

CITY OF ABBOTSFORD

CONSOLIDATED BUILDING BYLAW, 2003

Bylaw No. 1274-2003

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AMENDMENTS

<u>No.</u>	<u>Date Adopted</u>	<u>Description</u>
1312-2004	2005 03 07	Amends Schedule "2" to allow a building permit fee refund, not in excess of \$500.00 to repair the building envelope of a multi-family building containing more than four dwelling units
1492-2005	2005 09 19	Housekeeping changes
1626-2007	2007 02 12	Amends Fees in Schedule 2

I hereby certify this to be
a consolidated copy of
Bylaw No. 1274-2003, as at
_____, 2007.

Evelyn Storrier
Deputy City Clerk

CITY OF ABBOTSFORD
CONSOLIDATED BUILDING BYLAW, 2003

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The Council of the City of Abbotsford, in open meeting assembled, ENACTS AS FOLLOWS:

1. CITATION

Bylaw No. 1274-2003 may be cited as “Building Bylaw, 2003.”

2. DEFINITIONS

Schedule “1” contains definitions of terms used in this bylaw.

3. PURPOSE OF BYLAW

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

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

- (a) to the protection of Owners, Owner/builders or Constructors from economic loss;
- (b) to the assumption by the City or any Building Official of any responsibility for ensuring the compliance 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 providing any person a warranty of design or workmanship with respect to any Building or Structure for which a Building Permit is issued under this bylaw; or
- (d) to providing a warranty or assurance that construction undertaken pursuant to Building Permits issued by the City of Abbotsford is free from latent, or any defects.

4. PERMIT CONDITIONS

- 4.1 A permit is required whenever work regulated under this bylaw is to be undertaken.
- 4.2 Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or supporting documents, nor any inspections made by or on behalf of the City of Abbotsford shall in any way relieve the Owner or his or her representatives from full and sole responsibility to perform the work in strict accordance with this bylaw, the *Building Code* and/or other applicable enactments respecting safety.
- 4.3 It shall be the full and sole responsibility of the Owner (and where the Owner is acting through an Agent, the Agent) to carry out the work in respect of which the permit was issued in compliance with the *Building Code* and this bylaw or other applicable enactments respecting safety.
- 4.4 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 City of Abbotsford, constitute in any way a representation, warranty, assurance or statement that the *Building Code*, this bylaw or other applicable enactments respecting safety have been complied with.
- 4.5 No person shall rely upon any permit as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms. The person to whom the Building Permit is issued and his or her representatives are responsible for making such determination.

5. SCOPE

- 5.1 This bylaw applies to the design, construction and Occupancy of new Buildings and Structures, and the alteration, reconstruction, demolition, removal, relocation and Occupancy of existing Buildings and Structures.

6. PROHIBITIONS

- 6.1 No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the Occupancy of any Building or Structure, including excavation or other work related to construction unless a Building Official has issued a valid and subsisting permit for the work, or the work is excepted under this bylaw.

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- 6.2 No person shall occupy or use any Building or Structure unless permission to occupy has been issued by a Building Official for the Building or Structure, or contrary to the terms of any permit issued or any notice given by a Building Official.
- 6.3 No person shall knowingly submit false or misleading information to a Building Official in relation to any permit application or construction undertaken pursuant to this bylaw.
- 6.4 No person shall, unless authorized in writing by a Building Official, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to a Building or Structure pursuant to this bylaw.
- 6.5 No person shall do any work that is substantially at variance with the accepted design or plans of a Building, Structure or other works for which a permit has been issued, unless that variance has been accepted in writing by a Building Official.
- 6.6 No person shall obstruct the entry of a Building Official or other authorized official of the City of Abbotsford on property in the administration of this bylaw.
- 6.7 No Building Damaged by fire, decay, storm, or otherwise to an extent of more than 75% of its value above its foundation, as determined by the Building Official, shall be Repaired unless, in every respect, the whole Building, including the undamaged portion, is made to comply with this bylaw and the City of Abbotsford Zoning Bylaw.
- 6.8 Where Provincial or Federal regulations provide for an appeal period for any property construction or development, no Building Permit shall be issued until the City receives confirmation that all appeals or objections have been resolved.
- 6.9 Despite any other provision of this bylaw, no Building Permit shall be issued for construction on any lot, except for lots where show homes are authorized by the City Engineer and the Building Official, until such lot is serviced with water, sewage disposal, storm drainage, road works, and street lighting in accordance with the standards set forth in the City of Abbotsford Subdivision and Development Bylaw.

- 6.10 Despite any other provision of this bylaw, no Building Permit shall be issued for construction without prior issuance of a Development Permit, where such permit is required by the City's Official Community Plan. (B/L 1492-2005)

7. BUILDING OFFICIALS

7.1 A Building Official may:

- (a) administer this bylaw and all other City bylaws and permits relating to any property for which a Building Permit has been issued, or to any property for which a Building Permit is required for the activity underway or completed;
- (b) keep records of permit applications, permits, notices and orders issued, inspections and tests made, and retain copies of documents related to the administration of this bylaw or microfilm copies of such documents;
- (c) establish, if requested to do so, whether the methods or types of construction and types of materials used in the construction of a Building or Structure for which a permit is sought under this bylaw substantially conform to the requirements of the *Building Code*;
- (d) order the correction of any work that is being or has been done in contravention of this bylaw;
- (e) post a stop work order, or otherwise order the cessation of work that is proceeding in contravention of this bylaw, a Building Permit or the *Building Code*; and
- (f) refuse to issue a Building Permit where, the application for a Building Permit or the proposed construction does not comply with the *Building Code*, this bylaw or other applicable bylaw of the City or where, in his or her opinion, the results of tests of materials, devices, construction methods, structural assemblies or foundation conditions are not satisfactory, or where the proposed construction may affect construction on adjacent properties.

7.2 A Building Official:

- (a) may enter any land, Building, Structure, or premises at any reasonable time for the purpose of ascertaining that the terms of this bylaw are being observed;

- (b) shall, where any residence is occupied, obtain the consent of the occupant or provide written notice to the occupant 24 hours in advance of entry; and
- (c) shall carry proper credentials confirming his or her status as a Building Official.

8. WORK REQUIRING A PERMIT

8.1 Every person shall apply for and obtain a Building Permit before commencing the construction, Reconstruction, Alteration, change, installation, relocation, or demolition of any of the following:

- (a) all Buildings and Structures except for a detached Building or Structure having an area, in plan, of 10 m² or less, or otherwise exempted under section 8.1;
- (b) all Buildings, enclosures, tanks, lagoons and other Structures used for manure storage, or for water storage;
- (c) a retaining wall which is 1.2 m in height or greater, measured from the lowest adjacent grade, or stepped-type retaining walls having an overall slope greater than 2H:1V (2 horizontal to 1 vertical) with each step of wall not exceeding 1.2 m;
- (d) any construction which changes the plan view of a Building;
- (e) a Sundeck, the enclosure of an area above or below an existing Sundeck, and the enclosure of a carport;
- (f) a fire sprinkler system or the modification of an existing sprinkler system;
- (g) a change in the use or Occupancy classification of a Building as defined in the *Building Code*;
- (h) a portable or temporary rigid frame Structure covered with a flexible material, when the Structure exceeds 46.5 m² in area and 3.1 m in height at any point;
- (i) construction or removal of a Secondary Suite in a residential dwelling in accordance with the provisions of the City's Zoning Bylaw;
- (j) site services including water, drainage, sewer and other installations;
- (k) in-ground Swimming Pools;

- (l) a backflow prevention device on a potable water supply;
- (m) Building envelope Repairs or replacement of cladding on all multi-family residential Buildings exceeding two storeys in height above grade;
- (n) an above or below ground Petroleum Products Storage Tank, except in residential zones;
- (o) a sign where a sign permit is required in the City's Sign Bylaw; and
- (p) storage racking systems exceeding 2.6 m in height.

8.2 Except for 8.1 (m), no Building Permit is required for the Repair of a Building or Structure.

9. APPLICATIONS FOR COMPLEX BUILDINGS

9.1 An application for a Building Permit with respect to a Complex Building shall state the intended use or uses of the Building or Structure and include:

- (a) as exhibits, in duplicate for Agricultural Buildings and triplicate for all other types of construction, copies of the specifications and scale drawings of the Building or Structure showing all aspects of the proposed work;
- (b) a copy of a title search made within 30 days of the date of the application;
- (c) a site plan showing:
 - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (ii) the legal description and civic address of the parcel;
 - (iii) the location and dimensions of all statutory rights of way, easements and setback requirements;
 - (iv) the location and dimensions of all existing and proposed Buildings or Structures on the parcel;
 - (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse where the City's land use regulations establish siting requirements related to flooding or protection of the environment;

- (vi) the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a Building or Structure where the City's land use regulations establish siting requirements related to minimum floor elevation; and
- (vii) the location, dimension and gradient of parking and driveway access;
- (d) floor plans showing the dimensions and uses of all areas; the dimensions and height of crawl and roof spaces; the location, size, hardware and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
- (e) a cross section through the Building or Structure illustrating foundations, drainage, ceiling heights and construction systems;
- (f) elevations of all sides of the Building or Structure showing finish details, roof slopes, windows, doors, and finished grade;
- (g) cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the Building or Structure substantially conforms to the *Building Code*;
- (h) 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;
- (i) a Letter of Assurance in the form of Schedule A as referred to in Section 2.6 of Part 2 of the *Building Code*, signed by the Owner, or a signing officer of the Owner if the Owner is a corporation, and the Coordinating Registered Professional;
- (j) Letters of Assurance in the form of Schedules B-1 and B-2 as referred to in Section 2.6 of Part 2 of the *Building Code*, 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; and
- (k) three sets of drawings at a suitable scale of the design prepared by each Registered Professional and including the information set out in Sections 9.1 (d) – 9.1 (g) of this bylaw. (B/L 1492-2005)

- 9.2 A Building Official may waive the requirements for a site plan, in whole or in part, where the permit is sought for the alteration of an existing Building or Structure.
- 9.3 In addition to the requirements of Section 9.1, the following may be required by a Building Official to be submitted with a Building Permit application for the construction of a Complex Building where the complexity of the proposed Building or Structure or siting circumstances warrant:
- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a Registered Professional, in accordance with the City's Subdivision and Development Bylaw;
 - (b) a section through the site showing grades, Buildings, Structures, parking areas and driveways;
 - (c) where the *Building Code* requires a Building to be ventilated for the purpose of providing hallway pressurization for smoke or odour control, a design to include tempering of such ventilated air, to maintain a minimum temperature of 12.7 degrees Celsius;
 - (d) demonstration that a connection between a fire suppression system and a potable water supply is equipped with a Double Check Valve Backwater Prevention Assembly;
 - (e) Schedules B1 and B2 (Letters of Assurance), as prescribed by the *Building Code*, for a Building Permit for a multi-family Building exceeding one storey in height, covering the Building envelope. Schedules B1 and B2 shall be submitted by a Registered Professional. Submission of a Schedule BC, as prescribed by the *Building Code*, from this Registered Professional shall be a requirement for Occupancy of the Building; and
 - (f) any other information required by the Building Official or the *Building Code* to establish substantial compliance with this bylaw, the *Building Code* and other bylaws and enactments relating to the Building or Structure.
- 9.4 For the purpose of the *Community Charter*, an application for a Building Permit shall not be deemed to have been made until all of the requirements of Sections 9, 11, 12 and 13 of this bylaw, as the case may be, have been met.
(B/L 1492-2005)

10. APPLICATIONS FOR STANDARD BUILDINGS

10.1 Documents Required for Applications

- (a) Subject to Sections 10.5 to 10.9, an application for a Building Permit with respect to a Standard Building shall state the intended use or uses of the Building or Structure, and include:
- (i) as exhibits, in duplicate for Agricultural Buildings and single family dwellings, and triplicate for all other types of construction, copies of the specifications and scale drawings of the Building or Structure showing all aspects of the proposed work;
 - (ii) a copy of a title search made within 30 days of the date of the application;
 - (iii) a site plan showing:
 - (1) the bearing and dimensions of the parcel taken from the registered subdivision plan;
 - (2) the legal description and civic address of the parcel;
 - (3) the location and dimensions of all statutory rights of way, easements and setback requirements;
 - (4) the location and dimensions of all existing and proposed Buildings or Structures on the parcel, including on-site sewage disposal systems, if applicable;
 - (5) setbacks to the natural boundary of any lake, swamp, pond or watercourse where the City's land use regulations establish siting requirements related to flooding and protection of the environment;
 - (6) the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a Building or Structure where the City's land use regulations establish siting requirements related to minimum floor elevation; and
 - (7) the location, dimension and gradient of parking and driveway access.

- (iv) floor plans showing the dimensions and uses of all areas: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions.
- (v) a cross section through the Building or Structure illustrating foundations, drainage, ceiling heights and construction systems;
- (vi) elevations of all sides of the Building or Structure showing finish details, roof slopes, windows, doors, and finished grade;
- (vii) cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the Building or Structure substantially conforms to the *Building Code*;
- (viii) 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;
- (ix) except for Buildings less than 500 m² in plan area in agricultural zones, or 50 m² in all other zones, a foundation design prepared by a Registered Professional in accordance with Section 4.2 of Part 4 of the *Building Code*, accompanied by Letters of Assurance in the form of Schedules B-1 and B-2 as referred to in Section 2.6 of Part 2 of the *Building Code*, signed by the Registered Professional;
- (x) the requirements of Section 10.1 (a)(ix) may be waived by a Building Official in circumstances where the Building Official has required a Professional Engineer's report pursuant to Section 699 (2) of the *Community Charter* and the Building Permit is issued in accordance with Sections 699 (5) and (6) of the *Community Charter*; (B/L 1492-2005)
- (xi) the requirements of Section 10.1 (a)(ix) may be waived by a Building Official if documentation, prepared and sealed by a Registered Professional, is provided assuring that the foundation design substantially complies with Section 9.4.4 of Part 9 the *Building Code* and the foundation excavation substantially complies with Section 9.12 of Part 9 of the *Building Code*;

- (xii) three sets of drawings at a suitable scale of the design including the information set out in Sections 10.1 (a) (iii) – 10.1 (a) (vii) and 10.1 (a) (ix) of this Bylaw. (B/L 1492-2005)

10.2 Site Plans for Alterations

- (a) The Building Official may waive the requirements for a site plan, in whole or in part, where the permit under Section 10 is sought for the alteration of an existing Building or Structure.

10.3 Special Building Projects

- (a) In addition to the requirements of Section 10.1, the following may be required by a Building Official to be submitted with a Building Permit application for the construction of a Standard Building where the project involves two or more Buildings, which, in the aggregate building area, exceeds 1000 square meters, or two or more Buildings that will contain four or more dwelling units, or otherwise where the complexity of the proposed Building or Structure or siting circumstances warrant: (b/L 1492-2005)
 - (i) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a Registered Professional, in accordance with the City's Subdivision and Development Bylaw;
 - (ii) a section through the site showing grades, Buildings, Structures, parking areas and driveways;
 - (iii) a roof plan and roof height calculations;
 - (iv) structural, electrical, mechanical or fire suppression drawings prepared and sealed by a Registered Professional;
 - (v) Letters of Assurance in the form of Schedules B-1 and B-2 as referred to in Section 2.6 of Part 2 of the *Building Code*, signed by the Registered Professional;
 - (vi) any other information required by the Building Official or the *Building Code* to establish substantial compliance with this bylaw, the *Building Code* and other bylaws and enactments relating to the Building or Structure.

10.4 Necessity to Meet Requirements

- (a) For the purpose of the *Community Charter*, an application for a Building Permit shall not be deemed to have been made until all of the requirements of Sections 10, 11, 12 and 13 of this bylaw, as the case may be, have been met. (B/L 1492-2005)

10.5 Tenant Improvement Permits

- (a) In substitution for the requirements of Section 10.1, an application for a Building Permit with respect to tenant improvements in an existing Building shall state the intended uses of the part of the Building and that of adjacent tenant spaces and include:
- (i) as exhibits, in triplicate, copies of the specifications and scale drawings of the area of the Building showing all aspects of the proposed work;
 - (ii) a site plan showing the location, dimension and allocation of off-street parking spaces;
 - (iii) floor plans showing the dimensions and uses of all areas; the location, size, hardware and swing of doors, plumbing fixture layout, structural elements, stair dimensions; and location of all parts of egress and exits;
 - (iv) a cross-section through all walls, including interior walls, exterior walls and wall separating tenant spaces;
 - (v) a cross-section showing ceiling height, and floor construction;
 - (vi) 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; and
 - (vii) where required by the Building Official:
 - (1) a Letter of Assurance in the form of Schedule A as referred to in Section 2.6 of Part 2 of the *Building Code*, signed by the Owner, or a signing officer of the Owner if the Owner is a corporation, and the Coordinating Registered Professional;
 - (2) Letters of Assurance in the form of Schedules B-1 and B-2 as referred to in Section 2.6 of Part 2 of the

Building Code, 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 tenant improvements;

- (3) three sets of drawings at a suitable scale of the design prepared by each Registered Professional and including the information set out in Sections 10.5 (a)(i) - 10.5 (a)(v) of this bylaw; and (B/L 1492-2005)
- (4) any other information required by the Building Official or the *Building Code* to establish substantial compliance with this bylaw, the *Building Code* and other bylaws and enactments relating to the Building or Structure.

10.6 Single Family Residential Dwellings

- (a) In addition to the requirements of Section 10.1, the following shall be required by a Building Official to be submitted with a Building Permit application for the construction of a single family residential dwelling:
 - (i) lot grading plans showing elevation of four corners of the dwelling, relative to existing and proposed grades adjacent to the dwelling and at the four corners of the parcel on which it is located;
 - (ii) the minimum basement elevation and garage pad elevation as taken from the subdivision lot grading plan;
 - (iii) the location of street trees and width, slope and location of driveways;
 - (iv) spatial separation requirements in conformance with the *Building Code*;
 - (iv) evidence that a guard is provided and meeting the requirements of the *Building Code* where a walkway exists above and adjacent to a retaining wall exceeding 600 mm in height; and
 - (v) Where a single family dwelling is designed for potential conversion to a multi-unit building, the Building Official may request design changes to avoid the conversion into a greater

number of dwelling units than those permitted under the current City Zoning Bylaw. (B/L 1492-2005)

10.7 Relocation of Buildings

- (a) In addition to the requirements of Section 10.1 and 10.6, completed applications for disconnection from City water and sewerage systems shall be required by a Building Official to be submitted with a Building Permit application to relocate a Building. Such disconnections shall be done under City supervision.
- (b) All Buildings to be used as dwellings being moved within the RS1, RS2, RS3, RS4, RS5, RS6, and RS7 zones in the Urban Area, as prescribed in the City's Zoning Bylaw, shall, to the City's satisfaction, conform to the age, appearance, and condition of dwellings in the area to which they are being moved.
- (c) Except where a Building or Structure being moved is to be used as accessory to a residential or farm Occupancy, provision of a performance security in the amount of \$2,500 shall be required to ensure that the Building is brought into compliance with those aspects of the Building Code deemed by the Building Official to be essential to health, safety and fire protection requirements, within three (3) months from the date on which the Moving Permit or Building Permit, as the case may be, was granted. In exceptional circumstances, the Building Official may grant an extension of not more than three months.
- (d) if the Building or Structure being moved is not brought into compliance within the time period specified in this bylaw, the performance security payable under subsection (c) shall be forfeited to the City and the applicant, Owner or occupier shall vacate the Building or Structure within 30 days of the order of the Building Official, and shall remove the Building or Structure from the site within 30 days thereafter.

10.8 Manufactured Buildings

- (a) In addition to the requirements of Section 10.1, the following shall be required by a Building Official to be submitted with a Building Permit application for the installation of a Manufactured Building:
 - (i) confirmation that the land on which the Manufactured Building shall be located is in conformance with the City's Zoning Bylaw;

- (ii) evidence that the Manufactured Building shall be constructed and certified under current editions of Canadian Standards Association (CSA) Standards A277 or Z240 MH series, and the installation shall meet the current *Building Code*;
- (iii) where a Manufactured Building does not comply with Subsection 10.8 (a)(ii) of this bylaw, Schedules B1, B2 and C-B of the *Building Code* from a structural engineer and an inspection certificate from an electrical contractor; and
- (iv) details of siting, servicing, foundations or tie downs and, where required by the Building Official, Letters of Assurance of the *Building Code*.

10.9 Agricultural Buildings

- (a) In addition to the requirements of Section 10.1, the following shall be required by a Building Official to be submitted with a Building Permit application for the construction of an Agricultural Building:
 - (i) where applicable, demonstration that the building has been designed to the current edition of the B.C. Farm Code; and
 - (ii) evidence of fencing to a height of 1.0 m where a Liquid Manure Storage Structure is constructed entirely or partially above ground, and the wall above grade level is less than 1.5 m high. (B/L 1492-2005)

11. PROFESSIONAL PLAN CERTIFICATION

- 11.1 The Letters of Assurance in the form of Schedules B-1 and B-2 referred in Section 2.6 of Part 2 of the *Building Code* and provided pursuant to Sections 9.1 (j), 9.3 (e), 10.1 (a)(ix), 10.3 (v), 10.5 (a) (vii) (2), and 15.1 of this bylaw are relied upon by the City and its Building Officials as certification that the design and plans to which the Letters of Assurance relate comply with the *Building Code* and other applicable enactments relating to safety.
- 11.2 A Building Permit issued pursuant to Section 13 of this bylaw, shall where applicable, include a notice to the Owner in the form of Schedule “3” to this bylaw, that the Building Permit is issued in reliance upon the certification of the Registered Professionals that the design and plans submitted in support of the application for the Building Permit comply with the *Building Code* and other applicable enactments relating to safety.
- 11.3 Except for Standard Buildings, when a Building Permit is issued in reliance upon certification of plan by a registered professional, the permit fee shall be

reduced by 5% of the fees payable pursuant to Schedule “2” to this bylaw, up to a maximum reduction of TWO HUNDRED AND FIFTY (\$250) DOLLARS.

12. FEES AND CHARGES

- 12.1 The fees and charges prescribed in Schedule “2” of this bylaw are hereby imposed on every person who obtains a permit or other service from the City described in Schedule “2”, and each such fee or charge shall be payable in accordance with the applicable regulations, requirements and conditions contained in this bylaw and Schedule “2”
- 12.2 In addition to applicable fees and charges required under other bylaws, a permit fee, calculated in accordance with Schedule “2” to this bylaw, shall be paid in full upon application for any permit under this bylaw.
- 12.3 Despite Section 12.2, a preliminary examination fee as set out in Schedule “2”, shall be paid upon application for a Complex Building, with the remaining fees to be paid prior to issuance of a Building Permit.
- 12.4 Every application for a Building Permit shall expire where an applicant fails to provide all required submissions and documentation within six months of the date of application. Where an application expires, a refund of fees as prescribed in Schedule “2” of this bylaw, shall be made to the applicant.
- 12.5 The Owner may obtain a refund of the permit fees in accordance with Section 1(a) to Schedule “2” to this bylaw when a permit is surrendered and cancelled before any construction begins, or an inspection has been made.
- 12.6 Where, due to non-compliance with this bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in Schedule “2” to this bylaw shall be paid prior to additional inspections being performed.
- 12.7 For a required permit inspection requested to be done after the hours during which the offices of the City are normally open, an inspection charge shall be payable based on the time actually spent in making such inspection, including travel time.
- 12.8 An inspection charge, as set out in Schedule “2” to this bylaw, shall be payable in advance for a voluntary inspection to establish compliance of or to obtain a report on the status of an existing Building or Structure for which a permit is sought under this bylaw.
- 12.9 Every person making application for a Building Permit shall deposit with the City performance security in the form of an irrevocable Letter of Credit or cash in the amount specified in Schedule “2” of this bylaw.

12.10 If any work for which a Building Permit is required under this bylaw is commenced before a Building Permit is obtained, the Building Permit fees payable, as determined in Schedule “2” shall be increased by 50%, with a minimum increase of \$250.00. (B/L 1492-2005)

13. BUILDING PERMITS

13.1 When:

- (a) a completed application including all required supporting documentation has been submitted;
- (b) the proposed work set out in the application substantially conforms with the *Building Code*, this bylaw and all other applicable bylaws and enactments;
- (c) the Owner or his or her representative has paid all applicable fees set out in Section 12 of this bylaw;
- (d) the Owner or his or her representative has paid all charges, provided securities and met all requirements imposed by any other enactment or bylaw;
- (e) no enactment, covenant, agreement, or regulation in favour or regulation of the City authorizes the permit to be withheld;
- (f) the Owner has retained a Professional Engineer or Geoscientist if required by the provisions of the *Engineers and Geoscientists Act*;
- (g) the Owner has retained an Architect if required by the provisions of the *Architects Act*; and
- (h) the Owner has signed the form of acknowledgement set out in Schedule “3” to this bylaw,

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

13.2 When the application is in respect of a Building that includes, or will include, a Residential Occupancy, the Building Permit must not be issued unless the Owner provides evidence pursuant to Section 30 (1) of the *Homeowner Protection Act* that the proposed *Building*:

- (a) is covered by home warranty insurance, and
- (b) the Constructor is a licensed residential builder.

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- 13.3 Section 13.2 of this bylaw does not apply if the Owner is not required to be licensed and to obtain home warranty insurance in accordance with Sections 20 (1) or 30 (1) of the *Homeowner Protection Act*.
- 13.4 Every permit is issued upon the condition that the permit shall expire and the rights of the Owner under the permit shall terminate if:
- (a) the work authorized by the permit is not commenced within six months from the date of issuance of the permit; or
 - (b) work is discontinued for a period of 12 months.
- 13.5 Except where Section 13.6 applies, every Building Permit shall expire after two years from the date of issuance. (B/L 1492-2005)
- 13.6 A Building Permit for: (B/L 1492-2005)
- (a) construction of an Accessory Secondary Suite Residential Use shall expire six months after the date of issuance;
 - (b) construction of a One Unit Residential Use shall expire two months after the approval of insulation and vapour barrier;
 - (c) construction of a sign shall expire six months after the date of issuance;
 - (d) removal of multiple suites shall expire two months after the date of issuance;
 - (e) demolition shall expire six months after the date of issuance.
- 13.7 Where the work authorized by a Building Permit does not receive a final inspection within the time period specified in Sections 13.5 or 13.6, the Building Official may, upon payment of the renewal fee specified in Schedule “2” of this bylaw, authorize an extension to a Building Permit, as follows: (B/L 1492-2005)
- (a) except for Building Permits referred to in (b) or (c), a one year extension, with a further one year extension available upon payment of an additional renewal fee;
 - (b) for the construction of an Accessory Secondary Suite Residential Use, a One Unit Residential Use or a sign, a three month extension;
 - (c) for the removal of multiple suites, a 30 day extension.

- 13.8 A new application must be made upon the expiry of a Building Permit under this section. (B/L 1492-2005)
- 13.9 Where a Building Permit has expired in accordance with this section and the Building has been occupied without passing final inspection, the performance security as prescribed by Schedule “2” of this bylaw shall not be refunded. (B/L 1492-2005)
- 13.10 A Building Official may issue a Building Permit for a portion of a Building or Structure before the design, plans and specifications for the entire Building or Structure have been accepted, provided sufficient information has been provided to the City to demonstrate to the Building Official that the portion authorized to be constructed substantially complies with this and other applicable bylaw and the permit fee applicable to that portion of the Building or Structure has been paid. The issuance of the permit notwithstanding, the requirements of this bylaw apply to the remainder of the Building or Structure as if the permit for the portion of the Building or Structure had not been issued. (B/L 1492-2005)
- 13.11 A Building Permit shall be deemed to have been issued as of the date it was signed by the Building Official. (B/L 1492-2005)
- 13.12 No Building Permit may be transferred to another person unless such transfer is first approved by the Building Official and a transfer fee paid in accordance with Schedule “2.” (B/L 1492-2005)

14. RETAINING STRUCTURES

- 14.1 A Registered Professional shall undertake the design and conduct Field Reviews of the construction of a retaining Structure specified in Section 8.1 (c).

15. PROFESSIONAL DESIGN AND FIELD REVIEW

- 15.1 When a Building Official considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a Registered Professional provide design and plan certification and Field Review by means of Letters of Assurance in the form of Schedules B-1, B-2 and C-B referred to in Section 2.6 of Part 2 of the *Building Code*.
- 15.2 Prior to the issuance of an Occupancy permit for a Complex Building, or Standard Building in circumstances where Letters of Assurance have been required in accordance with Sections 9.1 (j), 9.3 (e), 10.1 (a)(ix), 10.3 (v), 10.5 (a) (vii) (2), and 15.1 of this bylaw, the Owner shall provide the City with Letters of Assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in Section 2.6 of Part 2 of the *Building Code*.

- 15.3 When a Registered Professional provides Letters of Assurance in accordance with Sections 9.1 (j), 9.3 (e), 10.1 (a)(ix), 10.3 (v), 10.5 (a) (vii) (2), and 15.1 of this bylaw, he or she shall also provide proof of professional liability insurance to the Building Official.
- 15.4 The Owner shall provide the City of Abbotsford Schedules L1 and L2 and a Letter of Assurance L-3, certifying that the landscaping of a project substantially conforms with the approved plans and/or the requirements of the City's Zoning Bylaw.

16. TEMPORARY BUILDINGS AND STRUCTURES

- 16.1 Subject to the provisions of this bylaw and any other applicable bylaw of the City, the Building Official may issue a Building Permit to erect or place a temporary Building or Structure, and may impose a time limit of up to 24 months from the date of the Building Permit issuance by which time the Building or Structure must be removed or demolished.
- 16.2 Before issuing a Building Permit for a temporary Building or Structure, the Building Official shall be satisfied that:
- (a) the temporary Building or Structure is suitable for its intended use and duration;
 - (b) the temporary Building or Structure does not conflict with existing development nor will cause a hardship to established uses in the surrounding area;
 - (c) a performance security in the amount of \$10,000 has been deposited with the City to ensure the removal or demolition of the temporary Building or Structure within the time limit established under the Building Permit. (B/L 1492-2005)
 - (d) a restrictive covenant was registered against the title of the property requiring the owner to remove the temporary structure from the property within the time period specified in the Building Permit, at the owner's cost, and authorizing the City to remove the structure at the owner's cost, if the owner fails to do so. (B/L 1492-2005)
- 16.3 If the temporary Building or Structure is not removed or demolished within the time period specified under the Building Permit, the performance security specified in Section 16.2 (c) shall be forfeited to the City, and the Owner, tenant, or occupier shall be given 30 days notice to vacate and remove or demolish the temporary Building, or Structure.

17. RESPONSIBILITIES OF THE OWNER

- 17.1 Every Owner shall ensure that all construction complies with the *Building Code*, this bylaw and other applicable enactments respecting safety.
- 17.2 Every Owner to whom a permit is issued shall be responsible for the cost of Repair of any Damage to municipal works that occurs in the course of the work authorized by the permit.
- 17.3 Every Owner to whom a permit is issued shall, during construction:
- (a) post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;
 - (b) keep a copy of the accepted designs, plans and specifications on the property; and
 - (c) post the civic address on the property in a location visible from any adjoining streets.
- 17.4 The Owner shall submit, or cause to be submitted acceptable as-constructed drawings of off site works to the City Engineer, as required in Schedule “2” attached to, and forming part of this bylaw.
- 17.5 The Owner shall be responsible for making an inspection of the existing condition of all City properties adjacent to the Building site, and shall report any existing Damage to the Building Official or City Engineer before commencing work. All Damage discovered at final inspection shall be deemed to be caused by the Owner unless such damage has been reported prior to commencing work. The Owner shall also inspect adjacent City properties at final inspection to identify any damages that have occurred since commencement of the work.
- 17.6 Where a Building Permit has been issued, the Owner of a property shall ensure that:
- (a) no material or equipment is placed or stored on adjacent City Property;
 - (b) any fill or excavated material is retained on the property where the construction is occurring, unless a soil removal permit has been granted for such removal;
 - (c) there is no disturbance to adjacent properties or to existing erosion and sediment control appurtenances;

- (d) all access to the property is restricted to gravel pads constructed on the property at the driveway access to the property;
 - (e) erosion and sedimentation control measures are in place to prevent the discharge of sediment-laden run-off into the City storm drainage system;
 - (f) the residue from the cleaning of concrete trucks, or the wash from exposed aggregate concrete is not being discharged directly into the City storm drainage system; and
 - (g) sidewalks and roadways are kept clear of mud and are cleaned daily.
- 17.7 Where a property is serviced by a private sewage disposal system, the owner shall be responsible to ensure that placement of any structure does not impact or interfere with the functioning of the sewage system. (B/L 1492-2005)

18. INSPECTIONS

- 18.1 When a Registered Professional provides Letters of Assurance in accordance with Sections 9.1 (j), 9.3 (e), 10.1 (a)(ix), 10.3 (v), 10.5 (a) (vii) (2), and 15.1 of this bylaw, the City will rely solely on Field Reviews undertaken by the Registered Professional and the Letters of Assurance submitted pursuant to Section 15.2 of this bylaw as assurance that the construction substantially conforms to the design and that the construction substantially complies with the *Building Code*, this bylaw and other applicable enactments respecting safety.
- 18.2 Notwithstanding Section 18.1 of this bylaw, a Building Official may attend the site from time to time during the course of construction to ascertain that the Field Reviews are taking place and to monitor the Field Reviews undertaken by the Registered Professionals.
- 18.3 The Owner shall schedule a site visit by a Building Official to verify that Field Reviews are being conducted by the Registered Professional at the following stages of construction of a Complex Building:
- (a) upon completion of building, footing and foundation forms;
 - (b) prior to backfilling on-site services including water, storm sewer and sanitary sewer;
 - (c) upon completion of base plumbing, rough plumbing, waterlines, and sprinkler system;
 - (d) upon completion of fire rating and stopping in fire separations;
 - (e) upon completion of insulation and vapour barrier; and
 - (f) when an authorization to occupy is sought.

- 18.4 A Building Official may attend periodically at the site of the construction of Standard Buildings or Structures to ascertain whether the Health and Safety Aspects of the Work are being carried out in substantial conformance with the those portions of the *Building Code*, this bylaw and any other applicable enactment concerning safety.
- 18.5 The Owner or his or her representative shall give at least 24 hours notice to the City when requesting or scheduling an inspection and shall:
- (a) obtain an inspection and receive an Building Official's acceptance of the work prior to concealing it; and
 - (b) where the Building, Structure, material, appliance, system, or equipment is designed by a Professional Engineer or Architect and a Letter of Supervision has been provided, ensure that all required inspections are carried out by the Professional Engineer or Architect, and obtain acceptance of the work.
- 18.6 Every Owner or the Owner's Agent shall obtain an inspection and acceptance of the work at the following stages of construction:
- (a) footing forms before concrete is poured to verify required reinforcing steel is placed in footing forms and that dimensions of footings are as per plans;
 - (b) foundation forms before concrete is poured; a BCLS survey certificate, if required by the Building Official, shall be provided prior to the inspection to verify that level strip elevation and setbacks meet that indicated on Building Permit plans and that height of walls for lateral support meets code.
 - (c) drain tile, drain rock, and filter cloth after damp proofing is completed and before backfilling, to verify that drainage tile has been placed where indicated on plans, that filter cloth has been placed over drainage tile and that required thickness of drainage rock has been placed around filter cloth and that damp proofing or water proofing, as required by the permit plans, has been applied to the foundation wall and that connection is made to sump.
 - (d) roof drainage system with sump in place, to verify that a separate rain water drainage collection system has been installed along the foundation wall, and that this system is connected to a sump or storm sewer.
 - (e) building drain, sanitary and storm drains, with a water test on the Building plumbing system and sanitary sewer line to verify diameter

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- of pipe, pipe location, pipe slope, pipe bedding, pipe depth, pipe type are as shown on permit plans and to verify location of manholes, cleanouts, oil-water interceptors and other appurtenances indicated on plans and to inspect for leaks in pipe under test pressure.
- (f) base plumbing before any portion of the plumbing system is buried or covered to verify pipe type, diameter fittings, connections, slopes for conformity with issued plans and with Part 7 of the *Building Code*, and to inspect for leakage from pipes under test pressure.
 - (g) roofing inspections of strapping and underlayment and first five rows for wood shakes and shingles before installation of remainder of shakes, or shingles to verify grade, strapping, size and nailing of roof sheathing, and to verify application of roofing membrane including type of membrane, overlaps and flashings at penetrations.
 - (h) polyethylene sheeting or insulation under floor slab to verify compliance with Section 9.13.4, 9.25.2.2 and 9.25.2.3 of the *Building Code* and that insulation and in-floor heating meets Section 9.33.4 of the *Building Code* and if applicable, that insulation and in-floor heating meets 9.33.4 of the *Building Code* to include calculations.
 - (i) after installation and completion of structural framing, roofing, windows, doors, rough plumbing and wiring, heating systems, and fireplaces; a certified copy of the roof truss drawings, engineered beams and details regarding engineered floor joist system design and layout, as applicable, and mechanical ventilation checklists must be available on site:
 - (i) to verify that framing, except for components which are concealed by other framing members, has been completed to Section 9.23 of the *Building Code*, that engineered trusses and floor systems have been installed in accordance with engineered plans and that, for houses, that mechanical ventilation checklists have been completed;
 - (ii) that windows and doors, complete with membrane flashing, have been installed;
 - (iii) that fire separations and fire stopping are installed to Subsection 9.10.9 and 9.10.15 of the *Building Code*;
 - (iv) that doors, dampers and other closures in fire separations meet subsection 9.10.13 of the *Building Code*.
 - (j) building water system under 1,379 kPa (200 lbs.) pressure to ensure that there is no leakage from piping under test pressure.

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- (k) sprinkler system under 1,379 kPa (200 lbs.) pressure to ensure that there is no leakage from piping under test pressure, that sprinkler pipes are insulated in unheated areas and that a trip test is completed for dry systems
- (l) installation of paper and wire for a stucco finish to verify building paper, including flashings at openings and penetrations is applied correctly and that metal lath is installed.
- (m) insulation and vapour barrier before interior finish is applied which would conceal the work to verify that insulation and vapour barrier are installed in accordance with Section 9.25 of the *Building Code* and that insulation certification form is provided by the installer.
- (n) after completing construction, but before occupancy or use, the following items are inspected, unless otherwise stated:
- (i) stairs, guards and handrails to *Building Code* Section 9.8;
 - (ii) roofing and cladding completed, including required separation from cladding to grade;
 - (iii) civic address posted;
 - (iv) flooring and drywall installed;
 - (v) plumbing fixtures installed to Part 7 of the *Building Code*;
 - (vi) heating system installed and that combustion air has been supplied to the appliance;
 - (vii) fans and exhaust ducting – mechanical ventilation as per *Building Code* Section 9.32 for Standard Buildings (houses) only.
 - (viii) for crawlspaces, ground cover and ventilation has been installed ;
 - (ix) that openings in buildings, including closures, and lot grading are substantially in conformance with the approved plans;
 - (x) driveway location and width are as per approved plans;
 - (xi) fire alarm system, as applicable, and fire detectors and smoke alarms are installed;
 - (xii) all required Letters of Assurance Schedules CA and CB, roof verification and fire alarm verification for Complex Building buildings and, as applicable, for Standard Building; and
 - (xiii) signage is installed to *Building Code* Subsection 9.9.10.
- 18.7 No aspect of the work referred in Section 18.6 of this bylaw shall be concealed until a Building Official has accepted it in writing.
- 18.8 The requirements of Section 18.6 of this bylaw do not apply to any aspect of the work that is the subject of a Registered Professional's Letter of Assurance

provided in accordance with Sections 9.1 (j), 9.3 (e), 10.1 (a)(ix), 10.3 (v), 10.5 (a) (vii) (2), and 15.1 of this bylaw.

19. AUTHORIZATION TO OCCUPY

19.1 No person shall occupy a Building or Structure or part of a Building or Structure until authorization to occupy has been given by a Building Official.

19.2 Occupancy shall be granted if:

(a) Letters of Assurance have been submitted when required in accordance with Sections 9.1 (j), 9.3 (e), 10.1 (a)(ix), 10.3 (v), 10.5 (a) (vii) (2), and 15.1 of this bylaw; and

(b) all aspects of the work requiring inspection and acceptance pursuant to Section 18.6 of this bylaw have both been inspected and accepted or the inspections and acceptance are not required in accordance with Section 18.8 of this bylaw.

19.3 A Building Official may give temporary authorization to occupy part of a Building or Structure when the part of the Building or Structure is self-contained, provided with essential services and the requirements set out in Section 19.2 of this bylaw have been met with respect to it. A temporary authorization may not be for more than 30 days unless approved by the Building Official. (B/L 1492-2005)

20. DISCLAIMER OF WARRANTY OR REPRESENTATION

20.1 Neither the issuance of a permit under this bylaw, the review and acceptance of the design, drawings, plans or specifications, nor inspections made by a Building official, shall constitute a representation or warranty that the *Building Code* or the bylaw has been complied with or the Building or Structure meets any standard of materials or workmanship, and no person shall rely on any of those acts as establishing compliance with the *Building Code* or this bylaw or any standard of construction.

21. CLIMATIC DATA

21.1 Climatic data for the design of Buildings shall be that contained in the *Building Code*. For Buildings constructed above an elevation of 100 M geodetic, 0.008 kPa shall be added to the snow load for each metre the Building is above 100 m geodetic.

22. PENALTIES AND ENFORCEMENT

- 22.1 Every person who contravenes any provision of this bylaw commits an offense punishable on summary conviction and shall be liable to a fine of not more than \$10,000.00 (Ten Thousand Dollars) or to imprisonment for not more than six months.
- 22.2 Every person who fails to comply with any order or notice issued by a Building Official, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- 22.3 A Building Official may order the cessation of any work that is proceeding in contravention of the *Building Code* or this bylaw by posting a Stop Work Order notice.
- 22.4 The Owner of property on which a Stop Work notice has been posted, and every other person, shall cease all construction work immediately and shall not do any work until all applicable provisions of this bylaw have been substantially complied with and the Stop Work notice has been rescinded in writing by a Building Official.
- 22.5 Where a person occupies a Building or Structure or part of a Building or Structure in contravention of Section 19 of this bylaw a Building Official may post a Do Not Occupy notice on the affected part of the Building or Structure.
- 22.6 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.

23. SEVERABILITY

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

24. FORMS AND SCHEDULES

- 24.1 Schedules “1,” “2” and “3,” attached to this bylaw, form part of this bylaw.

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25. REPEALS BYLAW

25.1 Bylaw No. 993-2000, cited as “Building Bylaw, 2000”, is repealed.

READ A FIRST TIME this	3 rd day of	November, 2003
READ A SECOND TIME this	3 rd day of	November, 2003
READ A THIRD TIME this	3 rd day of	November, 2003
RECONSIDERED and ADOPTED this	17 th day of	November, 2003

“Mayor Reeves”

Mayor

“Toireasa Strong”

Director of Administration
and Corporate Planning

Schedule "1"

In this bylaw, unless the context otherwise requires:

"Assembly Occupancy", "Building", "Building Area", "Building Height", "Business and Personal Services Occupancy", "Care or Detention Occupancy", "Constructor", "Coordinating Registered Professional", "Designer", "Field Review", "High Hazard Industrial Occupancy", "Industrial Occupancy", "Low Hazard Industrial Occupancy", "Major Occupancy", "Mercantile Occupancy", "Medium Hazard Industrial Occupancy", "Occupancy", "Owner", "Registered Professional", "Residential Occupancy", and "Secondary Suites" have the meanings set out in Section 1.1.3.2 of the *British Columbia Building Code 1998*.

"Accessory Secondary Suite Residential Use" and "One-Unit Residential Use" have the meanings set out in the current Zoning Bylaw; (B/L 1492-2005)

"Actual Cost" means as applied to the City's cost to provide a service, the number of hours applied to the service times the hourly wage times a factor of 1.5 to cover administration, overhead and benefits;

"Adequate Vehicular Access" means a maintained public road or, for a lot not fronting on a public road, a constructed driveway secured by an easement registered in the Land Title Office;

"Agent" includes a person, firm, or corporation representing the Owner by designation or contract, and includes a hired tradesman and contractor who may be granted Building Permits for work within the limitations of his/her licence;

"Alteration" means to change, expand, or move elements of a building or structure that change its function or appearance.

"Agricultural Building" means Buildings and Structures, excluding processing plants that are not accessory to the farm operation on the parcel, and residential Buildings that are constructed on lands zoned Agricultural in the City of Abbotsford Zoning Bylaw.

"Architect" means an individual who is a member in good standing, licensed by the Architectural Institute of British Columbia, to practice as an Architect in the Province of British Columbia;

"*Building Code*" means the current edition of the *British Columbia Building Code*, as amended from time to time, established under the *Community Charter*, and regulations pursuant thereto; (B/L 1492-2005)

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“Building Official” includes the Manager of Inspection Services, Building Officials, Plan Examiners and Plumbing Inspectors designated by the City of Abbotsford; (B/L 1492-2005)

“Building Permit” means an authorization by the Building Official or his designate on a prescribed form for the construction, alteration, renovation, or demolition of a Building or Structure or other work specified in the permit;

“City” means the City of Abbotsford;

“City Engineer” means the Director of Engineering of the City as duly appointed by the Council or his/her designate;

“City Property” includes all road allowances, land, and easements with all works and appurtenances therein and thereon;

“Complex Building” means:

(a) all Buildings used for Major Occupancies classified as:

- (i) Assembly Occupancies;
- (ii) Care or detention occupancies;
- (iii) High Hazard Industrial Occupancies; and

(b) all Buildings exceeding 600 square meters in Building Area or exceeding three storeys in Building Height used for Major Occupancies classified as:

- (i) Residential occupancies;
- (ii) Business and personal services occupancies;
- (iii) Mercantile occupancies; and
- (iv) Medium and Low Hazard Industrial Occupancies.

“Damage” includes, but is not limited to damage to roads, curbs, gutters, boulevards, street lighting or street furnishings or the placement, dropping, or deposit of any dirt, debris, materials, objects, or substances on City Property;

“Distribution Field” means an arrangement of perforated pipes placed below ground and backfilled with granular material for the purposes of distributing effluent from a septic tank to the ground;

“Double Check Valve Backwater Prevention Assembly” means an assembly of pipes and fittings arranged and installed to prevent the flow of water from a water supply system into the potable water supply;

“Health and Safety Aspects of the Work” means design and construction regulated by Part 3, Part 4, and Sections 9.4, 9.8, 9.9, 9.10, 9.12, 9.14, 9.15, 9.17, 9.18, 9.20, 9.21, 9.22, 9.23, 9.24, 9.31, 9.32, 9.34, and 9.36 of Part 9 of the *Building Code*.

“Liquid Manure Storage Structure” means a facility consisting of an impermeable liner with or without overhead cover, designed for the temporary storage of animal waste;

“Manufactured Building” means a manufactured home, mobile home, trailer, modular home, factory housing, kiosk or other Building that is pre-manufactured at a place other than the intended location of the Building;

“Moving Permit” means a written authorization to move a Building or Structure on City highways;

“Petroleum Products Storage Tank” means a closed container with a capacity of more than 230 litres that is designed to be installed either underground or above ground in a fixed location for the storage of a single product or mixture of at least 70% hydrocarbons refined from crude oil with or without additives that is used or could be used as a fuel, lubricant, motive fuel or power transmitter. Without restricting the generality of the foregoing, such petroleum products include but are not limited to gasoline, diesel fuel, aviation fuel, kerosene, naphtha, lubricating oil, fuel oil, engine oil and used oil;

“Professional Engineer” means an individual who is a member in good standing, licensed by the Association of Professional Engineers and Geoscientists of British Columbia, to practice as a Professional Engineer in the Province of British Columbia;

“Reconstruction” means to re-build a building or structure, including structural elements, to pre-existing design, dimensions and materials.

“Repair” means the replacement of an existing element of a Building or Structure, other than a structural element, with a component of like characteristics;

“Standard Building” means a Building of three storeys or less in Building Height, having a Building Area not exceeding 600 square meters 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.

“Stop Work Order” means a directive by the Building Official or his designate, on a prescribed form, to an owner or builder to cease work on a Building or Structure.

“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 1.0 meter in height.

“Sundeck” means a roofed or roofless, unenclosed Structure, connected to a dwelling, consisting of columns, joists and beams, not fully supported on ground;

“Swimming Pool” means any constructed or prefabricated swimming pool, whether situated above the surrounding ground level or wholly or in part below the surrounding ground level, used or intended to be used for swimming, bathing, or wading, having surface area exceeding 9m² and a depth of more than 600mm, which is situated on any real property, and which is not regulated under the *Swimming Pool, Spray Pool and Wading Pool Regulations* under the *Health Act*;

“Value of Construction” shall mean:

- (a) where the proposed construction is listed in Schedule “2” to this bylaw, the total cost of construction as determined by applying the rates listed in Schedule “2” to the proposed construction;
- (b) where the proposed construction is not listed in Schedule “2” to this bylaw, the total cost of construction as determined by the cumulative total of all contracts of construction between the Owner and the general and subcontractors; or
- (c) where the proposed construction is not listed in Schedule “2” to this bylaw and no contracts have yet been signed, the total cost of construction as determined by the Building Official based upon an estimate of construction costs submitted by the applicant to the Building Official and the costs of similar works undertaken by the City along with cost estimating guides;

and shall include the Building shell, plus all installed architectural, structural, electrical and mechanical Building services equipment and systems and all

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site installations including Structures, pavements, landscaping, equipment and underground servicing.

Schedule "2"
(B/L 1627-2007)

PERMIT AND OTHER FEES

1. GENERAL REGULATIONS

(a) Refunds

- (i) No Building Permit fee, or part thereof, paid to the City shall be refunded if in the opinion of the Building Official construction was started. If construction was not started and if the Building Official so certifies, the Director of Corporate Services shall refund the amount of any Building Permit fee paid to the City less the Actual Cost expended by the City in processing the Building Permit application or \$110.00 or 10% of the permit fee, whichever is greater.
- (ii) The Building Official shall retain 50% of the Preliminary Examination Fee if the plan review is started before the cancellation of the Building Permit.

- (b) Change of Building Permit Holder - A valid Building Permit may be transferred upon payment of \$65.00 provided that the new Building Permit holder shall deposit with the City a performance security in accordance with Section 9 of this Schedule. The original performance security may be transferred to the new permit holder upon receipt of written authorization from the previous permit holder.

- (c) Infrastructure Fees, Secondary Suites - The annual infrastructure fee is payable in the calendar year of application for registration of a Secondary Suite, except if the Secondary Suite Building Permit is issued after May 1, in which case the annual infrastructure fee shall be payable in the calendar year subsequent to the calendar year of application. Infrastructure fees are not refundable upon removal of a Secondary Suite.

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2. MISCELLANEOUS FEES

- (a) Building Permit renewal \$65.00 + GST
- (b) change of Building plans or related documents - Actual time spent
(after Building Permit issued) on plan review
(minimum \$65.00) + GST
- (c) changes to application information which affect \$40.00 + GST
approval of the Permit (before permit issuance)
- (d) microfilm records \$2.50 per plan sheet

3. BUILDING PERMIT FEES

Building Permit Fees		
Value of Construction	Residential and Agricultural Permit Fee	Commercial, Institutional, Industrial Permit Fee
Up to \$7,000	\$65.00	
Between \$7,001 and \$50,000	\$9.40 for each \$1,000 or portion thereof	
Between \$50,001 and \$500,000.	\$470.00 for the first \$50,000, plus \$6.90 for each additional \$1,000 or portion thereof	\$470.00 for the first \$50,000, plus \$7.30 for each additional \$1,000 or portion thereof
Over \$500,001	\$3575.00 for the first \$500,000, plus \$6.00 for each additional \$1,000 or portion thereof	\$3755.00 for the first \$500,000, plus \$6.00 for each additional \$1,000 or portion thereof

- 4. DEMOLITION PERMIT \$105.00

5. PLUMBING INSPECTION AND PERMIT FEES

- Each plumbing fixture \$13.00
- For each sump, oil or grease interceptor, catch basin or manhole \$36.50
- Sprinkler systems (first 15 Heads) \$105.00
- For each additional head \$1.60
- Manufactured Buildings plumbing inspection fee \$62.50
- Sanitary or Storm Sewer/Building Drain/Water Supply
- From civic connection to Building drain - first 30 m \$52.00
- Each additional 30 m or part thereof \$26.00
- Each roof drain \$13.00

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6. FIRE INSPECTION FEES

Multi-family (complex having four or more units)	\$ 105.00
Commercial, industrial or personal service Building having a floor area up to 1000 m ²	\$52.00
Commercial, industrial and personal service Building having a floor area greater than 1000 m ²	\$105.00
All assembly or institutional Buildings	\$105.00
Petroleum Products Storage Tank installation or removal	\$105.00
Propane tank installations	\$160.00
Sprinkler Systems	\$105.00
Tenant improvements (as for commercial, industrial or personal service Buildings above)	\$55.00

7. OTHER FEES

Heating installation	
- Residential (Single Family)	\$62.50
- Other than Residential Single Family	\$105.00
Second re-inspection to correct violation	\$62.50
Preliminary inspections, inspections of lapsed permits	\$62.50
Accessory Secondary Suite registration (new construction)	\$260.00
Accessory Secondary Suite registration (existing construction)	\$572.00
Accessory Secondary Suite infrastructure fee (to be added to taxes)	\$260.00
Accessory Secondary Suite removal	\$62.50
Review of equivalency report	\$520.00
Pre-move inspection of a house or Manufactured Building from outside City (does not include travel costs and Building Permit fee for new location)	\$235.00
Pre-move inspection of a house or Manufactured Building from within City (does not include travel costs and Building Permit fee for new location)	\$62.50
Fire Restoration Permit	\$210.00
Multiple Suite Removal	\$260.00
Installation of	
Each Free Standing Sign	\$105.00
Each Awning, Facia or Marquee	
Or Change of Copy	\$73.00
Temporary Sign Permit	\$40.00
Advanced Building Permit Application	\$7,800.00

8. VALUE OF CONSTRUCTION8.1 Single Family Residential

Single-storey on slab or crawl space	-	\$705.00/m ²	-	\$(65.50/sq. ft.)
Multi-storey				
- Finished floors	-	442.00/m ²	-	(46.00/sq. ft.)
- Additional unfinished floors	-	207.00/m ²	-	(21.00/sq. ft.)
Dwelling alterations (finished basements)	-	235.00/m ²	-	(22.00/sq. ft.)
Dwelling additions	-	442.00/m ²	-	(46.00/sq. ft.)
Move on, dwellings/foundation	-	207.00/m ²	-	(21.00/sq. ft.)
Manufactured Buildings				
- New	-	588.00/m ²	-	(54.50/sq. ft.)
- Used	-	412.00/m ²	-	(38.00/sq. ft.)
Carport	-	235.00/m ²	-	(22.00/sq. ft.)
Garage	-	293.00/m ²	-	(27.50/sq. ft.)
Sundeck	-	145.00/m ²	-	(13.50/sq. ft.)
Sundeck with roof	-	197.00/m ²	-	(18.35/sq. ft.)
Swimming Pool (basic \$18,000 minimum) or Value of Construction				
Accessory storage Building	-	122.00/m ²	-	(11.50/sq. ft.)

8.2 Multi-family Residential, Institutional, Commercial and Industrial

- (a) All valuations will be based on the Value of Construction.
- (b) Where a Preliminary Examination is requested:
- (1) a \$1000.00 preliminary inspection fee shall be paid at the time of submission of Building plans for all Buildings except for multi-unit residential townhouse projects;
 - (2) a fee of \$100 per Building shall be paid for townhouse projects where each Building has four or less dwelling units;
 - (3) a fee of \$200 per Building shall be paid for townhouse projects where each Building has more than four but less than nine dwelling units;
 - (4) a fee of \$300 per Building shall be paid for townhouse projects where each Building has nine or more dwelling units.
- (c) Preliminary Examination fees paid may be credited against the fees payable for a Building Permit, provided there are no changes to the plans when submitted in connection with an application for a Building Permit within six

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months of preliminary examination. An additional fee of \$100 shall be charged for changes occurring subsequent to the noted six-month period.

- (d) The Building Permit fee to establish each dry portable classroom unit shall be \$115.00.
- (e) The Building Permit fee to establish each wet portable classroom unit shall be \$185.00.
- (f) Building Permit fees for retaining walls shall be:

1.0 m (3.280 ft.) high wall	-	\$ 94.00 per m (\$29.00/lin. ft.)
1.8 m (5.905 ft.) high wall	-	115.00 per m (35.00/lin. ft.)
2.4 m (7.874 ft.) high wall	-	141.00 per m (43.00/lin. ft.)
3.0 m (9.843 ft.) high wall	-	167.00 per m (51.00/lin. ft.)
Walls greater than 3.0 m (9.843 ft.)	-	214.00 per m (65.00/lin. ft.) or Value of Construction
- (g) The Building Permit fee to repair the building envelope of a multi-family building containing more than four dwelling permits shall be not more than \$500.00.

8.3 Agricultural Buildings - All valuations will be based on the following scale:

Milking parlour	-	\$247.50/m ²	-	\$(23.00/sq. ft.)
Silos (upright)	-	247.50/m ²	-	(23.00/sq. ft.)
Silos - bunker	-	100.00/m ²	-	(9.25/sq. ft.)
Typical barn (mushroom growing, horse, cattle)				
- with loft	-	171.50/m ²	-	(16.00/sq. ft.)
- without loft	-	145.50/m ²	-	(13.50/sq. ft.)
Pole construction barns				
- semi-enclosed	-	112.50/m ²	-	(10.50/sq. ft.)
- unenclosed	-	104.00/m ²	-	(9.75/sq. ft.)
- enclosed	-	145.50/m ²	-	(13.50/sq. ft.)
Machine shed				
- semi-enclosed	-	123.00/m ²	-	(11.50/sq. ft.)
- enclosed	-	179.00/m ²	-	(16.50/sq. ft.)
Swine and poultry barns				
- 1-storey	-	202.00/m ²	-	(18.75/sq. ft.)
- 2-storey	-	224.00/m ²	-	(21.00/sq. ft.)
- 3-storey	-	258.00/m ²	-	(24.00/sq. ft.)
Manure pit	-	77.00/m ²	-	(7.15/sq. ft.)
Manure pit with roof	-	123.00/m ²	-	(11.50/sq. ft.)
Roof over manure pit	-	47.00/m ²	-	(4.50/sq. ft.)
Mushroom compost barn	-	336.00/m ²	-	(31.00/sq. ft.)
Glass or mylar plastic greenhouse with open web metal frames	-	123.00/m ²	-	(11.50/sq. ft.)
Fabric covered Structures	-	15.50/m ²	-	(1.45/sq. ft.)
Poly plastic greenhouse with light tubular steel frames	-	33.00/m ²	-	(3.15/sq. ft.)
Seasonal farm workers' accommodation	-	377.50/m ²	-	(35.00/sq. ft.)

8.4 Other Construction - Based upon Value of Construction

9. PERFORMANCE SECURITY

- (a) Performance security shall be paid before issuance of the Building Permit or other permit and shall be retained by the City until such time as the Building Permit or other permit receives final inspection. No interest shall be paid to the applicant on the performance security held by the City.

Amount of Performance Security

- (b) The amount of the performance security shall be:
- (i) \$500 for each single-family residence or for each residential unit in a multiple dwelling project to a maximum of \$5,000;
 - (ii) \$200 for each finished basement permit, fire restoration permit, enclosed balcony, sign, demolition permit, removal of a fuel storage tank, or any Building Permit having a construction value of \$10,000 or less;
 - (iii) \$250 or 2% of Value of Construction, whichever is greater, to a maximum of \$5,000, for all permits with Value of Construction in excess of \$10,000 with the exception of residential and agricultural construction;
 - (iv) \$500 for agricultural Buildings where the value of the works exceeds \$10,000.
 - (v) No performance security shall be paid for Secondary Suite installation or removal permits.

Use of Performance Security

- (c) The performance security may be applied by the City against any costs or expenses incurred by the City including, but not limited to costs and expenses to:
- (i) repair, install, or replace City Properties which are Damaged during, and such Damage is attributable to, the carrying out or construction of the works authorized by a Building Permit;
 - (ii) clear any debris, materials, dirt, chattels, or equipment, which have accumulated on any street, road, avenue, alley, sidewalk, boulevard, or any part of a road allowance, as a result of work carried out in connection with a Building Permit;

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- (iii) survey, draft, and excavate as required to prepare as-constructed drawings of any roads and/or services constructed by non-City forces on City rights-of-way or easements in connection with a Building Permit;
- (iv) administrative costs including, but not limited to those incurred in investigating expired Building Permits and other permits, to renew existing Building Permits and other permits, re-inspection fees, legal costs or Land Title Office registration costs; and
- (v) ensure, where applicable, that Development Permit or Subdivision and Development Bylaw requirements with respect to the planting of trees are met.

Return of Performance Security

- (d) The performance security, or balance thereof, shall be returned to the person or firm who deposited the performance security after:
 - (i) final inspection and acceptance by the Building Official;
 - (ii) the City Engineer has ascertained that either no Damage has occurred or, if any Damage to City Property has occurred, the Damage has been repaired or corrected to the City Engineer's satisfaction; and
 - (iii) the City Engineer has ascertained that acceptable as-constructed drawings have been submitted.

Inspection of and Damage to City Property

- (e) The City Engineer shall inspect City Properties adjacent to the Building site within 15 days of the date of final inspection and acceptance by the Building Official. Any Damage to City Properties caused by the construction related to the Building Permit, which remains not repaired or corrected at the date of such inspection, shall be recorded, and the Building Permit holder shall be requested to repair or correct the Damage within 45 days from the date of notification. If the Building Permit holder fails to repair or correct the Damage within the 45 day period, the full amount of the performance security shall be forfeited to be used by the City to complete the repairs, and the Building Permit holder shall have no further claim upon the performance security or any part thereof.

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- (f) Where, during the course of construction, the City Engineer, upon inspection, discovers that any street, road, avenue, alley, sidewalk, boulevard, or any part of a road allowance is obstructed by debris, materials, dirt, chattels, or equipment of the Building Permit holder or the Building Permit holder's Agent, the City Engineer shall request the Building Permit holder to remove the obstruction immediately. If the Building Permit holder or his or her Agent fails to comply with the City's request to remove the obstruction, the City may remove the obstruction and deduct the full cost of removal from the performance security.
- (g) Despite forfeiture of the performance security, the Building Permit holder shall remain responsible for the total cost of repair or correction should the cost exceed the amount of the performance security forfeited.
- (h) No performance security shall be refunded for a Building Permit that expires prior to final inspection or permit renewal.

Schedule “3”

Acknowledgments by an Owner or Owner’s Agent as required by Bylaw No. 1274-2003, Building Bylaw, 2003, and forming part of Building Permit No. _____.

1. I acknowledge that I am responsible for compliance with the current edition of the British Columbia *Building Code*, City of Abbotsford current Building Bylaw, and any other applicable enactment, code, regulation, or standard relating to the work in respect of which the permit is issued, whether or not the said work is undertaken by me or by those whom I may retain or employ to provide design and/or construction services.

2. I acknowledge that neither the issuance of a permit under the City of Abbotsford’s current Building Bylaw, the acceptance nor review of plans, specifications, drawings or supporting documents, nor inspections made by, or on behalf of the City of Abbotsford, constitute a representation, warranty, assurance, or statement that the current edition of the British Columbia *Building Code*, the Building Bylaw of the City of Abbotsford, or any other applicable enactment, code, regulation, or standard has been complied with.

3. Where the City requires that Letters of Assurance be provided by a Registered Professional pursuant to the City of Abbotsford Building Bylaw and the *Community Charter*, I confirm that I have been advised in writing by the City that it relied exclusively on the Letter of Assurance of “Professional Design and commitment for Field Review”, prepared by

Registered Professional

Registered Professional

Registered Professional

Registered Professional

Registered Professional

Registered Professional

Registered Professional

Registered Professional

in reviewing the plans, drawings, specifications and supporting documents submitted with this application for a Building Permit. (B/L 1492-2005)

4. I confirm that I have relied only on the said Registered Professional for the adequacy of plans, drawings, specifications and supporting documents submitted with this permit application.

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5. I understand that I should seek independent legal advice in respect of the responsibilities I am assuming upon the granting of a Building Permit by the City pursuant to the application and in respect of the execution of this acknowledgment.
6. I understand that all City sidewalks and roadways shall be kept clear of mud and construction debris and that the City may clean them without notice to the owner, and that the owner will be billed for all costs.

Signature of Owner or the Owner's Agent

Printed Name of Owner or Owner's Agent

Date