality.

Note: If more than one sign, company or metal awning is involved, their names and location must appear on an attached listing.

VILLAGE OF ELKFORD

BYLAW NO. 102

A By-law to amend "Village of Elkford Building By-Law No. 96, 1977".

The Municipal Council of the Village of Elkford, in open meeting assembled, enacts as follows:

1. This By-law may be cited as "Village of Elkford Building By-Law Amendment By-Law No. 102, 1978".
2. "Village of Elkford Building By-Law No. 96, 1977" is hereby amended as follows:

ELKFORD CLIMACTIC DATA:

Maximum ground snow load	3830 Pa	(80 PSF)
Wind effect: probability 1/10	325 Pa	( 6.8 PSF)
Wind effect: probability 1/30	425 Pa	( 8.9 PSF)
Wind effect: probability 1/100	550 Pa	(11.5 PSF)
(B.C. Engineer uses for windload)	720 Pa	(15 PSF)


Read a first, second and third time this 20<sup>th</sup> day of February, 1978.

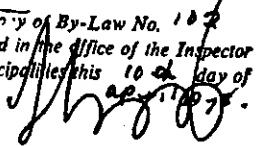
Reconsidered and finally adopted this 15<sup>th</sup> day of March, 1978.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk-Treasurer

Certified to be a true and correct copy of By-law No. 102, cited as the "Village of Elkford Building By-Law Amendment By-Law No. 102, 1978".

  
\_\_\_\_\_  
Clerk-Treasurer

A true copy of By-Law No. 102  
registered in the office of the Inspector  
of Municipalities this 10<sup>th</sup> day of  
April, 1978.  
  
\_\_\_\_\_  
Deputy Inspector of Municipalities

DISTRICT OF ELKFORD

BYLAW NO. 238

A bylaw to amend the "Village of Elkford  
Bylaw No. 96, 1977."

The Municipal Council of the District of Elkford in open meeting  
assembled, enacts as follows:

1. The "Village of Elkford Building Bylaw No. 96, 1977" is hereby amended as follows:
2. The balance of Bylaw No. 96 cited as "Village of Elkford Building Bylaw No. 96, 1977" and amendments thereto, not amended by this Bylaw shall remain in full force and effect.
3. This bylaw applies to the whole of the District of Elkford and boundary extentions as established through the letters of Patent and amendments thereto.
4. Appendix "A" is hereby amended and replaced as follows: Appendix "A" attached.
5. District of Elkford Building Amendment Bylaw No. 177, 1982 is hereby repealed.
6. This bylaw may be cited for all purposes as "District of Elkford Building Amendment Bylaw No. 238, 1984."

READ a first time this 16<sup>th</sup> day of JANUARY, 1984.

READ a second time this 16<sup>th</sup> day of JANUARY, 1984.

READ a third time this 16<sup>th</sup> day of JANUARY, 1984.

RECONSIDERED AND ADOPTED this 30<sup>th</sup> day of JANUARY, 1984.

Richard L. Kirsh  
Mayor

David St. Armand  
Clerk-Administrator

CERTIFICATION:

I HEREBY CERTIFY that the foregoing is a true and correct copy of  
Bylaw No. 238, cited as "District of Elkford Building Amendment Bylaw No.  
238, 1984."

DATED at Elkford, British Columbia this 1<sup>st</sup> day of FEBRUARY, 1984

David St. Armand  
Deputy Clerk

APPENDIX "A"

BUILDING PERMIT FEES

1. Estimated value to be based on fifty dollars (\$50.00) per square foot of area.
2. A fee of three dollars (\$3.00) for each one thousand dollars (\$1,000.00) or fraction thereof of the estimated value of the work covered by the permit.
3. The minimum building permit fee shall be ten dollars (\$10.00).
4. A fee of twenty dollars (\$20.00) for moving a building.
5. A fee of five dollars (\$5.00) for the demolition of a building or part thereof.
6. A fee based on one half ( $\frac{1}{2}$ ) of the value of a moved-in modular or factory built building.
7. Renovation costs to be at the discretion of the authority having jurisdiction.
8. Mine sites are to be exempt from building permits and inspections.

PLUMBING PERMIT FEES

1. A fee of four dollars (\$4.00) for each plumbing fixture.
2. A minimum plumbing permit fee of ten dollars (\$10.00).
3. Mine sites are to be exempt from plumbing permits and inspections.

DISTRICT OF ELKFORD

BYLAW NO. 281

A Bylaw to amend the "Village of Elkford Building Bylaw No. 96, 1977

The Municipal Council of the District of Elkford in open meeting assembled, enacts as follows:

1. The bylaw shall be known and may be cited as "District of Elkford Building Bylaw No. 281 ,1985."
2. The "Village of Elkford Building Bylaw No. 96, 1977" is hereby amended as follows:

DUTIES OF THE BUILDING INSPECTOR

7. The Building Inspector is authorized to:
8. a) May enter any building or premises subject to the regulations of this bylaw at all reasonable times to ascertain whether the regulations or directions under this bylaw are being obeyed.
3. The balance of Bylaw No. 96, cited as "Village of Elkford Building Bylaw No. 96, 1977" and amendments thereto, not amended by this Bylaw, shall remain in full force and effect.
4. This bylaw may be cited for all purposes as "District of Elkford Building Bylaw Amendment Bylaw No. 281, 1985.

READ a first time this 11<sup>TH</sup> day of MARCH, 1985.

READ a second time this 11<sup>TH</sup> day of MARCH, 1985.

Read a third time this 11<sup>TH</sup> day of MARCH, 1985.

RECONSIDERED AND ADOPTED this 25<sup>TH</sup> day of MARCH, 1985.

Richard R. Smith  
Mayor

Carol St. Amour - Clark  
Clerk-Administrator

CERTIFICATION

CERTIFIED that this is a true and correct copy of Bylaw No. 281 cited as "District of Elkford Building Amendment Bylaw No. 281, 1985".

DATED at Elkford, British Columbia this 23<sup>RD</sup> day of MAY, 1985

Carol St. Amour - Clark  
Clerk-Administrator