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CONSOLIDATED FOR CONVENIENCE ONLY

THE CITY OF PORT MOODY

BYLAW NO. 2577

A BYLAW FOR THE ADMINISTRATION OF THE BUILDING AND PLUMBING CODE

WHEREAS section 694 (1) of the Local Government Act authorizes the City of Port Moody, for the health, safety and protection of persons and property to regulate the construction, alteration, repair, or demolition of buildings and structures by bylaw;

AND WHEREAS the Province of British Columbia has adopted a building code to govern standards in respect of the construction, alteration, repair and demolition of buildings in municipalities in the province;

AND WHEREAS it is deemed necessary to provide for the administration of the building code;

NOW THEREFORE City Council of the City of Port Moody, in open meeting assembled, enacts as follows:

PART 1 - GENERAL

1. TITLE AND PURPOSE

- 1.1 This Bylaw may be cited for all purposes as the "City of Port Moody Building and Plumbing Code Administration Bylaw," No. 2577.
- 1.2 This Bylaw, shall, despite any other provisions herein, be interpreted in accordance with subsection 1.3.
- 1.3 This Bylaw is enacted and retained for the purpose of regulating construction within the City of Port Moody in the general public interest. The activities undertaken by or on behalf of the City of Port Moody pursuant to this bylaw are for the sole purpose of providing a limited and interim spot-checking function for reasons of public health and safety and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of this bylaw extend:
 - 1.3.1 to the protection of owners, owner/builders or builders from economic loss;

- 1.3.2 to the assumption by the City of Port Moody of any responsibility for ensuring the compliance by an Owner, his representatives or any employees, contractors, builders or design professionals retained by him, with the current edition of the British Columbia Building Code, the requirements of this Bylaw or any other applicable enactments respecting safety;
- 1.3.3 to providing any person a warranty of design or workmanship with respect to any building or structure for which a building permit or occupancy permit is issued under this Bylaw;
- 1.3.4 to providing a warranty or assurance that construction undertaken pursuant to building permits issued by the City of Port Moody is free from latent, or any defects.

2. *TRANSITIONAL PROVISIONS*

This Bylaw will only apply to permits (as hereinafter defined) for which applications were received after the date of final adoption of this Bylaw. Any permit for which an application was pending on or before the date of final adoption of this Bylaw will be governed by the terms and conditions of the City of Port Moody Building and Plumbing Code Administration Bylaw No. 2146, 1993 and all amendments thereto.

3. *REPEAL*

"City of Port Moody Building and Plumbing Code Administration Bylaw, 1993," No. 2146 and amendments thereto is repealed and replaced by this Bylaw except for transitional purposes, pursuant to Section 2 of this Bylaw, in connection with any applications received prior to the date of the adoption of this Bylaw.

4. *DEFINITIONS*

In this Bylaw:

The following words and terms have the meanings set out in Section 1.1.3.2 of the British Columbia Building Code 1998 as amended or re-enacted from time to time: **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 occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, occupancy, owner, registered professional, and residential occupancy.**

"**Accessory building**" means a **building**, the use or intended use of which is ancillary and subordinate to that of a principal **building** situated on the same lot.

"**Agent**" means a person authorized by an **owner** to represent the **owner** for the purpose of this Bylaw.

"**Applicant**" means an **owner**, his **agent**, or a **Certified Professional** acting on behalf of an **owner**.

"**Building Code**" means the British Columbia **Building Code** 1998 as adopted by the Minister pursuant to section 692 (1) of the Local Government Act, as amended or re-enacted from time to time.

"**Building Official**" includes Building **Inspectors**, Plan checkers and Plumbing Inspectors designated by the **City** of Port Moody.

"**Building Permit**" means a permit to construct a **building** or **temporary building** issued in accordance with Part II of this Bylaw.

"**Chief of Police**" shall mean the Chief Constable of the **City** of Port Moody.

"**City**" means the Corporation of the **City** of Port Moody.

"**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,**
 - iv) **medium and low hazard industrial occupancies.**

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

"**Construction cost**" as referred to in the **Fees & Charges Bylaw** No. 2340 may be determined by the **Building Official** using current market unit costs.

"**Demolition permit**" means a permit to demolish a **building** or temporary **building** issued in accordance with Part II of this Bylaw.

"**Director of Environmental Services**" means the official appointed by the **City** as the Manager of Parks and Environmental Services.

"**Director of Community Services**" means the official appointed by the **City** as head of the Operations department.

"**Fees and Charges Bylaw**" means the **City** of Port Moody **Fees and Charges Bylaw** No. 2340, 1998 as amended or re-enacted from time to time.

"**Facilities**" means any system installed in a highway or in a statutory right of way for the purpose of providing a service to property and shall include sidewalks, curbs and gutters, water supply and distribution, sewage and drainage collection and disposal, street lighting, electric power distribution, telephone, cable television and gas distribution systems.

"**Land Title Act**" means the Land Title Act, R.S.B.C. 1996, c. 250.

"**Landscape walls**" are walls less than 1.2m in height which have a setback ratio of greater than one horizontal to one vertical.

"**Local Government Act**" means the Local Government Act, R.S.B.C. 1996, c.323.

"**Manager**" means the Manager of Building, Bylaws and Licensing Services.

"**Moving permit**" means a permit to move a **building** or **temporary building** issued in accordance with Part IV of this Bylaw.

"**Occupancy permit**" means a permit to occupy a **building** or portion of a **building** issued in accordance with Article 19 of this Bylaw.

"**Permit**" means permission or authorization in writing by the **Building Official** to perform **work** regulated by this Bylaw.

"**Plumbing Contractor**" means a person who carries on a business whereby the purpose of which is the installation or alteration of plumbing systems and is qualified to do so pursuant to all applicable statutes, regulations and bylaws.

"**Plumbing System**" means a drainage system, a venting system and a water system or parts thereof.

"**Pool**" means every structure intended for or used as a swimming **pool** with a water depth exceeding 610 mm and includes the fence or other **structure** enclosing such **pool** and any plumbing system or appurtenance attached thereto.

"**Pool permit**" means a **permit** issued in accordance with Part V of this Bylaw.

"**Retaining walls**" means walls constructed for the retention of soils in excess of 1.2m in height or greater than two horizontal to one vertical setback ratio.

"**Site profile**" means a completed Schedule One of the Waste Management Act, R.S.B.C 1996, c. 482 required prior to the issuance of any building permit to erect or demolish any structure on a site that has previously been used for industrial or commercial purposes.

"**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.**

"**Structure**" means any **construction** fixed to, supported by, or sunk into land or water; excludes fences and landscape walls less than 1.2 metres in height and concrete and asphalt paving or similar surfacing of a lot.

"**Subdivision Control Bylaw**" means the **City** of Port Moody Subdivision Control Bylaw No. 1804, 1987, as amended or re-enacted from time to time.

"**Surveyor**" means an individual who is a member in good standing of the Corporation of Land Surveyors of British Columbia pursuant to the Land Surveyors Act, R.S.B.C. 1996, c. 248.

"**Temporary building**" means a **building** or any part thereof that will be used for a period of time not exceeding one year from the date of the placement of such a **building** but does not include a mobile home intended for single family residential occupancy.

"**Work**" means the **construction**, alteration, repair or demolition of a **building, pool**, plumbing system or **temporary building**, including, but without limiting the generality of the foregoing, demolition in the form of the removal or relocation

of a **building, pool**, plumbing system or **temporary building**, but not including any repairs being done as part of the normal maintenance of such **building, pool**, plumbing system or **temporary building**.

"**Zoning Bylaw**" means the City of Port Moody **Zoning Bylaw**, 1988, No. 1890, as amended or re-enacted from time to time.

5. **DUTIES OF THE BUILDING OFFICIAL**

The *Building Official* may:

- 5.1 Administer this bylaw;
- 5.2 Keep records of all applications received, **permits** and orders issued;
- 5.3 Carry proper identification, confirming his or her status as a **Building Official**.

6. **POWERS OF THE BUILDING OFFICIAL**

6.1 **A Building Official**

- 6.1.1 May enter any **building** or premises at any reasonable time for the purpose of ascertaining whether the requirements of this bylaw are being observed;
- 6.1.2 It is an offence for any person to prevent or obstruct or attempt to prevent or obstruct the authorized entry of officers under Section 6.1.1.
- 6.1.3 Where any dwelling, apartment or guest room is occupied, the Building Official shall, except in emergencies, obtain the consent of the occupant or provide where reasonably practical, written notice twenty four hours in advance of entry.

6.2 A **Building Official** may order the correction of any **work** that is being or has been done in contravention of this bylaw.

6.3 A **Building Official** may order the cessation of **work** that is proceeding in contravention of the **Building Code** and this bylaw, or any related **City** bylaw, by posting a "Stop Work Order" as prescribed by the **Building Official**, on the property where such **work** is undertaken.

7. **RESPONSIBILITY OF THE OWNER**

- 7.1 Every **owner** shall ensure that all construction complies with the Building Code, this bylaw and other applicable enactments respecting safety.
- 7.2 Neither the issuance of a **permit** under this bylaw nor the acceptance or review of plans, drawings, nor any inspections made by or on behalf of the **City** shall in any way relieve the **owner** or his representatives from full and sole responsibility to perform the **work** in strict accordance with this bylaw, the **Building Code** and or any other applicable enactments respecting safety.
- 7.3 It shall be the full and sole responsibility of the **owner** (and where the **owner** is acting through a representative, the representative) to carry out the work in respect of which the permit was issued in compliance with the **Building Code** and this bylaw or other applicable enactments respecting safety.
- 7.4 No person shall rely upon any **permit** as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms. The person to whom the **building permit** is issued and his representatives are responsible for making such determination.
- 7.5 The **owner** shall post the civic address conspicuously on the front of the premises or on a signpost so that it may be easily read from the street.

8. **PENALTIES AND ENFORCEMENT**

- 8.1 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, or both.
- 8.2 A separate offense shall be deemed to be committed on each day during which a violation occurs or is allowed to continue.
- 8.3 Every **owner** of real property on which a "Stop Work Order" has been posted pursuant to Section 6.4 of this bylaw or with respect to which any **permit** issued has been revoked pursuant to Section 6.2 of this bylaw, shall cease all **work** thereon immediately and shall not do any **work** thereon until all provisions of this bylaw have been fully complied with and the "Stop Work Order" has been removed under the direction of the **Building Official**.
- 8.4 **Double Fee** - Any person who begins any **construction** without first obtaining a **permit**, shall when subsequently taking out such **permit**, pay double the fees originally required as set out in the **Fees and Charges Bylaw** for each day commencing on the date construction started.

9. **SEVERABILITY**

- 9.1 If any section, subsection, clause, sub-clause, or phrase of this bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction the invalid portion shall be severed from the bylaw, and such decision shall not affect the validity of the remaining portions of this bylaw.

PART II - BUILDINGS AND TEMPORARY BUILDINGS

10. **PROHIBITIONS**

- 10.1 No person shall commence or permit the commencement or continuation of any construction or demolition unless a valid **permit** has been issued for the work by the **Building Official**.
- 10.2 No person shall occupy or permit the occupancy or use of any building or part thereof in the absence of a permit required by this bylaw and contrary to the terms of any permit, notice or certificate given by the **Building Official**.
- 10.3 No person shall, unless authorized by the **Building Official**, 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.
- 10.4 No person shall do or permit the doing of any work that is at variance with the description, plans and specifications for the **building**, or part thereof for which a **permit** has been issued, unless such change has been approved by the **Building Official**.

11. **APPLICATIONS**

- 11.1 Every **owner** shall apply for and obtain:
- 11.1.1 a **permit** before constructing, altering, repairing or moving a **building** or **structure**, and
- 11.1.2 a **demolition permit** before demolishing a **building** or **structure**.

11. APPLICATIONS (*cont'd*)

11.2 Applications for Complex Buildings shall:

- 11.2.1 be made on the forms provided by the Planning and Development Services Department, signed by the **owner**, or a signing officer if the **owner** is a corporation, and the **coordinating registered professional**;
- 11.2.2 be accompanied by the **owner's** acknowledgement of responsibility and undertakings made in the form attached as schedule "A" to this bylaw, signed by the **owner**, or a signing officer if the **owner** is a corporation;
- 11.2.3 state the intended use or uses of the **building** or **structure**;
- 11.2.4 be accompanied by 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**, and
- 11.2.5 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**.

Section 11.2.6 - Amended by Bylaw No. 2727

- 11.2.6 include where required by the Building Official as exhibits 4 copies of the scale drawings of the **building** with respect to which the **work** is to be carried out showing:
 - (a) the dimensions of the **buildings**,
 - (b) the proposed use of each room or floor area,
 - (c) the dimensions of the land on which the **building** is, or is to be situated,
 - (d) the grades and elevations of the streets and sewers abutting the land,
 - (e) the position, height and horizontal dimensions of all **buildings** on the land,
 - (f) the minimum habitable floor elevation according to geodetic datum, when required by the **Building Official**,

11. APPLICATIONS (cont'd)

- (g) the location and dimensions of all statutory rights of way and easements,
- (h) such other information as is necessary to illustrate all essential features of the design of the **building**, and to establish substantial compliance in all material respects with this bylaw and the **Building Code**.

11.2.7 where the parcel contains slopes in excess of 15%, and upon the request of the **Building Official**, be accompanied by the following information:

- (a) 0.5 metre contours of the existing ground surface of the parcel,
- (b) 0.5 metre contours of the proposed final grading,
- (c) the elevations of all floor levels of the **building**,
- (d) the locations and details of all retaining **structures** on the parcel,
- (e) the drainage provisions as outlined in the approved subdivision grading plans, if any, for the parcel;

11.2.8 Any other information required by the **Building Official** or the **Building Code** to establish substantial compliance with this bylaw, the **Building Code** and other bylaws and enactments relating to the **building** or **structure**.

11.3 Applications for Standard Buildings shall:

- 11.3.1 be made on the forms provided by the Planning and Development Services Department signed by the **Owner** or his **agent**;
- 11.3.2 be accompanied by the **owner's** acknowledgement of responsibility and undertakings made in the form attached as Schedule A to this bylaw, signed by the **owner**, or a signing officer if the **owner** is a corporation;
- 11.3.3 state the intended use or uses of the **building** or **structure**.

11. APPLICATIONS (cont'd)

11.3.4 include as exhibits two copies of the scale drawings of the **building** with respect to which the **work** is to be carried out showing:

- (a) the dimensions of the **building**,
- (b) the proposed use of each room or floor area,
- (c) the dimensions of the land on which the **building** is, or is to be situated,
- (d) the grades and elevations of the streets and sewers abutting the land,
- (e) the position, height and horizontal dimensions of all **buildings** on the land,
- (f) the minimum habitable floor elevation according to geodetic datum, when required by the **Building Official**,
- (g) the location and dimensions of all statutory rights of way or easements, and
- (h) such other information as is necessary to illustrate all essential features of the design of the **building**, and to establish substantial compliance in all material respects with this bylaw and the **Building Code**.

11.3.5 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**;

11.3.6 the requirements of section 11.3.5 may be waived by the **Building Official** in circumstances where the **Building Official** has required a professional engineer's report pursuant to section 699 (2) of the **Local Government Act** and the **building permit** is in accordance with sections 699 (5) and (6) of the **Local Government Act**;

11.3.7 the requirements of section 11.3.5 may be waived by the **Building Official** for detached accessory residential garages less than 55 sq. meters in area or minor additions less than 20 sq. meters in area.

11. APPLICATIONS (cont'd)

11.3.8 where the parcel contains slopes in excess of 15%, and upon the request of the **Building Official**, be accompanied by the following information:

- (a) 0.5 metre contours of the existing ground surface of the parcel,
- (b) 0.5 metre contours of the proposed final grading,
- (c) the elevations of all floor levels of the **building**,
- (d) the locations and details of all retaining **structures** on the parcel,
- (e) the drainage provisions as outlined in the approved subdivision grading plans, if any, for the parcel;

11.3.9 where the size or complexity of the proposed **building** or **structure** or siting circumstances warrant, the **Building Official** may require 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**, and

11.3.10 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**;

11.3.11 any other information required by the **Building Official** or the **Building Code** to establish substantial compliance with this bylaw, the **Building Code** and other bylaws and enactments relating to the **building** or **structure**.

11.4 When required by the **Building Official**, the application shall also be accompanied by a plan that shows the location and size of any **building** drain, and a sectional drawing that shows the size and location of every soil-or-waste pipe, trap and vent pipe to ensure compliance with the Plumbing Code and this bylaw.

11.5 An **applicant** for a **demolition permit** shall pay the costs of capping off **City** water and sewer services prior to the issuance of the **demolition permit**.

11. APPLICATIONS (cont'd)

- 11.6 All plans submitted with **permit** applications shall bear the name and address of the designer.
- 11.7 The **Building Official** may require the **owner** to establish whether a method or type of **construction** or material used in the **construction** conforms with the requirements and provisions of the **Building Code** and this bylaw.
- 11.8 No **building permit** for the **construction** of any **building** will be issued unless the following conditions are met:
- 11.8.1 sufficient access is provided to the parcel upon which the **building** is to be placed or constructed;
 - 11.8.2 the parcel is serviced to the parcel line by a municipal sanitary sewer system, or other sewage disposal facility or system;
 - 11.8.3 the parcel is serviced to the parcel line from a water distribution system of sufficient size and capacity to supply the required water for potable use and adequate fire protection services.
- 11.9 Applications will be cancelled if **permit** fees are not paid within sixty calendar days from the date of notification to the **applicant** that the **permit** is ready for issuance. The plan processing fee stipulated in the **Fees and Charges Bylaw**, shall be forfeited, and any documentation submitted may be destroyed.
- 11.10 For the purposes of determining the **building permit** fees, the **Building Official** will value the **construction cost** based on current market unit costs.
- 11.11 If a rechecking of **permit** plans is required as a result of any action on the part of the **owner** or the **owner's agent**, a non-refundable recheck fee shall be payable by the **owner** or the **owner's agent** as described in the **Fees and Charges Bylaw**.

12. **PROFESSIONAL PLAN CERTIFICATION**

- 12.1 The letters of assurance in the form of Schedules B-1 and B-2 referred to in section 2.6 of Part 2 of the **Building Code** and provided pursuant to the requirements 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.

12. *PROFESSIONAL PLAN CERTIFICATION (cont'd)*

- 12.2 A **building** permit issued for the construction of a **complex building**, or a **standard building** for which a **Building Official** required professional design and letters of assurance pursuant to this bylaw, shall include a notice to the **owner** that the **building** permit is issued in reliance upon the certification of the **registered professionals** that the design and plans submitted in support of the application for the **building** permit comply with the **Building Code** and other applicable enactments relating to safety.
- 12.3 When a **building** permit is issued in accordance with section 12.2 of this bylaw, the permit fee shall be reduced by 2.5% of the fees payable as set out in the **fees and charges bylaw**.

13. *EQUIVALENTS AND TESTS*

- 13.1 Equivalents for one or more of the provisions of the **Building Code** may be permitted for **standard buildings**, provided sufficient evidence is submitted to satisfy the **Building Official** that the proposed equivalency will provide substantial compliance in all material respects to the **Building Code**.
- 13.2 Equivalents for one or more of the provisions of the **Building Code** may be permitted for **complex buildings**, provided sufficient evidence is submitted by a **Registered Professional** to satisfy the **Building Official** that the proposed equivalency will provide substantial compliance in all material respects to the **Building Code**.
- 13.3 The **Building Official** may direct that tests of materials, devices, **construction** methods, structural assemblies, or foundation conditions be made; or sufficient evidence or proof be submitted at the expense of the **owner**, to determine substantial compliance in all material respects with this Bylaw and the **Building Code**.
- 13.4 The **owner** shall pay the prescribed fees as set out in the **Fees and Charges Bylaw** for each equivalent request submitted.

14. *PERMITS*

- 14.1 Where:
 - 14.1.1 a completed application including all required supporting documentation has been submitted, and
 - 14.1.2 the proposed **work** set out in the application substantially complies in all material respects with this Bylaw and other applicable enactments respecting safety; and

14. PERMITS (cont'd)

- 14.1.3 the **applicant** has paid the fee prescribed as set out in the **Fees and Charges Bylaw No. 2340**; and
- 14.1.4 the **applicant** has paid all charges and met all requirements imposed by any other statute or bylaw;
- 14.1.5 the **Building Official** shall issue the **permit** for which the application is made.
- 14.2 Every **permit** is issued upon the condition that it shall expire and the rights of the **owner** under the **permit** shall terminate if:
 - 14.2.1 the **work** authorized by the **permit** is not commenced within six months from the date of issuance of the **permit** for **standard buildings**, and 12 months from the date of issuance of the permit for **complex buildings**; or
 - 14.2.2 the **work**, although commenced, is not continuously and actively carried out thereafter, or;
 - 14.2.3 **work** has been substantially discontinued for a period of 6 months.
- 14.3 The **permit** shall lapse in the event that the **work** authorized by the **permit** remains incomplete 18 months after the **permit** was issued for **standard buildings**, and 24 months after the permit was issued for **complex buildings**.
- 14.4 Upon application by the **owner**, and upon payment of the renewal fee set out in the **Fees and Charges Bylaw No, 2340**, a **permit** with the same conditions, as were applicable to a **permit** which has been issued under Subsection 13.1 may be issued. Not more than one renewal will be issued for each **permit**.
- 14.5 The **Building Official** may issue a **permit** for the **construction** of a phase of a **building** before the entire plans and specifications for the whole project have been submitted or approved, provided adequate information and detailed statements have been filed evidencing compliance with all pertinent requirements of this Bylaw. The issuance of the **permit** notwithstanding, the requirements of this Bylaw shall apply to the remainder of the **building** as if the **permit** had not been issued.
- 14.6 No plumbing **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 rearrangement of valves, pipes, or fixtures or hot water tanks.

14. PERMITS (cont'd)

- 14.7 Subject to the requirements of any other Bylaw, the **Building Official** may issue a **permit** for the placement of a **temporary building, structure** or shelter, if satisfied that the **building, structure** or shelter is safe for the stated use and duration.
- 14.8 No **permit** is required for an **accessory building** within single family residential zones provided such **building** does not exceed a maximum of 10m² (108 sq. ft.) in area and 3.6m in height.
- 14.9 **Building permits** within Development Permit Areas and Development Authorization Areas:
- 14.9.1 A **building permit** may be issued for works within Development Permit Areas and Development Authorization Areas so designated by the **City**, only upon prior issuance of a Development Permit or Development Authorization to the **applicant** in accordance with the requirements of "City's Development Approval Procedure Bylaw, 2003," No. 2543, and amendments thereto, and other applicable regulations in force at the time.
- 14.10 The **Building Official** may revoke a **permit** if:
- 14.10.1 there is a contravention of any condition under which the **permit** was issued;
- 14.10.2 the **permit** was issued in error;
- 14.10.3 there is a failure to comply with the **Building Code**, or this Bylaw;
- 14.10.4 the **permit** was issued on the basis of incorrect information provided by the **owner**, his **agent** or a professional designer.

Revocation shall be in writing and transmitted to the **permit** holder by registered mail or in person.

14.11 **Disclaimer of Warranty or Representation**

Neither the issuance of a **permit** under this **Bylaw**, the review and acceptance of the drawings, plans and specifications, nor inspections made by the **Building Official**, shall in any way constitute a representation, warranty or statement that the **Building Code** or this Bylaw has been complied with or that the **building** or **structure** meets any standard of materials and 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.

15. **RETAINING WALLS AND SLOPE RETENTION**

- 15.1 **Retaining walls**
Retaining walls in excess of 1.2 metres in height, or greater than two horizontal to one vertical setback ratio, require **building permits**.
- 15.2 **Landscape walls**
No **building permits** are required for **Landscape walls**.
- 15.3 **Rock Piles**
Retaining walls are not permitted to be constructed of uncemented rock, boulder piles or creosoted timbers.
- 15.4 **Slopes Created by Excavation**
Except as certified by a **registered professional** with expertise in geotechnical engineering, slopes steeper than one linear unit vertically to one linear unit horizontally and with a total height of 3 metres or more, which are created by excavation, are prohibited.
- 15.5 **Slopes Created by Fill Material**
Fill material placed on land shall not have a surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally.

16. TEMPORARY STRUCTURE PERMIT

- 16.1 Temporary **structure** permits issued for site trailers, **construction** trailers and sales offices shall be issued for a maximum time of one year and may be renewed at the discretion of the **Building Official**.

17. PROFESSIONAL DESIGN AND FIELD REVIEW

- 17.1 Where the **Building Official** considers that the site conditions, size, or complexity of the **building** or **structure** or any part or component thereof so warrant, or where an application has been made to construct a **retaining wall**, or an in-ground swimming **pool** referred to in Article 24 and Part V of this Bylaw, he may require a **registered professional** provide design and plan certification and **field reviews** 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**.
- 17.2 Prior to the issuance of an **occupancy permit** for a **complex building** or a **standard building** in circumstances where letters of assurance have been required in accordance with this bylaw, the owner shall provide the **City** with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in section 2.6 of Part 2 of the **Building Code**.

17. PROFESSIONAL DESIGN AND FIELD REVIEW (cont'd)

- 17.3 When a **registered professional** provides letters of assurance in accordance with this bylaw. He or she will also provide proof of liability insurance to the **Building Official** in the form of schedule "B" to this bylaw.

18. DAMAGE TO FACILITIES IN THE PUBLIC RIGHT-OF-WAY

- 18.1 The **owner** is responsible for making an inspection of the existing condition of all public properties adjacent to the **building** site, and reports any existing damage to the **Building Official** prior to commencing **work**. All damages detected at final inspections, will be assumed to be caused by the **owner**, unless reported as outlined above.
- 18.2 Every **owner** to whom a **permit** is issued shall be responsible for the cost of repair of any damage to facilities constructed in public properties or rights of way that occurs in the course of the **work** authorized by the **permit**.
- 18.3 In addition to any other fee payable pursuant to this Bylaw, an **applicant** for a **building permit**, at the time of application, shall deposit with the **Building Official**, a cash bond in the amount prescribed in the **Fees & Charges Bylaw** which sum may be applied by the **City** in payment to itself for any costs or expenses which may be incurred by the **City** in repairing, installing or replacing any **facilities** constructed in the public properties or rights of way, which are damaged, and which damage is attributable to the carrying out of **construction** of works authorized by the said **building permit**, or which are incidental to such works.
- 18.4 In addition, this cash bond may be applied in whole or in part by the **City** in payments to itself for any cost or expenses which may be incurred by the **City** in placing, replacing, erecting or removing safety barriers, fencing, obstruction lights, signs and warning devices or other safety measures on the site being developed or highways, easements, rights-of-way or portions thereof, which in the opinion of the **Building Official**, are necessary for public safety and which are required as a result of **work** authorized by the said **building permit** or **work** which is incidental thereto. The whole of the said cash bond, or any part thereafter remaining to the credit of the **applicant**, after the deduction of any such costs or expenses as are hereinbefore mentioned, shall be paid to the **applicant** upon the issuance of an **occupancy permit** by the **Building Official** under this part.

19. DOCUMENTS ON THE SITE

- 19.1 Every **owner** to whom a **permit** is issued shall, during **construction** keep:
- 19.1.1 posted in a conspicuous place on the property, in respect of which the **permit** is issued, the **building permit** and a poster or placard depicting the civic address, so that it may be easily read from a public highway; and

19. DOCUMENTS ON THE SITE (cont'd)

19.1.2 a copy of the approved drawings and specifications on the property in respect of which the **permit** was issued.

20. INSPECTIONS

- 20.1 When a **registered professional** provides letters of assurance in accordance with this bylaw, the **City** will rely solely on **field reviews** undertaken by the **registered professional** and the letters of assurance submitted pursuant to section 17.2 of this bylaw as assurance that the construction substantially complies with the **Building Code**, this bylaw and other applicable enactments respecting safety.
- 20.2 Notwithstanding section 20.1 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 professional**.
- 20.3 A **Building Official** may attend periodically at the site of the construction of **standard buildings** or **structures** to ascertain whether the health and safety aspects of the work are being carried out in substantial conformance with those portions of the **Building Code** that pertain to health and safety, this bylaw and any other applicable enactment respecting safety.
- 20.4 Every **owner** shall give at least forty-eight (48) hour's notice to the **City** when requesting an inspection and shall obtain an inspection and receive a **Building Officials** acceptance of the following aspects of **work** prior to concealing it:
- 20.4.1 after the forms for foundation walls are complete, and after having obtained a survey certificate from a Surveyor as to their location and the elevation of the garage slab (if applicable), but prior to the placing of any concrete therein;
 - 20.4.2 after removal of formwork from a concrete foundation and installation of perimeter drainpipe and damp proofing, but prior to backfilling against the foundation;
 - 20.4.3 after granular base materials, damp-proofing membrane and if applicable, reinforcing steel has been placed for the installation of a concrete floor slab but prior to placing of concrete;

20. *INSPECTIONS (cont'd)*

- 20.4.4 before a building drain, water service, sanitary or storm sewer is covered, and if any part of this **plumbing system** is covered before it is inspected and approved, it shall be uncovered if a **Building Official** so directs, and when the **Building Official** considers it necessary, underground **building** drains, branches, storm drains, and sewers shall be re-tested after the completion of all backfilling and grading by heavy equipment;
 - 20.4.5 when framing and sheathing of the **building** are complete, including fire-stopping, bracing, chimney, ductwork, plumbing, gas venting and wiring.
 - 20.4.6 after placing of insulation and vapor barrier, and
 - 20.4.7 after the **building** or **structure** is substantially complete and ready for **occupancy**, but before **occupancy** takes place of the whole or part of the **building** or **structure**,
- 20.5 Prior to the occupancy of any **building** or part thereof after **construction** or alteration, or any change in class of occupancy, the **owner** or occupier shall obtain an **occupancy permit** from the **Building Official**.

Section 20.6 – Amended by Bylaw No. 2727

- 20.6 The requirements of section 20.4 of this bylaw do not apply to any aspect of the work that is the subject of a **registered professional's** letter of assurance provided in accordance with sections 11.2.4, 11.3.5, 11.3.10, 17.1, and 17.2 of this bylaw. The requirements of Section 20.1 and 20.2 will apply to those aspects of work.
- 20.7 In all cases where it is proposed to discharge the waste from plumbing fixtures, trade waste or surface or roof water to a public sewer, it is the responsibility of the **owner** or occupier to expose and check the depth and location of sewer connections to ensure that such public sewer is at a sufficient depth and of a sufficient capacity to receive such discharge.
- 20.8 Where it is desired to connect a **building** or storm sewer with any **building** or storm sewer extension, the **owner** shall furnish such information as the **Building Official** may require to show that the proposed sewer will be laid at such depth and in such a position as to connect the property with the **building** or storm sewer extension.

21. OCCUPANCY PERMITS

- 21.1 No person shall occupy a **building** or **structure** or part of a **building** or **structure** until an occupancy permit has been issued in the form prescribed by the Planning and Development Services Department.
- 21.2 An occupancy permit shall not be issued unless:
 - 21.2.1 all letters of assurance have been submitted when required in accordance with sections 10.2.4, 10.3.5, 10.3.10, 17.1 and 17.2 of this bylaw.
 - 21.2.2 all aspects of the work requiring inspection and acceptance pursuant to section 20.4 of this bylaw have both been inspected and accepted or the inspections and acceptance are not required in accordance with section 20.6 of this bylaw.
- 21.3 A **Building official** may issue an occupancy permit for part of a **building** or **structure** when the part of the **building** or **structure** is self-contained, provided with essential services and the requirements set out in section 21.2 of this bylaw have been met with respect to it.

Section 22 - Climatic Data Replaced by Bylaw No. 2727

22. CLIMATIC DATA

January 1 percent Design Temperature:	-12° C
January 2 1/2 percent Design Temperature:	-10° C
July 2 1/2 per cent Design Drybulb Temperature	29° C
July 2 1/2 per cent Design Wetbulb Temperature	20° C
Annual Total Degree days below (65 F) (18 C)	3400
Moisture Index:	1.90
Driving Wind Pressures 1/5:	160 Pa
Maximum Fifteen minutes Rainfall:	10 mm
Maximum One Day Rainfall:	150 mm
Annual Total Precipitation:	1875 mm
In areas with a geodetic elevation below 150m	
Ground Snow Load snow component S(s)	3.00 kPa
Ground Snow Load rain component S(r)	0.30 kPa
In areas with a geodetic elevation between 150m and 300 m	
Ground Snow Load snow component S(s)	4.20 kPa
Ground Snow Load rain component S(r)	0.30 kPa

In areas with a geodetic elevation between 300m and 400m

Ground Snow Load snow component S(s)	4.90 kPa
Ground Snow Load rain component S(r)	0.40 kPa
Hourly Wind Pressure 1/10	0.36 kPa
Hourly Wind Pressure 1/50	0.48 kPa

Seismic Data:

Sa (0.2)	0.986
Sa (0.5)	0.658
Sa (1.0)	0.326
Sa (2.0)	0.17
PGA	0.488

Frost Protection:

Minimum Depth 0 – 300m	460 mm
Minimum Depth > 300m	600 mm

PART III - PLUMBING

23. REQUIREMENTS AND SPECIFICATIONS

- 23.1 The design, installation and maintenance of **plumbing systems** shall conform to:
- (a) standards, specifications and details forming part of this Bylaw and its appendices.
 - (b) **Building Code** (Plumbing Services) (latest edition) together with latest revisions and amendments.
- 23.2 A **plumbing system** shall not be constructed, extended, altered, renewed for a change made to a sewer unless a **permit** to do so has been obtained.
- 23.3 Where a **permit** is required, the system shall not be put into use until it has been tested and accepted by the **Building Official**.
- 23.4 Grease Interceptors
- (a) Grease interceptors are to be installed and maintained in food sector establishments that discharge wastewater containing oil and grease, in accordance with the Greater Vancouver Sewerage & Drainage District, Code of Practice for Wastewater Management.
 - (b) Interceptors are to be designed and sized with a flow capacity not less than the maximum discharge from fixtures connected to it and in no case smaller than 3.2 L/S (50 U.S.G.P.M.)
 - (c) Grease interceptor installations shall substantially comply in all material respects with the **Building Code**.
- 23.5 **Building** sanitary sewer connections shall be fitted with a cleanout near the property line conforming to the **Subdivision Control Bylaw no. 1804** and all amendments thereto.
- 23.6 Storm Drainage
- (a) All storm drainage systems are to be connected to the **City's** storm drainage system and intercepted with sumps.
 - (b) Catch basins and sumps are to be installed in accordance with the drawing annexed to this Bylaw as Schedule "C" and connected to the **City's** storm drainage system.

23. REQUIREMENTS AND SPECIFICATIONS (cont'd)

- 23.7 A private storm drainage system is permitted to be connected to a drywell or rockpit only when approved by the **Building Official**, and the subsoil conditions are suitable as determined by a soils report prepared by an **Engineer** with experience in geotechnical matters.

PART IV - MOVING A BUILDING

24. *MOVING OF BUILDINGS*

- 24.1 No person shall move any **building** from one parcel of land to another parcel of land without first obtaining a **moving permit**.
- 24.2 Prior to obtaining a **moving permit**, the **owner** of a **building** or part thereof to be moved to a property within the **City** shall:
- 24.2.1 designate the existing site of the **building** and the proposed site to which it is to be moved.
- 24.2.2 deposit with the **City** a certified cheque or an Irrevocable Letter of Credit in the amount of Twenty thousand (\$20,000.00) dollars issued by a guaranty company and in a form satisfactory to the **City**, to ensure that the exterior of the **building** or part thereof will be completed within ninety (90) days from the date of issuance of the **permit**. If the **owner** does not comply with the above, the **Building Official** shall notify the **owner** in writing stating how the **building** does not comply with this bylaw and directing him to remedy such non-compliance within thirty (30) days from the date of the said notice. If the non-compliance is not remedied within the said period of thirty (30) days, the deposit in the sum of Twenty thousand (\$20,000.00) dollars shall be forfeited to the **City**;
- 24.2.3 deposit with the **Building Official**;
- (a) A security in the sum of ten thousand (\$10,000.00) dollars in a form satisfactory to the **City**, to indemnify the **City** against all damages to public and municipal property of every kind, howsoever caused or occasioned by the moving of said **building**;
- (b) A policy of public liability and property damage insurance in a form satisfactory to the **City**, in the all inclusive limits of Five Million (\$5,000,000.00) dollars to ensure against damages imposed by law arising out of the moving of said **building**;

24. *MOVING OF BUILDINGS (cont'd)*

- 24.2.4 pay to the City, in advance, the fee as prescribed in the **Fees and Charges Bylaw** for an inspection of the **building** to be moved.
- 24.2.5 satisfy the **Building Official** that the **Chief of Police** and the **Director of Community Services** have approved the time and route of moving the said **building** and that notice of the moving has been given to utility companies having overhead wires along the said route.
- 24.3 No **building** shall be moved into the **City** or to another parcel of land within the **City** for use as a dwelling house, unless:
 - 24.3.1 such **building** has an assessed value of at least \$75,000.00 as shown on the last assessment roll upon which such **building** was assessed; and
 - 24.3.2 such **building** has an assessed value of at least 90% of the average assessed value of all **buildings** within 45 meters of the site or parcel to which it is to be moved as shown on the last assessment rolls upon which such **buildings** were assessed;
 - 24.3.3 the **Building Official** is satisfied that the **building** can be moved.

PART V - SWIMMING POOLS

25. **SWIMMING POOLS**

- 25.1 Every application for **construction** of a pool shall be accompanied by a plan showing the location of the proposed **pool** and all water supply piping, waste piping and appurtenances, and all structural details. All in ground swimming **pools** shall require professional design and **field review** as specified under Article 16 of this Bylaw.
- 25.2 A swimming **pool** shall be completely surrounded by minimum 1 metre apron and a fence, **building** or other **structure**, or combination thereof, not less than 1.22 metres in height at its lowest point, and with openings therein not greater than 100mm in width. The fence shall be constructed either on the property line or surrounding the **pool** in such a manner as to render the **pool** safe from unauthorized entry. Access through the fence shall be only by a 1.22 metre (minimum) high gate or door that is equipped with a self closing and self-latching mechanism on the **poolside** of the gate.

25. **SWIMMING POOLS (cont'd)**

25.3 Location of the swimming **pool** on the property shall comply with the requirements for **accessory buildings** stipulated in the current edition of the **Zoning Bylaw**.

25.4 Every fence enclosing every swimming **pool** shall be maintained by the **owner** or occupier of the property, upon which the same is located, in good order and repair, and adequate to perform its intended function, and all sagging gates, loose parts, worn latches, springs and locks and all broken or binding members shall be promptly and adequately replaced or repaired.

26. **POOL DRAINAGE REQUIREMENT**

26.1 **Pool** drainage and backwash discharge lines are to be connected to the **City's** sanitary sewer system or other private sanitary sewer system approved in writing by the **Building Official** by means of one of the following methods:

- (a) A regulation size sump pump with a backwater valve; or
- (b) indirectly connected to a 3-inch or larger soil or waste pipe other than a wet vent, by means of a 3-inch P-trap and standpipe; or
- (c) other methods acceptable to the **Manager of Parks and Environmental Services**.

Section 27 - Offences and Fines - Added by Bylaw No. 2635

27. **OFFENCES AND FINES**

Offences for which tickets can be issued and fines imposed are prescribed in the Municipal Ticket Information Utilization Bylaw.

33. SCHEDULES

33.1 Schedules "A", "B", and "C" attached to this bylaw form a part of this bylaw.

READ A FIRST TIME THE 25th DAY OF NOVEMBER, 2003.

READ A SECOND TIME THE 25TH DAY OF NOVEMBER, 2003.

READ A THIRD TIME THE 25TH DAY OF NOVEMBER, 2003.

ADOPTED THE 2nd DAY OF DECEMBER, 2003.

"Giuseppe Trasolini"
MAYOR

"Gerry van der Wolf"
CITY CLERK

Schedule "A"

NOTICE TO OWNER AND OWNER'S ACKNOWLEDGEMENT

The City of Port Moody Building and Plumbing Code Bylaw is enacted and retained for the purpose of regulating construction within the City in the general public interest the activities undertaken by or on behalf of the City pursuant to this bylaw are for the sole purpose of providing a limited and interim spot checking function for the reasons of public health and safety.

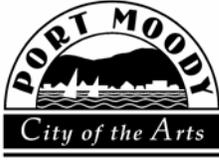
1. I acknowledge that being granted the attached Building Permit that I am responsible for compliance with the current edition of the British Columbia Building Code, the City of Port Moody Building and Plumbing Code Administration Bylaw and any other applicable enactment, code regulation or standard 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 this bylaw, the acceptance nor review of plans, specifications, drawings of supporting documents, nor inspections made by or on behalf of the City constitute a representation, warranty, assurance or statement that the current edition of the British Columbia Building Code, the City of Port Moody Building and Plumbing Code Administration Bylaw, or any other applicable enactment, code, regulation or standard has been complied with.
3. Where the City requires that Letters of Assurance be provide by a Registered Professional pursuant to the City of Port Moody Building and Plumbing Code Administration bylaw and Section 290 of the Local Government Act, I confirm that I have been advised in writing by the City that it relied on the Letters of Assurance of "Professional Design and Commitment for Field Review" prepared by the Registered Professionals associated with this Permit (see Letters of Assurance on file) in reviewing the plans, drawings, specifications and supporting documents submitted with the application for this building permit.
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 application.
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 this application and in respect of the execution of this acknowledgment.

Signature of Applicant

Witness

Building Inspector/Plan Checker

Date



CITY OF PORT MOODY,
100 Newport Drive. P.O. Box 36,
Port Moody, B.C., V3H 3E1, Canada
Tel. (604) 469-4534 Fax (604) 469-4533
www.cityofportmoody.com

Schedule "B"

PROOF OF LIABILITY INSURANCE

This form must be submitted by each registered professional submitting Letters of Assurance, prior to issuance of a building permit.

Attention: Building Official

RE: _____
Address of Project (Print)

Legal Description of Project (Print)

The undersigned hereby gives assurance that:

1. I have fulfilled my obligation for insurance coverage as outlined in the City of Port Moody Building Bylaw No. 2577.
2. I have enclosed a copy of my certificate of insurance coverage indicating particulars of such coverage.
3. I am a registered professional as defined in the City of Port Moody Building Bylaw No. 2577.
4. I will notify the building official in writing immediately if the undersigned's insurance coverage is reduced or terminated at any time during construction.

Name (Print)

Date

Signature (of Registered Professional)

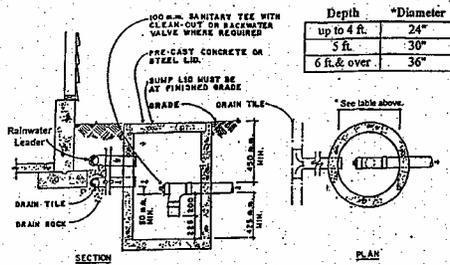
Address (Print)

(Affix Professional Seal Here)

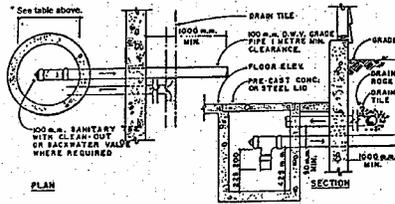
(If the registered professional is a member of a firm, complete the following)

I am a member of the firm of _____ and I sign and seal this letter of behalf of the firm. (print name of firm)

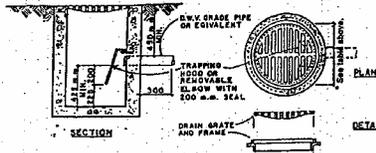
Schedule "C"



EXTERIOR TRAPPED SUMP



INTERIOR TRAPPED SUMP



AREA CATCH BASIN

- Notes: 1. Ladder rungs are required in all Sumps or Catch Basins 6 ft. or greater in depth.
 2. A Sump or Catch Basin including the cover shall be designed to support all loads imposed on it