



**CITY OF KAMLOOPS**

**BUILDING BY-LAW NO. 11-80, 2006**  
Effective Date - April 11, 2006

*Consolidated for Convenience Only*

This is a consolidation of "City of Kamloops Building Regulations By-law No. 11-80, 2006". The amendment by-law listed below has been combined with the original by-law for convenience only. This consolidation is not a legal document. The original by-laws should be consulted for all interpretations and applications on this subject.

**Amendment By-law**

**Effective Date**

By-law No. 11-81

Amends building permit fee

February 15, 2011

The by-law numbers in the margins of this consolidation refer to the by-laws that amended the principal by-law "City of Kamloops Building Regulations By-law No. 11-80, 2006".

CITY OF KAMLOOPS  
BUILDING INSPECTION DIVISION

CLIMATIC DATA

Effective March 1, 1993:

Climatic data for the design of buildings in the City of Kamloops shall be deemed to be as follows:

This information is included for convenience only and without prejudice.

1.	January 2½% design temp.		-25°C
2.	January 1% of design temp.		-28°C
3.	July 2½% design drybulb temp.		34°C
4.	July 2½% design wetbulb temp.		20°C
5.	Annual total degree days below 18°C		3,650
6.	Maximum 15 min. rainfall		13 mm
7.	Maximum one day rainfall		57 mm
8.	Annual precipitation		252 mm
9.	Hourly wind pressures	- 1/10 - 1/30 - 1/100	0.30 kPa 0.37 kPa 0.45 kPa
10.	Seismic DATA	- Z <sub>A</sub> - Z <sub>V</sub>	1 1
11.	Zonal velocity ratio	- V	0.05
12.	Ground snow load		
	- S <sub>S</sub> *2.4 kPa	- Mt. Dufferin and south of Trans Canada Highway, except Valleyview and Dallas	
	- S <sub>S</sub> *1.8 kPa	- Valleyview, Dallas and north of Trans Canada Highway	
	- S <sub>R</sub> 0.2		

\* Where a building or structure member can be expected to be subjected to loads, forces or other effects, such effects shall be taken into account in the design based on the most appropriate information available.

*This is a consolidated by-law prepared by the City of Kamloops for information only. To verify the accuracy and currency of this information, please contact Legislative Services at 250-828-3483 or email [legislate@kamloops.ca](mailto:legislate@kamloops.ca).*

CITY OF KAMLOOPS

BY-LAW NO. 11-80

A BY-LAW TO REGULATE THE CONSTRUCTION, ALTERATION, REPAIR,  
MOVING OR DEMOLITION OF BUILDINGS AND STRUCTURES

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

AND WHEREAS the Province by enactment has authorized Council, for the health, safety, and protection of persons and property, to regulate the construction, alteration, repair, or demolition of buildings and structures by by-law;

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

1. This By-law may be cited for all purposes as the "City of Kamloops Building Regulations By-law No. 11-80, 2006".
2. City of Kamloops Building Regulations By-law No. 11-68, and all amendments thereto are hereby repealed.
3. This By-law shall come into effect upon adoption, provided however that the provisions of By-law No. 11-68, and all amendments thereto, shall continue to apply to the inspection of work for which a permit has been issued and which has commenced prior to that date.

DIVISION ONE - PREAMBLE

101. Short Title

This by-law may be cited as the "Building By-law" of the City of Kamloops.

102. Purpose of By-law

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

- (1) This by-law has been enacted 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 by-law are for the sole purpose of providing limited and interim spot-checking for reasons of health, safety and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of this by-law extend:
  - (a) to the protection of owners, owner/builders, constructors, or occupiers from bodily injury or economic loss;

- (b) to the assumption that the City or any building official has 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 by-law 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 or Occupancy Certificate is issued under this by-law; or
- (d) to providing a warranty or assurance that construction undertaken pursuant to building permits issued by the City is free from latent or any defects or complies with this by-law; or
- (e) to the assumption that the City or any building official has any responsibility for ensuring that any construction will be geotechnically sound and will not be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence, avalanche, or geohazards.

103. Metric Units

Metric units are used for all measurements in this by-law. The approximate equivalent of those units in commonly used units of imperial measure (feet, inches, etc.) are shown in brackets following each metric measurement and such bracketed figures are included for convenience only and do not form part of this by-law.

104. Scope and Exemptions

- (1) This by-law shall apply to:
  - (a) the design, construction and occupancy of a building when a building, or part thereof, is constructed on site or is assembled or placed on-site as a factory-built unit or component;
  - (b) the work involved in the demolition when the whole or any part of a building is demolished or removed;
  - (c) all parts of the building when the whole or any part of a building is moved;
  - (d) any alteration and to any part of a building affected by alterations to an extent which, in the opinion of the building official reduces the levels of public health and safety below the levels existing prior to the alteration;
  - (e) all parts of the building affected by the change of use when occupancy and/or use of a building are changed;
  - (f) all such replacements and alterations when materials and equipment regulated are replaced or altered in a building;
  - (g) any part remaining when a building is damaged or destroyed to the extent of seventy-five (75) per cent or more of its value above its foundations as determined by the building official;

- (h) site grading and/or asphalt or other permanent surfacing, which will affect the drainage characteristics of the site excluding single and two family dwellings;
  - (i) the design and construction of retaining walls where the difference in finish grade elevation is greater than 1.2 m (4 ft.) in height;
  - (j) the construction, installation, relocation or alteration of swimming pools, together with all ancillary equipment, services and attachments normally employed in the use of a swimming pool, and to the construction of fences surrounding such swimming pools;
  - (k) the design and installation of the entire system when a plumbing system is installed, repaired, renovated or altered;
  - (l) the design and repair of the entire plumbing system where a condition exists that is, or may become dangerous or injurious to health, except where the portion of the system affected is completely independent from any other part of the system;
  - (m) the design and installation of on-site roads and underground utilities for commercial, mobile home park, multi- family or strata developments; and
  - (n) the design, construction, or installation of solid fuel burning appliances, fireplaces, and chimneys.
- (2) This by-law does not apply to buildings or structures exempted by Part 1 of the Building Code except as expressly provided herein, nor to retaining structures equal to or less than 1.2 m (4 ft.) in height.

105. Other Enactments

Where any provincial act or regulation or any other City by-law may apply to any matter covered by this by-law, compliance with this by-law shall not relieve the owner or his or her agent from complying with provisions of such other act, regulation or by-law.

106. Severability

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

DIVISION TWO - DEFINITIONS

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

201. Accepted

"Accepted" means accepted in writing.

202. Agent

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

203. Building Code

"Building code" means the current edition of the British Columbia Building Code adopted by the Minister pursuant to Section 692 of the Local Government Act., as amended or re-enacted from time to time.

204. Building Official

"Building official" includes a person or persons designated by the City as a building inspector, plumbing inspector or plan checker, and includes supervisors for these positions.

205. City

"City" means the City of Kamloops.

206. Complex Building

"Complex building" means:

- (1) all buildings used for major occupancies classified as:
  - (a) assembly occupancies,
  - (b) care or detention occupancies, or
  - (c) high hazard industrial occupancies, and
  
- (2) all buildings exceeding 600 m<sup>2</sup> (6,458 sq. ft.) in building area or exceeding three storeys in building height used for major occupancies classified as:
  - (a) residential occupancies,
  - (b) business and personal services occupancies,
  - (c) mercantile occupancies, and
  - (d) medium and low hazard industrial occupancies.

207. Construction

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

208. Council

"Council" means the Municipal Council of the City of Kamloops.

209. Flood Plain

"Flood plain" means a parcel of land or portion of any parcel of land lying at an elevation equal to or less than the flood construction level as established by the Ministry of Environment of the Province of British Columbia.

210. Health and Safety Aspects of the Work

"Health and safety aspects of the work" means design and construction regulated by Part 3, Part 4, Part 6, Part 7, and Part 9 of the Building Code.

211. Monitor

"Monitor" means the method by which a building official may review the process of field reviews as conducted by registered professionals pursuant to the Building Code and this by-law and other applicable enactments. The building official's monitoring function is satisfied by the building official's receipt of the applicable letters of assurance submitted by the registered professional and as referred to in Section 2.6 of Part 2 of the Building Code. Although a building official may review registered professionals' field inspection reports to ascertain field review frequency or visit a site from time to time to verify that registered professional field reviews are taking place, the building official is under no duty to do so. Monitoring does not include assessment of compliance with the Building Code, this by-law or any other enactments, or the approval of any aspect of construction.

212. Owner

"Owner" means any person, firm or company controlling the property under consideration.

213. Permit

"Permit" means a permit required or issued pursuant to this by-law and other applicable enactments.

214. Person

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

215. Site

"Site" means a lot or lots upon which work regulated under this by-law and other applicable enactments is undertaken or intended to be undertaken and includes the construction thereon.

216. Standard Building

"Standard building" means a building of three storeys or less in building height, having a building area not exceeding 600 m<sup>2</sup> (6,458 sq. ft.) and used for major occupancies classified as:

- (1) residential occupancies,
- (2) business and personal services occupancies,

- (3) mercantile occupancies, or
- (4) medium and low hazard industrial occupancies.

217. 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 equal to or less than 1.2 m (4 ft.) in height.

218. Swimming Pool

"Swimming pool" means any structure or construction, intended primarily for recreation or therapy, that is, or is capable of being filled with water to a depth of 600 mm (2 ft.) or greater.

DIVISION THREE - PROHIBITIONS

- |      |   |                                 |
|------|---|---------------------------------|
| 301. | No person shall, unless exempted by this by-law or any other applicable enactment:  |                                 |
| (1)  | commence or continue any construction 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 permit for the work;   | No Permit Including Excavation  |
| (2)  | unless authorized in writing by a building official, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to any, building, structure or site pursuant to this by-law or other applicable enactments; | Remove Notice                   |
| (3)  | perform any construction that is substantially at variance with the reviewed design or plans and specifications for the building, structure or other construction for which a permit has been issued, unless that variance has been accepted by a building official;      | Deviation                       |
| (4)  | occupy, use, or allow the occupancy or use of any building or part thereof, contrary to the terms of this by-law or other applicable enactments or any permit, certificate, decision, or any notice given or posted by the building official;                             | Unlawful Occupancy              |
| (5)  | excavate or undertake construction on, over or under public property or store any materials thereon without approval having first been obtained from the City; and  | Work On Public Property         |
| (6)  | knowingly or recklessly submit false or misleading information to a building official in relation to any permit application or construction undertaken pursuant to this by-law or other applicable enactments.  | False Or Misleading Information |
| 302. | No person having authority for construction, on a site shall cause, allow, or maintain any unsafe condition.  | Unsafe Condition                |



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|------|--|----------------------|
| 303. | No person shall interfere with or obstruct the entry of a building official or other authorized official of the City on property in the administration of this by-law. | Obstruction Of Entry |
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DIVISION FOUR - AUTHORITY OF BUILDING OFFICIAL

- |      |   |                                |
|------|---|--------------------------------|
| 401. | The building official:  | Administration                 |
|      | (1) may administer this by-law;   |                                |
|      | (2) may enter any land, building, structure, or premises at any reasonable time for the purpose of ascertaining that the terms of this or any other City by-law are being observed;   | Right of Entry                 |
|      | (3) may keep records of permit applications, permits, notices and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of this by-law;   | Record Keeping                 |
|      | (4) may establish whether the construction of a building or structure for which a permit is sought or issued under this by-law and other applicable enactments substantially conforms to the requirements of the Building Code; and   | Material Conformation          |
|      | (5) shall carry proper credentials confirming his or her status as a building official.   | Identification                 |
| 402. | The building official may order:  |                                |
|      | (1) a person who contravenes this by-law to comply with the by-law in a specified time period;  | Empowered to Order             |
|      | (2) the removal of any unauthorized encroachment on public property;  | Encroachment                   |
|      | (3) the removal of any building or part thereof constructed in contravention of this by-law and other applicable enactments;  | Unlawful Construction          |
|      | (4) the termination of any occupancy, in contravention of this by-law and other applicable enactments; and  | Terminate Occupancy            |
|      | (5) the termination of any occupancy if in the opinion of the building official an unsafe condition exists because of construction undertaken or not completed.   | Unsafe Condition               |
| 403. | The building official may, before issuing an Occupancy Certificate, require the owner to provide a professional engineer's or other appropriate certification, at the expense of the owner, where in the opinion of the building official such evidence is necessary to determine that the requirements of this by-law and other applicable enactments have been substantially complied with. | Certification Before Occupancy |
| 404. | The building official may, in instances where a building permit is applied for on land having no access to a City approved water supply system, require as a condition of issuance of a building permit, that a covenant be registered against the property in the form of Appendix "B", attached to and forming part of this by-law.   | No Water Supply                |

405. The building official may direct the immediate cessation or correction of all or any portion of the construction on any site, by attaching an order to that effect on such premises, when, in his or her opinion such work is not being performed substantially in accordance with the provisions of the Building Code, applicable enactments or any relevant by-laws of the City. Such order shall remain posted on the premises until all work that is not being performed in accordance with the Building Code, applicable enactments or any relevant by-laws of the City has been remedied to the satisfaction of the building official. No work, other than the required remedial measures, shall be carried out on the portion of the work affected by the order until such order has been removed, and shall only be removed by the building official in writing. Stop Work Order

DIVISION FIVE - DUTIES AND RESPONSIBILITIES OF THE OWNER

501. It is the owner's responsibility, prior to commencing construction to: Before Construction
- (1) investigate the status of the construction site and ensure that any concerns relating to flooding, drainage, soil stability or other potential hazards are addressed; Investigate Status
  - (2) obtain a current state of title certificate from the Land Title office to determine whether there are encumbrances, which may affect the proposed construction; and State of Title
  - (3) investigate the availability, location and capacity of utility services to determine whether the proposed construction can be accommodated and arrange the plumbing to suit the location of the connections provided for the lot in a manner satisfactory to the building official. Utilities
502. The owner shall, during construction:
- (1) allow the building official to enter the building or premises at any reasonable time for the purpose of administering and enforcing this or any other relevant City by-law; Right of Entry
  - (2) (a) keep posted in a conspicuous place on the property in respect of which the permit was issued, a copy of the permit or the placard provided by the Building Inspection Division; and Documents On Site
  - (b) ensure that the reviewed plans and specifications on which the permit is based are continuously available at the site during working hours. Reviewed Plans on Site
503. The owner shall not continue building construction beyond the foundation stage until: Foundation Stage
- (1) a level of fire protection acceptable to the building official has been provided for the construction phase of complex buildings; and Fire Protection

<p>(2) the owner has provided a current Certificate of Location by a registered British Columbia land surveyor to certify that the building and/or structure under construction is located on the property in compliance with City regulations. Notwithstanding the requirements of this subsection, where:</p> <p>(a) the building or structure is located on a large parcel such that setback distances to the nearest property line are not a concern;</p> <p>(b) the owner has provided sufficient information to satisfy the building official that no utility rights-of-way or other encumbrances are present which may affect the building site; and</p> <p>(c) the owner has determined that a Certificate of Location is not required for mortgage or other legal purposes;</p> <p>(3) the building official may accept a letter of certification from the land surveyor in lieu of a Certificate of Location, or may waive the requirement entirely if satisfied that no certification is necessary.</p>	<p>Surveyors Certificate</p>
<p>504. The owner, when required by the building official, shall uncover and replace at his or her own expense any work that has been covered contrary to an order issued by the building official.</p>	<p>Uncover and Replace</p>
<p>505. The owner when requested by the building official shall provide at his or her expense, tests or inspections necessary to establish substantial compliance with this by-law and other applicable enactments in a form satisfactory to the building official.</p>	<p>Tests</p>
<p>506. The owner when requested by the building official shall provide, in a form satisfactory to the building official, evidence to certify substantial compliance with the requirements of this by-law and other applicable enactments and of any permits issued.</p>	<p>Certification</p>
<p>507. The owner shall ensure that all work is confined within the boundaries of the property on which the work is, or is to be located and does not adversely affect adjacent properties.</p>	<p>Protect Adjacent Properties</p>
<p>508. (1) The owner is responsible for the cost to repair any damage to City property that may occur as a result of undertaking work for which a permit was required under this by-law and other applicable enactments, and for the purpose of this clause:</p> <p>(a) "City property" means all road allowances, land and easements, with all works, utilities, structures and appurtenances therein or thereon; and</p> <p>(b) "Damage" includes but is not limited to the placement, dropping or deposit of earth, debris, materials, objects or substances upon City property, or surface scarring, cracking or breaking of pavement, curbing or sidewalks, or damage to utility systems within City property.</p>	<p>Repair Damage to City Property</p>
	<p>City Property Definition</p>
	<p>Damage Definition</p>

<p>(2) It shall be the responsibility of the owner to observe the conditions of all City properties adjacent to and surrounding the site and report any existing damage to the building official prior to commencing work. Any damage observed by the building official during the construction process or as part of the final inspection of the site will be assumed to have resulted from the subject building construction and therefore the owner's responsibility to resolve unless reported as outlined above.</p>	<p>Damage Observation of City Property and Adjacent Land</p>
<p>(3) In the event that damage which is the owner's responsibility is not resolved by the owner prior to issuance of the Occupancy Certificate, or within such other time limit set by the building official, and the damage requires the involvement of City work crews to resolve, the costs so incurred by the City shall be paid by the owner. Any costs not paid before December 31 of the calendar year may be added to that year's property taxes.</p>	<p>Cost of Unpaid Damage Repairs to be Included with Property Tax</p>
<p>509. When a site is in an unsafe condition, the owner shall promptly take all action necessary to put the site in a safe condition.</p>	<p>Correct Unsafe Condition</p>
<p>510. The owner shall:</p>	
<p>(1) prior to the occupancy or use of any building or structure or part thereof, after completion of construction of the building, or part thereof, including work required in connection with any change in classification of occupancy of any building, or part thereof, obtain from the building official an Occupancy Certificate; and</p>	<p>Notice of Intent to Occupy</p>
<p>(2) prior to occupancy of the building, complete all site work including paving, curbing and landscaping or otherwise satisfy the building official that the work in question will be completed by a specified date in accordance with City by-laws.</p>	<p>Complete Site Works</p>
<p>511. Neither the issuance of a permit under this by-law and other applicable enactments nor the acceptance or review of plans, drawings, specifications, or supporting documents, nor any monitoring conducted or inspections made by or on behalf of the City shall in any way relieve the owner and/or his or her agent from full and complete responsibility to perform the work in strict accordance with this by-law, the Building Code and other applicable enactments respecting safety.</p>	<p>Work in Accordance With By-laws</p>
<p>512. Where, at the time of application for a building permit, works and services exist on the land to be developed or within that portion of a highway immediately adjacent to the land up to the highway centre line, and if such works and services do not meet the minimum standards established by City of Kamloops Subdivision Control By-law, as amended from time to time, then as a condition of issuing a building permit, the landowner may be required to improve the substandard works and services to at least the minimum standards as required by the City of Kamloops Subdivision Control By-law, as amended from time to time.</p>	<p>Work And Services Adjacent To The Property</p>

513.	Where work is being done subject to a permit under the provisions of this by-law and other applicable enactments, the owner or his or her agent shall be completely responsible for any damage or cost to adjacent property arising out of or incidental to the work and shall save the City harmless in this regard.	Protection Of Adjacent Properties City Saved Harmless
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DIVISION SIX - GENERAL PERMIT REGULATIONS

601.	A permit is required whenever work regulated by this by-law and other applicable enactments is to be undertaken.	Permit Required
602.	Each building or structure to be constructed on a site requires a separate building permit and shall be assessed a separate building permit fee as determined in accordance with Appendix "A" attached to and forming part of this by-law.	Separate Building Permit
603.	To obtain a permit, the owner or his or her agent shall apply in writing on the form available from the Development and Engineering Services Department, Building Inspection Division.	Application For Permit
604.	<p>The building official may require a registered professional to provide design and plan certification and field reviews supported by letters of assurance in the form of Schedules A, B-1, B-2, C-A and C-B as referred to in Section 2.6 of Part 2 of the Building Code, if in the opinion of the building official:</p> <ul style="list-style-type: none"> <li>(1) the site conditions, soil types, contours or drainage require special foundation design;</li> <li>(2) the proposed building or structure is not standard construction; or</li> <li>(3) the proposed building or structure is of a category requiring professional design.</li> </ul>	Registered Professional Required
605.	Sufficient information shall be filed with each application to clearly identify the property to be developed and to establish that the proposed work will substantially conform to this by-law and other applicable enactments. Where required by the building official, the owner or his or her agent shall provide a current title search for the subject property.	Complete Description Of Work And Occupancy
606.	<p>The building official may require an owner to submit an up-to-date plan of survey by a registered British Columbia land surveyor which shall contain sufficient information regarding the site and the location of any building or structure to:</p> <ul style="list-style-type: none"> <li>(1) establish prior to construction that requirements of this by-law and any other applicable enactments will be complied with.</li> </ul>	Survey

607.	<p>No permit shall be issued until:</p> <ol style="list-style-type: none"> <li>(1) off-site utilities to service the subject property are completed to the approval of the Director of Public Works and Utilities and all appropriate connection fees or other construction costs have been paid;</li> <li>(2) the prescribed permit fee as detailed in Appendix "A", attached to and forming part of this by-law, has been paid;</li> <li>(3) where required, security has been posted;</li> <li>(4) security in the form of cash or an irrevocable letter of credit for landscaping has been provided prior to the issuance of a building permit for all uses other than single or two family dwellings; and</li> <li>(5) security in the form of cash or an irrevocable letter of credit has been provided for the repair of a highway, sidewalk, boulevard, public work or other municipal property that has been altered or damaged by an activity related to the subject matter of the building permit during building construction and site development as follows:             <ol style="list-style-type: none"> <li>(a) Single and two family building permits - \$1,000</li> <li>(b) Multiple family, commercial and industrial building permits - \$5,000</li> </ol> </li> </ol>	<p>Service Costs And Permit Fees</p>
608.	<p>In instances where sanitary sewer is not available, no permit will be issued until the building official is provided with written verification that the proposed sewage disposal system is accepted by the Interior Health Authority or other authority charged with enforcement of prevailing sanitary regulations.</p>	<p>Services Available</p>
609.	<p>When:</p> <ol style="list-style-type: none"> <li>(1) a completed application in compliance with Divisions 7, 8, 9, 10, 11, 12 or 13 of this by-law, including all required supporting documentation has been submitted and reviewed;</li> <li>(2) the owner or his or her agent has paid all applicable fees set out in this by-law;</li> <li>(3) the owner or his or her representative has paid all charges and met all requirements imposed by any other applicable statute or by-law; and</li> <li>(4) no covenant, agreement, or regulation of the City authorizes the permit to be withheld; then</li> </ol> <p>a building official shall issue the permit for which the application is made.</p>	<p>Issue Permits</p>
610.	<p>The building official may issue, at the risk of the owner, a permit for the construction of a portion of a building or structure prior to all required plans and specifications for the whole building or complex building have been submitted or reviewed, provided:</p>	<p>Phased Construction</p>

- (1) plans and specifications for the portion in question have been submitted in sufficient detail to satisfy the building official that the work to be done will substantially comply with all requirements of the Building Code and any other applicable enactment; and
  - (2) adequate information and detailed statements have been filed to the extent that the building official is satisfied the remainder of the building or structure will substantially comply with all applicable enactments.
611. The issuance of a permit for a portion of a building or complex building notwithstanding, the requirements of this by-law and other applicable enactments apply to the remainder of the building or structure, as if the permit had not been issued.
612. No permit shall be issued for the construction of an accessory building or structure on any site, unless the principal building to which the accessory building or structure is an accessory, has been constructed, or will be constructed simultaneously with said accessory building or structure. Accessory Buildings
613. Notwithstanding the provisions of this division, accessory buildings in residential zones which do not exceed 10 m<sup>2</sup> (108 sq. ft.) in building area, may be placed or constructed without building inspections. A siting permit shall be required to ensure that the building is sited in accordance with the City of Kamloops Zoning By-law No. 5-1-2001 as amended from time to time and any other applicable enactment. The permit fee shall be paid in accordance with Appendix "A", attached to and forming part of this by-law. Siting Permit
614. Every permit is issued upon the condition that the permit shall expire and the rights of the owner under the permit shall terminate if the work authorized by the permit is not commenced within six (6) months or is not completed within two (2) years of the issuance of a permit. Permit Expiry
615. The building official may grant a renewal permit for a further one (1) year period if he is satisfied the construction is progressing in accordance with the accepted plans at a reasonable rate of progress. A permit renewal fee shall be paid in accordance with Appendix "A", attached to and forming part of this by-law. Permit Renewal
616. The building official may refuse to issue a permit if: Permit Refused
- (1) the information submitted is inadequate to determine compliance with, or is contrary to the provisions of this by-law or any other enactment;
  - (2) the information submitted is incorrect; or
  - (3) issuance is prohibited by or is contrary to a provision of this by-law or any other enactment.
617. The building official may revoke a permit where: Permit Revocation

- (1) there is a contravention of any term or condition under which the permit was issued;
- (2) there is a contravention of any provision of the Building Code or other applicable enactment; or
- (3) the permit was issued on the basis of incorrect information supplied by the applicant.

The permit holder shall be notified in writing of the revocation.

- |      |  |                            |
|------|--|----------------------------|
| 618. | Except for single and two family dwellings or as otherwise specified in this by-law and other applicable enactments, every building site shall be graded so that surface water accumulated thereon is substantially contained on site and disposed of by connection to the City storm drain or other method of disposal acceptable to the building official.   | Drainage Of Sites          |
| 619. | Maintenance of Construction Sites<br><br>Every construction site shall be maintained free of loose or blowing debris and shall be subject to a continuous and effective program of dust control during the various phases of construction.   | Control Of Dust And Debris |
| 620. | Regulations Governing Construction in Flood Plain  | Flood Plain                |
|      | <ul style="list-style-type: none"> <li>(1) Prior to the issuance of a building permit for work within a flood plain where:                             <ul style="list-style-type: none"> <li>(a) the work to be carried out constitutes a new building or an addition to an existing building which will be a finished floor area twenty-five (25) per cent or larger than the existing finished floor area; and</li> <li>(b) no other flood plain covenant is registered on the title of the subject property,</li> </ul> <p>the owner, as a condition of issuance of the building permit, must enter into a covenant registerable under the Land Title Act which shall indemnify the City of Kamloops and the Province of British Columbia in the event of future property damage as a result of flood conditions. The covenant shall be in the form of Appendix "C", attached to and forming part of this by-law.</p> </li> <li>(2) The owner shall provide proof of registration of the covenant required under Subsection 620(1) prior to the issuance of a building permit.</li> <li>(3) Notwithstanding the provisions of Section 620, it is the responsibility of the owner to ensure that the building will be safe from water action, whether caused by surface runoff or not.</li> </ul> | Owner's Responsibility     |



## 621. Retaining Structures

A registered professional shall undertake the design and conduct field reviews of the construction of a retaining structure greater than 1.2 m (4 ft.) in height. Sealed copies of the design and plan certification and field reviews by means of letters of assurance in the form of Schedule B-1 and B-2 and C-B as referred to in Section 2.6 of Part 2 of the Building Code shall be submitted to the building official.

Retaining Wall  
>1.2 m

## 622. Site Identification

For the purpose of identification, and as a condition of occupancy, every parcel of real property containing a building subject to a permit under this by-law and other applicable enactments must display the street address of the property by means of numbers legible from the building street.

Site  
Identification

623. Where the City has caused a notice to be filed on the title of a property in accordance with Section 57 of the *Community Charter*, the notice may be removed provided:

- (1) the owner has obtained a new permit for the correction of the construction;
- (2) the deficient construction has been corrected and completed so that the conditions which gave rise to the filing of the notice have been rectified; and
- (3) the owner has paid a title notice removal fee in accordance with Appendix "A", attached to and forming part of this by-law.

## 624. No person shall rely upon any permit as establishing compliance with this by-law and other applicable enactments or assume or conclude that this by-law and other applicable enactments has been administered or enforced according to its terms. The person to whom the building permit is issued and his or her agents are responsible for making such determination.

DIVISION SEVEN - PLUMBING

## 701. Application for a permit shall be in writing on the form available from the Development and Engineering Services Department, Building Inspection Division, and shall:

Application for  
Permit

- (1) be signed by the owner or his agent;
- (2) state the number of fixtures to be installed in the building;
- (3) state the length of building sewer, building storm sewer and water service pipe;
- (4) include specifications and drawings made to a suitable scale, for the plumbing system with respect to multi-family, institutional, commercial and industrial buildings showing:

	<ul style="list-style-type: none"> <li>(a) site services, including size and location of pipes;</li> <li>(b) site drainage, including size and location of pipes, catch basins and dry wells;</li> <li>(c) total fixture load on sanitary sewer and water supply systems;</li> <li>(d) sanitary riser diagram complete with fixture loads at the base of stacks; and</li> <li>(e) rainwater leaders, size of pipe and area of roof drained;</li> </ul>	
	(5) contain any and all other information necessary to establish substantial compliance with this by-law and other applicable enactments; and	
	(6) include mechanical drawings designed by a registered professional, for complex buildings, and buildings with complex plumbing systems as determined by the building official.	
702.	No permit shall be required for the repair of leaks in water pipes or the replacing of plumbing fixtures provided that such fixtures and the installation thereof substantially conforms with all other requirements of this by-law, Building Code, and other applicable enactments. In addition, no permit shall be required for the removal of stoppages in drains provided that clean-outs are utilized for such purpose and it is not necessary to cut any sewer or drain pipe.	No Permit Required
703.	There shall be separate connections to City utilities for each separate parcel of land within the City connected to such utilities.	Individual Services
704.	Except where specifically required by the City and where a legal right-of-way has been obtained and such plans are accepted by the Public Services and Utilities Department, no plumbing system, drainage system, house sewer, private sewage disposal system or parts thereof, shall be located in any lot other than the property which is the site of the building, structure, or premises serviced by such facilities.	Connection On Property It Serves
705.	No sewage or effluent from a building or structure shall pass through any septic tank or rock pit before entering the City sanitary or storm sewer system.	Direct Connection
706.	Where a building is demolished or removed from its site the Public Services and Utilities Department shall determine the extent of work and the costs involved to seal, remove or leave in place the sanitary sewer, storm sewer and water service connections. Any work required shall be carried out by City work crews at the owner's expense.	Removal Of Building
707.	Water service lines shall be installed at a minimum depth of 1.5 m (5 ft.).	Water Service Depth
708.	Sanitary sewer service lines shall be installed at a minimum depth of 1.0 m (3.28 ft.).	Sanitary Sewer Depth

DIVISION EIGHT - SWIMMING POOLS

801.	No person shall commence or continue any work related to the construction of a swimming pool or related ancillary equipment unless a valid permit has been issued by the City.	Pool Permit
802.	Every application for a permit shall be accompanied by the following material in duplicate:	Application Information
	(1) a plot plan showing the location of the proposed swimming pool and ancillary buildings relative to lot boundaries, existing buildings and structures, existing and proposed fences, and retaining walls;	Plot Plan
	(2) plans and sections adequately describing construction of the proposed swimming pool and ancillary equipment including all water supply piping, waste piping and appurtenances;	
	(3) details of water supply and method of disposal of waste water from backwashing and draining of the swimming pool;	
	(4) proposed fence construction in sufficient detail to show compliance with the requirements of this by-law and other applicable enactments; and	
	(5) such other additional information as may be required by the building official.	
803.	The provisions of Section 604 of this by-law apply to applications under this division.	Engineering If Required By Building Official
804.	No pool to be designed with direct connection from the domestic water supply below the flood level of the pool unless protected by an approved backflow prevention device.	Backflow Prevention
805.	There shall be no direct connection between any domestic water supply line and any circulating pump, filter or other apparatus or device that comes in contact with the water in or from the pool. Re-circulating systems shall take the water supply to the pool from an open surge tank or other system accepted by the building official. The supply to the surge tank shall be above the flood level of the tank, in such manner as to prevent water from the tank from entering the supply line.	No Direct Connection
806.	Every pool shall be capable of being drained into a sanitary sewer or other means acceptable to the building official.	Draining of Pools
807.	No direct connection shall be made between any sewer or any other drainage system and any line connected to a swimming pool.	No Direct Connection
808.	Every below grade pool shall be surrounded by a non-slip walkway, designed so that surface water shall drain away from the pool.	Pool Walkways
809.	(1) Every swimming pool shall be totally enclosed by a fence, a building, or a combination of fence and building.	Pool Fence Requirements

- (2) Fences shall be not less than 1.5 m (4.9 ft.) high. The base of every fence shall be not more than 100 mm (4 in.) above ground or adjacent grade. In all other respects, fences shall conform to the requirements of the City of Kamloops Zoning By-law No. 5-1-2001 as amended from time to time.
- (3) No horizontal or angled framing member shall be located on the outside of the fence between 200 mm (8 in.) and 1.0 m (3.3 ft.) above ground level or adjacent finished grade. Fences composed of vertical members shall have no openings of a size, which will permit the passage of a spherical object having a diameter of 100 mm (4 in.). Fences composed of angle members shall have no openings between adjacent members greater than 13 mm (½ in.). Notwithstanding the provisions of this subsection, standard chain link wire mesh may be acceptable provided that such fence meets the minimum height requirements indicated in subsection 809(2), the mesh size does not exceed 50 mm (2 in.) and the wire is not less than No. 11 gauge.
- (4) Access through required fences shall be by means of self-closing gates so designed as to cause the gates to become secured with self-latching devices located on the swimming pool side of the fence and at a height of at least 1.0 m (3.3 ft.) above grade or on the outside of the fence at 1.5 m (4.9 ft.) above grade.
- (5) The swimming pool fence enclosure shall be completed in accordance with the accepted plans and specifications. It shall be the owner's responsibility to ensure that the swimming pool area is maintained in a safe, secure condition during the construction period and until a permanent enclosure accepted by the building official is in place.  
  
The owner shall give a minimum of one working day's notice to the building official requesting a final inspection when the pool is complete and the permanent fencing and gate(s) are in place.

Pool Security

810. Pools shall be located subject to the following minimum setback requirements:

- (1) Pool equipment which is housed in a building, or is intended to be housed in a building, shall be subject to the same siting requirements as other accessory buildings.
- (2) No setbacks are required between pools, pool equipment and other accessory buildings or structures.
- (3) Walkways, decks, patios, or like structures which surround or abut a pool and do not exceed 0.6 m (2 ft.) above grade are not subject to setback requirements. When the structure exceeds 0.6 m (2 ft.) in height, the setbacks as set out in City of Kamloops Zoning By-law No. 5-1-2001, as amended from time to time, applies and must be maintained.

Pool Location

DIVISION NINE - COMPLEX BUILDINGS

- |      |   |                        |
|------|---|------------------------|
| 901. | An application for a building permit with respect to a complex building shall:  | Application For Permit |
| (1)  | be submitted to the building official in the form provided by the building official and signed by the owner, or a signing officer if the owner is a company;  |                        |
| (2)  | be accompanied by the owner's acknowledgment of responsibility and undertakings made in the form attached as Appendix "E" to this by-law signed by the owner, or a signing officer if the owner is a company; | Owner's Undertaking    |
| (3)  | include a copy of a title search made within thirty (30) days of the date of the application;   | Title Search           |
| (4)  | include site plans drawn to suitable scale and referenced to the current registered legal survey for the subject property and shall show:   | Site Plans             |
|      | (a) the legal description and civic address of the parcel;  |                        |
|      | (b) by dimensions from property lines, the location of any proposed building or structure;  |                        |
|      | (c) means of access and egress to service the property and a detailed parking layout;   |                        |
|      | (d) by dimension from property lines, the location of any other existing building or buildings on the site;   |                        |
|      | (e) existing and finished ground levels to an established datum;  |                        |
|      | (f) all easements and rights-of-way whether registered or not, and the setbacks to the natural boundary of any lake, swamp, pond or watercourse;  |                        |
|      | (g) for other than single and two family dwellings, lot coverage and floor area ratio calculation;  |                        |
|      | (h) for other than single and two family dwellings, provision for garbage containers, proposed method of screening and a detailed landscape treatment for the site; and                                       |                        |
|      | (i) the building official may waive the requirements for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing building or structure.                      |                        |
| (5)  | include building plans drawn to suitable scale showing sufficient information to determine substantial compliance with this by-law and other applicable enactments including but not limited to:              | Building Plans         |
|      | (a) foundation plans;   |                        |

- (b) floor plans showing the dimensions and uses of all areas;
  - (c) the dimensions and height of crawl and roof spaces;
  - (d) the location, size and swing of doors;
  - (e) the location, size and opening of windows;
  - (f) floor, wall, ceiling and roof finishes;
  - (g) components of fire protection including;
    - (i) firewalls
    - (ii) degree of fire separation of storeys, shafts and rooms
    - (iii) fire detection, suppression and alarm system
  - (h) plumbing fixtures;
  - (i) structural, mechanical, and electrical elements;
  - (j) stair, handrail, and guard dimensions;
  - (k) a cross section, through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;
  - (l) elevations of all sides of the building or structure showing finishes, roof slopes, roof top equipment screening, windows, doors, and finished grade; and
  - (m) cross-sectional details drawn at sufficient locations to illustrate that the building or structure substantially conforms to the Building Code;
- (6) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approval; Approval From Other Agencies
- (7) include 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 company, and the coordinating registered professional; Schedule A
- (8) include 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; Schedules B-1 and B-2
- (9) include two copies of specifications and four sets of drawings at a suitable scale of the design prepared by each registered professional and including the information set out in Sections 901(5) of this by-law; and Number of Plans

(10)	include any other information required by the building official or the Building Code to establish substantial compliance with this by-law, the Building Code, and other applicable enactments relating to the building or structure.	Complete Description Of Work And Occupancy
902.	In addition to the requirements of Section 901(4), 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:	Other Description Of Work And Occupancy
(1)	site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional;	Site Servicing Drawings
(2)	a section through the site showing grades, buildings, structures, parking areas and driveways; or	Grades Section
(3)	a roof plan and roof height calculations;	Roof Plan
(4)	structural, electrical, mechanical, or fire suppression drawings prepared and sealed by a registered professional;	Other Utilities
(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, signed by the registered professional; or	Schedule B-1, B-2
(6)	any other information required by the building official or the Building Code to establish substantial compliance with this by-law, the Building Code, other by-laws, and other applicable enactments relating to the building or structure.	Other Information May Be Required

**DIVISION TEN - STANDARD BUILDINGS**

1001.	An application for a building permit with respect to a standard building shall:	
(1)	be submitted to the building official in the form provided by the building official and signed by the owner, or a signing officer if the owner is a company;	Application For Permit
(2)	be accompanied by the owner's acknowledgment of responsibility and undertakings made in the form provided by the building official, signed by the owner, or signing officer if the owner is a company;	Owner's Undertaking
(3)	include a copy of a title search made within thirty (30) days of the date of the application;	Title Search
(4)	include site plans drawn to suitable scale and referenced to the current registered legal survey for the subject property and shall show:	Site Plans
(a)	the legal description and civic address of the parcel;	
(b)	by dimensions from property lines, the location of any proposed building or structure;	

- (c) means of access and egress to service the property and a detailed parking layout;
  - (d) by dimension from property lines, the location of any other existing building or buildings on the site;
  - (e) existing and finished ground levels to an established datum;
  - (f) all easements and rights-of-way whether registered or not, and the location of natural water courses;
  - (g) for other than single and two family dwellings, lot coverage and floor area ratio calculation;
  - (h) for other than single and two family dwellings, provision for garbage containers, proposed method of screening and a detailed landscape treatment for the site; and
  - (i) the building official may waive the requirements for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing building or structure.
- (5) include building plans drawn to suitable scale showing sufficient information to determine compliance with this by-law and other applicable enactments including but not limited to:
- Building Plans
- (a) foundation plans;
  - (b) floor plans showing the dimensions and uses of all areas;
  - (c) the dimensions and height of crawl and roof spaces;
  - (d) the location, size and swing of doors;
  - (e) the location, size and opening of windows;
  - (f) floor, wall, ceiling and roof finishes;
  - (g) components of fire protection including;
    - (i) firewalls
    - (ii) degree of fire separation of storeys, shafts and rooms
    - (iii) fire detection, suppression and alarm system
  - (h) plumbing fixtures;
  - (i) structural, mechanical and electrical elements;
  - (j) stair dimensions;
  - (k) a cross section, through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;



- (l) elevations of all sides of the building or structure showing finishes, roof slopes, roof top equipment screening, windows, doors, and finished grade; and
  - (m) cross-sectional details drawn at sufficient locations to illustrate that the building or structure substantially conforms to the Building Code;
- (6) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approval; Approvals From Other Agencies
  - (7) include two sets of drawings for single and two family dwellings and four sets of drawings for all other standard buildings at a suitable scale including the information set out in Section 1001(5) of this by-law; and Number of Plans
  - (8) include any other information required by the building official or the Building Code to establish substantial compliance with this by-law, the Building Code, and other applicable enactments relating to the building or structure. Complete Description Of Work And Occupancy
1002. In addition to the requirements of Section 1001(4), 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 complexity of the proposed building or structure or siting circumstances warrant:
- (1) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional; Site Servicing Drawings
  - (2) a section through the site showing grades, buildings, structures, parking areas and driveways; Grades Section
  - (3) a roof plan and roof height calculations; Roof Plan
  - (4) structural, electrical, mechanical or fire suppression drawings prepared and sealed by a registered professional; Other Utilities
  - (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, signed by the registered professional; or Schedule B-1, B-2
  - (6) any other information required by the building official or the Building Code to establish substantial compliance with this by-law, the Building Code, and any other by-law or enactments relating to the building or structure. Other Information May Be Required

**DIVISION ELEVEN - RELOCATION OF A BUILDING OR STRUCTURE**

1101. An application for a permit with respect to the relocation of a building shall:

- |   |                                     |
|---|-------------------------------------|
| <p>(1) be submitted to the building official in the form provided by the building official and signed by the owner, or a signing officer if the owner is a company;</p>   | <p>Application For Permit</p>       |
| <p>(2) be accompanied by the owner's acknowledgement of responsibility and undertakings made in the form provided by the building official, signed by the owner or signing officer if the owner is a company;</p>   | <p>Owner's Undertaking</p>          |
| <p>(3) include a copy of a title search made within thirty (30) days of the date of the application;</p>  | <p>Title Search</p>                 |
| <p>(4) include site plans drawn to suitable scale and referenced to the current registered legal survey for the subject property and shall show:</p> <ul style="list-style-type: none"> <li>(a) the legal description and civic address of the parcel;</li> <li>(b) by dimensions from property lines, the location of any proposed building or structure;</li> <li>(c) means of access and egress to service the property and a detailed parking layout;</li> <li>(d) by dimension from property lines, the location of any other existing building or structure on the site;</li> <li>(e) existing and finished ground levels to an established datum;</li> <li>(f) all easements and rights-of-way whether registered or not, and the location of natural water courses;</li> <li>(g) for other than single and two family dwellings, lot coverage and floor area ratio calculation; and</li> <li>(h) for other than single and two family dwellings, provision for garbage containers, proposed method of screening and a detailed landscape treatment for the site.</li> </ul> | <p>Site Plans</p>                   |
| <p>1102. No person shall relocate a residential building or part of it to another parcel of land within the City unless it can be shown to the satisfaction of the building official that the dwelling, once re-established on the new site, will have an assessed value not less than the average assessed value of all dwellings situated within 50 m (164 ft.) of the subject site.</p>  | <p>Assessed Value Compatibility</p> |
| <p>1103. Every application for a permit to relocate a building or structure shall:</p> <ul style="list-style-type: none"> <li>(1) identify the existing location of the building or structure and proposed location to which the building or structure is to be moved;</li> <li>(2) provide written verification that the time, manner and route of the move have been accepted by the Public Works and Utilities Director and the R.C.M.P. (City Detachment) and the Ministry of Transportation when applicable; and</li> </ul>  |                                     |

- (3) provide written verification by the appropriate utility authorities that all utility services have been disconnected and/or sealed as required.
1104. Every application for a permit to relocate a building or structure shall be accompanied by security in a form acceptable to the building official, and in an amount equal to the estimated cost of completing the building or structure in its new location. The amount so estimated shall be acceptable to the building official, but in no case shall the security be less than five thousand dollars (\$5,000.00). Security
1105. Should a building or structure which has been relocated subject to the provisions of this division not be completed within one year from the date of issuance of the permit, the building official may send a written notice to the owner stating that the building does not comply with this by-law and other applicable enactments and direct the owner to remedy the non-compliance within thirty (30) days from the date of service of the notice. If the non-compliance is not remedied within the period of thirty (30) days, the building official may draw upon the security on deposit and take whatever action is necessary to effect completion of the building and site. Action to Complete

DIVISION TWELVE - DEMOLITIONS

1201. An application for a permit with respect to a demolition shall:
- (1) be submitted to the building official in the form provided by the building official and signed by the owner, or a signing officer if the owner is a company; Application For Permit
  - (2) be accompanied by the owner's acknowledgement of responsibility and undertakings made in the form provided by the building official, signed by the owner, or signing officer, if the owner is a company; Owner's Undertaking
  - (3) include a copy of a title search made within thirty (30) days of the date of the application; Title Search
  - (4) include site plans shall be drawn to a suitable scale and referenced to the current registered legal survey for the subject property and shall show: Site Plan
    - (a) the legal description and civic address of the parcel;
    - (b) location of any existing building or structure on the site; and
    - (c) identify the building or buildings to be demolished.
1202. Every person making application for a permit to demolish a building or structure shall, as part of his application, provide the building official with satisfactory evidence that:
- (1) no unsafe condition will be created or permitted; and No Unsafe Condition

- (2) provide written verification by the appropriate utilities authorities that all utility services to the building have been disconnected and/or sealed as required. Disconnect Services
- 1203. Before issuing a permit to demolish any building or structure, the building official may demand, as a condition of issuance that security be provided in a form satisfactory to the building official to ensure that the site of the demolition will be left in a safe, neat condition, free from debris or dust, and compatible with neighbouring properties. The amount of the security shall be equal to the estimated cost of site restoration and shall be acceptable to the building official. In the event that the site is not properly restored to a standard satisfactory to the building official, the building official may send written notice to the owner requiring that the site be properly restored within thirty (30) days from the date of service of the notice. If the restoration is not carried out within the period of thirty (30) days the building official may draw upon the security on deposit and take whatever action is necessary to effect restoration of the site. Security Required

DIVISION THIRTEEN - TEMPORARY BUILDINGS

- 1301. The word "temporary", as used in this subsection, shall mean a period not exceeding one (1) year.
- 1302. An application for a permit with respect to a temporary building or structure shall:
  - (1) be submitted to the building official in the form provided by the building official and signed by the owner, or a signing officer if the owner is a company; Owner's Undertaking
  - (2) include a copy of a title search made within thirty (30) days of the date of the application; Title Search
  - (3) include site plans drawn to suitable scale and referenced to the current registered legal survey for the subject property and shall show: Site Plans
    - (a) the legal description and civic address of the parcel;
    - (b) by dimensions from property lines, the location of proposed building or structure;
    - (c) means of access and egress to service the property and a detailed parking layout;
    - (d) by dimension from property lines, the location of any other existing building or structure on the site;
    - (e) existing and finished ground levels to an established datum;
    - (f) all easements and rights-of-way whether registered or not, and the location of natural water courses;

- (g) for other than single and two family dwellings, lot coverage and floor area ratio calculation; and
  - (h) for other than single and two family dwellings, provision for garbage containers, proposed method of screening and a detailed landscape treatment for the site.
1303. Security in a form and amount satisfactory to the building official but in any event not less than two thousand dollars (\$2,000.00) in value, to guarantee that the building or structure will be removed from the site within the time limit indicated. Security
1304. Temporary buildings shall comply with the requirements of this by-law and other applicable enactments and the siting requirements of the City of Kamloops Zoning By-law No. 5-1-2001 as amended from time to time.

DIVISION FOURTEEN - PROFESSIONAL DESIGN AND FIELD REVIEW

1401. When a building official considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a registered professional to provide design and plan certification and field review supported by letters of assurance in the form of Schedules B-1, B-2 and C-B referred to in Section 2.6 of Part 2 of the Building Code. Certification of Plans
1402. Prior to the issuance of an Occupancy Certificate for a complex building, or standard building in circumstances where letters of assurance have been required in accordance with Sections 604, 621, 901(7), 901(8), 1002(5) or 1401 of this by-law 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. Schedule C
1403. When a registered professional provides letters of assurance in accordance with Sections 604, 621, 901(7), 901(8), 1002(5), 1401 or 1402 of this by-law, he or she shall also provide proof of professional liability insurance to the building official in the form of Appendix "D", attached to and forming part of this by-law. Proof of Liability Insurance

DIVISION FIFTEEN - PROFESSIONAL PLAN CERTIFICATION

1501. 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 Sections 604, 621, 901(7), 901(8), 1002(5), and 1401 of this by-law 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. Assurance Certification

- 1502. A building permit issued pursuant to the requirements of this by-law and other applicable enactments 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 enactment relating to safety. Notice of Reliance to the Owner
- 1503. When a building permit is issued in accordance with the requirements of this by-law and other applicable enactments the permit fee shall be reduced by five per cent of the fees payable pursuant to Appendix "A" attached to and forming part of this bylaw, up to a maximum reduction of \$500.00 (five hundred dollars). 5 Per Cent Fee Reduction

DIVISION SIXTEEN - INSPECTIONS

- 1601. When a registered professional provides letters of assurance in accordance with Sections 604, 621, 901(7), 901(8), 1002(5), 1401 or 1402 of this by-law, the City will rely solely on field reviews undertaken by the registered professional and the letters of assurance submitted pursuant to Section 1402 of this by-law as certification that the construction substantially conforms to the design, plans and specifications and that the construction complies with the Building Code, this by-law and other applicable enactments. Rely Solely On Letter of Assurance
- 1602. Notwithstanding Section 1601 of this by-law, a building official may attend the site of the construction 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. Monitor Field Reviews
- 1603. A building official may attend periodically at the site of the construction of standard buildings or structures to ascertain whether the Health and Safety Aspects of the Work are being carried out in substantial conformance with those portions of the Building Code, this by-law and any other applicable enactment concerning safety. Site Visits
- 1604. The owner, or his or her agent, shall give a minimum of one working day's notice to the City of the following aspects of the work: Notice to City of Work Completion
  - (1) of intent to do work that has been ordered by the building official inspected during construction;
  - (2) of intent to cover work that has been ordered by the building official to be inspected prior to covering;
  - (3) when work has been completed so that a final inspection can be made;
  - (4) and, while not limiting the generality of the foregoing, at the following stages of construction:
    - (a) when excavation and footing forms are complete, including placement of required reinforcing, but prior to placing of any concrete therein; Footing

- (b) when foundation concrete, dampproofing, waterproofing and perimeter drains are complete, but prior to any backfill being placed; Foundation
- (c) when all pipes, joints and fittings connecting the building or structure to the sewer connection or private disposal system and the water supply have been completed but prior to any backfill being placed; Water and Sewer
- (d) when framing and sheathing of the building are complete, including the installation of roof membrane, all exterior doors and windows, fire-stopping, bracing, chimneys, structural iron, stairs, ductwork, rough plumbing, wiring and gas venting, but before any insulation, drywall, or other interior or exterior finish is applied, which would conceal such work; Framing
- (e) when exterior stucco wire and flashing is complete but prior to placement of any scratch coat thereon; Stucco Wire
- (f) when insulation and vapour barrier are complete but prior to placement of any finish thereon; Insulation
- (g) when the plumbing system, including interior water supply and drain waste and vent piping are complete and under normal pressure, but before any such plumbing is covered; Rough-in Plumbing Under Normal Pressure Test
- (h) during the construction of any masonry fireplace: Masonry Fireplace
  - i) when cantilevered hearth forms are in place, but prior to pouring concrete;
  - ii) at the smoke chamber stage;
  - iii) for a free-standing masonry chimney, at the thimble stage;
  - iv) before any factory-built or site constructed fireplace or chimney is enclosed by combustible material; and
  - v) before the chimney cap is placed on a masonry chimney; and
- (i) when all fixtures, devices, attachments and appurtenances of the building plumbing system are complete; and Final Plumbing
- (j) when all work is complete but prior to occupancy. Final Prior to Occupancy

1605. In the case of a standard building, the owner, or his or her agent, shall obtain an inspection of the work under Section 1604 and prior to concealing the work, shall receive a building official's acceptance of the work. Inspections for Standard Building

- |       |   |  |
|-------|---|--|
| 1606. | For greater certainty, in the case of complex buildings, the requirement under Section 1604 to notify the City of the listed stages of construction does not oblige the City to attend the site for inspections, monitoring or any other purpose. | No Monitoring<br>Obligation for<br>Complex<br>Building |
|-------|---|--|

DIVISION SEVENTEEN - OCCUPANCY CERTIFICATE

- |       |   |                          |
|-------|---|--------------------------|
| 1701. | No person shall occupy a building or structure or part of a building or structure until an Occupancy Certificate has been issued.   |                          |
| 1702. | An Occupancy Certificate shall not be issued unless:  | Occupancy<br>Certificate |
|       | (1) all letters of assurance have been submitted when required in accordance with Sections 604, 621, 901(7), 901(8), 1002(5), 1401 and 1402 of this by-law; and   |                          |
|       | (2) all aspects of the work requiring inspection and acceptance pursuant to Section 1604 of this by-law have been inspected and accepted.   |                          |
| 1703. | A building official may issue an occupancy approval for part of a building or structure when that part of the building or structure is self-contained, provided with essential services and meets health and safety requirements. | Partial<br>Occupancy     |

DIVISION EIGHTEEN - FEES AND CHARGES

- |       |   |   |
|-------|---|---|
| 1801. | In addition to applicable fees and charges required under other by-laws, a permit fee, calculated in accordance with Appendix "A", attached to and forming part of this by-law, shall be paid in full upon issuance of any permit under this by-law.  | Permit Fee<br>Calculation                     |
| 1802. | The application processing fee as set out in Appendix "A" shall accompany an application made for a building permit.  | Application Fee                               |
|       | (1) The permit application fee is non-refundable.   | Non-refundable<br>Application Fee             |
|       | (2) An application shall be cancelled and the permit application fee forfeited if the permit has not been issued and the permit fee paid within 6 months of the date of written notification to the owner that the permit is ready to be issued.  | Permit<br>Cancellation                        |
|       | (3) When an application is cancelled the plans and related documents submitted with the application may be destroyed.   | Plans and<br>Documents<br>may be<br>Destroyed |
| 1803. | The owner may obtain a refund of the permit fees set out in Appendix "A", attached to and forming part of this by-law, when a permit is surrendered and cancelled before any construction begins. The refund shall not include the permit application fee paid pursuant to Section 1802 of this by-law. | Refund of<br>Permit Fee                       |



- |       |  |                            |
|-------|--|----------------------------|
| 1804. | Where, due to non-compliance with this by-law and other applicable enactments, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in Appendix "A", attached to and forming part of this by-law, shall be paid prior to additional inspections being performed. | Re-inspection<br>Fee       |
| 1805. | Where a required inspection is 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, as set out in Appendix "A", attached to and forming part of this by-law.  | After Hours<br>Inspection  |
| 1806. | The security deposits prescribed in this by-law will be returned if the work is completed for which the permit has been issued and the owner receives a final inspection report, or occupancy certificate.   | Security<br>Deposit Refund |

#### DIVISION NINETEEN - DISCLAIMER OF WARRANTY OR REPRESENTATION

- |       |   |            |
|-------|---|------------|
| 1901. | Neither the issuance of a permit under this by-law and other applicable enactments nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any monitoring conducted or inspections made by or on behalf of the City constitute in any way a representation, warranty, assurance or statement that the Building Code, this by-law or other applicable enactments respecting safety have been complied with. | Disclaimer |
|-------|---|------------|

#### DIVISION TWENTY - PENALTIES AND ENFORCEMENT

- |       |   |                                      |
|-------|---|--------------------------------------|
| 2001. | Every person violating any provision of this by-law commits an offence punishable on summary conviction to a fine of not less than one hundred dollars (\$100.00) or more than ten thousand dollars (\$10,000.00) or to imprisonment of not more than six (6) months for each offence. A separate offence shall be deemed to be committed on each day during or on which a violation occurs or continues. | Penalties                            |
| 2002. | Every person who fails to comply with any order or notice issued by a building official, or who allows a violation of this by-law and other applicable enactments to continue, contravenes this by-law.   | Fails to Comply                      |
| 2003. | A building official may order the cessation of any work that is proceeding in contravention of this by-law the Building Code and other applicable enactments by posting a stop work order.  | Stop Work<br>Order                   |
| 2004. | The owner of property on which a stop work order has been posted, and every other person, shall cease all construction work immediately and shall not do any work until all applicable provisions of this by-law and other applicable enactments have been substantially complied with and the stop work order has been rescinded in writing by a building official.                                      | Stop Work<br>Order Cease<br>All Work |

- |       |   |   |
|-------|---|---|
| 2005. | Where a person occupies a building or structure or part of a building or structure in contravention of Section 300(4) of this by-law a building official may post a "Do Not Occupy" notice on the affected part of the building or structure.   | Do Not Occupy<br>Portion of the<br>Building |
| 2006. | 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 this by-law, the Building Code and other applicable enactments have been substantially complied with and the "Do Not Occupy" notice has been rescinded in writing by a building official. | Do Not Occupy<br>Notice                     |

#### DIVISION TWENTY ONE - APPENDICES

The following Appendices are attached to and form part of this by-law and are enforceable in the same manner as this by-law:

- (1) Appendix A - Scale of Permit Fees
- (2) Appendix B - Water Supply Covenant
- (3) Appendix C - Flood Plain Covenant
- (4) Appendix D - Registered Professional's Proof of Insurance
- (5) Appendix E - Owner(s) Undertaking Letter

T. LAKE  
\_\_\_\_\_  
MAYOR

L. W. HRYCAN  
\_\_\_\_\_  
CORPORATE OFFICER

APPENDIX "A"  
SCALE OF PERMIT FEES

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

B. A non-refundable Building Permit application fee shall be in accordance with the following scale:

1. Residential

a)	New single and two family dwellings	\$100.00
b)	New mobile home	\$100.00
c)	Multi-family apartment or row houses three (3) or more units in one building - fee shall be per building	\$200.00
d)	Alteration/addition	\$50.00

2. Commercial/Institutional/Industrial

a)	New	\$200.00
b)	Alteration/addition	\$100.00

3. Miscellaneous

a)	Accessory building greater than 10 m <sup>2</sup> (108 sq. ft.)	\$50.00
b)	Accessory building 10 m <sup>2</sup> (108 sq. ft.) or less	n/a
c)	Demolition and relocation	\$50.00
d)	Earthwork	\$50.00
e)	Solid fuel appliances	n/a
f)	Fire restoration single and two family dwellings	\$50.00
g)	Fire restoration or fire alarm multi-family apartment or row houses complex	\$100.00
h)	Fire restoration commercial/institutional/industrial	\$100.00
i)	Retaining walls	\$50.00
j)	Temporary building	\$50.00
k)	Site services	\$100.00
l)	Pools	\$50.00

C. In addition to the Building Permit application fees, amounts of permit fees shall be in accordance with the following scale:

1. Building Permit Fee

a)	For each \$1,000 or part thereof of construction value up to \$10,000	\$20.00
b)	\$200.00 plus for each \$1,000 or part thereof by which the value exceeds the sum of \$10,000, as additional fees	\$6.00

(11-81)

APPENDIX "A"  
SCALE OF PERMIT FEES

2. Demolition and Relocation

The fee for a permit to demolish or move a building:

- |     |  |          |
|-----|--|----------|
| a)  | For buildings 100 m <sup>2</sup> (1,080 sq. ft.) in area or less       | \$100.00 |
| b)  | For buildings greater than 100 m <sup>2</sup> (1,080 sq. ft.) in area: |          |
| i)  | first 100 m <sup>2</sup> (1,080 sq. ft.), plus,                        | \$100.00 |
| ii) | each additional 100 m <sup>2</sup> (1,080 sq. ft.) or portion thereof  | \$50.00  |

In the event that a building is to be moved to a location within the boundaries of the City, the fees payable shall be the fee required for the moving permit plus the fee for a building permit based on the value of construction required to rehabilitate the said building in its new location, as determined by the building inspector.

3. Special Inspection

- |    |   |  |
|----|---|--|
| a) | For a special inspection during normal working hours to establish the condition of a building, or where the original permit has expired and to determine whether it complies with the provisions of the original permit(s).   | \$100.00<br>(non-refundable)   |
| b) | For a required permit inspection, for building by-law compliance, which cannot be carried out during normal working hours and where there is a request to carry out such inspection outside of the hours during which the offices of the City are normally open, the fee shall be based on the time actually spent in making the inspection, including traveling time in addition to the required fees. | \$500.00<br>plus<br>\$125.00<br>for each<br>hour or<br>part<br>thereof<br>exceeding<br>the first<br>four hours<br>(non-refundable) |

4. Renewal Permit

In the event that a renewal permit is required for construction which has not reached final completion within the time limit set out in this by-law, the fee for such renewal permit shall be the greater of \$100.00 or twenty-five (25) per cent of the original building permit fee.

5. Temporary Building

- |   |          |
|---|----------|
| For a permit to construct, place or occupy a temporary building for one (1) year or part thereof. | \$150.00 |
|---|----------|

6. Siting Permit

- |   |         |
|---|---------|
| For a permit to construct or locate a storage building not exceeding 10 m <sup>2</sup> (108 sq. ft.) in building area, non-refundable application fee only. | \$25.00 |
|---|---------|

APPENDIX "A"  
SCALE OF PERMIT FEES

7.	<u>Solid Fuel Appliances</u>	
	The fee for a permit to install a wood stove, insert or other solid fuel appliance, per appliance, non-refundable application fee only.	\$50.00
8.	<u>Removal of Notice on Land Title</u>	
	Fee for the removal of a land title notice.	\$250.00
9.	<u>Plumbing Permit Fee</u>	
	a) Minimum fee for any plumbing permit or first fixture	\$50.00
	b) Permit fee for each fixture after the first fixture	\$8.00
	c) Permit fee for an interceptor or catch basin, each	\$15.00
	d) Fee for a preliminary inspection related to plumbing, each	\$50.00
	e) Single and two family dwellings	
	i) water service inspection fee per unit	\$30.00
	ii) sanitary service inspection fee per unit	\$30.00
	iii) storm service inspection fee per unit	\$30.00
	iv) combined water and sewer service inspection fee per unit	\$50.00
	v) combined water, sewer and storm service inspection fee per unit	\$60.00
	f) Water service inspection fee, except single and two family dwellings	
	i) first 15 m (49.2 ft.), or part thereof	\$25.00
	ii) each additional 15 m (49.2 ft.), or part thereof	\$20.00
	g) Sanitary sewer service inspection fee, except single and two family dwellings	
	i) first 15 m (49.2 ft.), or part thereof	\$25.00
	ii) each additional 15 m (49.2 ft.), or part thereof	\$20.00
	h) Permit fee for storm or rainwater piping	
	i) first 15 m (49.2 ft.), or part thereof	\$25.00
	ii) each additional 15 m (49.2 ft.), or part thereof	\$20.00
	i) Permit fee for the alteration of a plumbing system where no additional fixtures are to be installed, each	\$10.00
	j) Permit fee for the connection to the municipal water service of any hydraulic equipment, each	\$30.00
	k) Permit fee for the installation of a vacuum breaker or approved double check valve assembly in any plumbing system, each	\$10.00
	l) Permit fee for any fire sprinkler system	

APPENDIX "A"  
SCALE OF PERMIT FEES

- |     |  |          |
|-----|--|----------|
| i)  | the first 25 sprinkler heads   | \$50.00  |
| ii) | each additional sprinkler head over 25   | \$1.00   |
| m)  | Permit fee for each storm or rainwater catch basin   | \$25.00  |
| n)  | Permit fee for each fire hydrant   | \$30.00  |
| o)  | Permit fee for finished plumbing only (Installation of fixtures only where rough-in plumbing exists) shall be 50 per cent of the above fees.   |          |
| 10. | <u>Permit Transfer or Assignment</u>   |          |
|     | For the transfer or assignment of a permit, when requested in writing by the original owner. The original permit number and expiry dates will remain in effect.  | \$50.00  |
| 11. | <u>Building Information Request</u>  |          |
| a)  | Single family, two family dwellings, and mobile homes  | \$40.00  |
| b)  | Multi-family apartment building (three or more units)  | \$100.00 |
| c)  | Standard building (commercial, industrial, institutional)  | \$100.00 |
| d)  | Mobile home park   | \$100.00 |
| e)  | Complex building (large mall, industrial, institutional)   | \$200.00 |
| 12. | <u>Re-inspection Fee</u>   |          |
|     | Where any re-inspection carried out pursuant to this by-law discloses faulty work and a subsequent inspection is thereby made necessary, the fee for each such subsequent inspection shall be \$50.  |          |
| 13. | <u>Double Permit Fee</u>   |          |
|     | Where work for which a permit is required by this by-law has been commenced prior to issuance of a building permit, the applicant shall pay to the City double the fee prescribed in Appendix "A", provided, however, that the additional fee shall not exceed \$3,000.00.   |          |
| 14. | <u>Permit Fee Refund</u>   |          |
|     | Where no construction has commenced within six (6) months of building permit issuance, should the permit holder apply in writing to cancel the permit and present the original receipt, the building inspector may refund the permit fee less the greater of \$200.00 or fifty (50) per cent of such fee paid in respect to the building permit. |          |

APPENDIX "A"  
SCALE OF PERMIT FEES

15. Fee Reduction for Professional Supervision

Where a professional engineer or architect is retained by the owner and an undertaking is provided to coordinate the design and field reviews of the project, the building permit fee will be reduced by five (5) per cent to a maximum reduction of \$500.00 for any one property to reflect the cost of the work that would otherwise be carried out by City of Kamloops building inspection staff.

16. Application and Permit Fee Exemption

The City projects shall be exempt from the applicable permit application fee, permit fees and any other fees set out in this by-law.

D. Construction Value of Work

The building official may, for the purpose of determining permit fees, place a value on the work to be carried out where no cost estimate is available, or he is not satisfied with the value submitted with the permit application; or

The current edition of the Marshall Valuation Service of the Marshall and Swift Residential Cost handbook may be used by the building official to determine the market value for the purpose of assessing permit fee.

E. Manufactured Homes

Permit fee for manufactured homes will be based on the total value of the unit including skirting, foundation, blocking, landing and stairs, water and sewer service connections.

APPENDIX "B"  
WATER SUPPLY COVENANT

Building Permit

Charge

True Value: \_\_\_\_\_

\_\_\_\_\_  
(Nature of Charge)

HEREWITH FEES OF \$ \_\_\_\_\_

ADDRESS of person entitled to be registered as owner, if different than shown in instrument:

\_\_\_\_\_  
Legal description, if not shown in instrument being submitted with this application:

\_\_\_\_\_  
Full name, address, telephone number of person presenting application:

\_\_\_\_\_  
(Signature of applicant, or  
solicitor or authorized agent)

This Covenant made this \_\_\_\_\_ day of \_\_\_\_\_, 20 .

**BETWEEN:**

(hereinafter called the "Covenantor")

OF THE FIRST PART

**AND:** City of Kamloops, of  
7 Victoria Street West, in the  
City of Kamloops, in the  
Province of British Columbia

(hereinafter called the "Covenantee")

OF THE SECOND PART



APPENDIX "B"  
WATER SUPPLY COVENANT

WHEREAS the covenantor is the registered owner of certain lands and premises located in the City of Kamloops, being more particularly known and described as:

(Hereinafter called "the lands")

AND WHEREAS the covenantee, before consenting to the issuance of a building permit on the lands and as a condition thereof, requires a covenant to be charged against the lands, pursuant to Section 219 of the Land Title Act, Chapter 250, R.S.B.C. 1996, and further that he requires such covenant to be registered against the lands in priority to any financial charges pursuant to Section 219 of the Land Title Act, Chapter 250, R.S.B.C. 1996.

NOW THEREFORE WITNESSETH THIS AGREEMENT that for and in consideration of the sum of one dollar (\$1.00) now paid by the covenantee to the covenantor (the receipt of which is hereby acknowledged) and for other good and valuable consideration, the said covenantor and all persons claiming under him will save harmless the City of Kamloops and its servants and employees from any and all claims for damage, injury or loss to persons, property, buildings and contents attributable to the construction of buildings and the utilization of the lands, or which may be incurred as a result of the failure of the potable water supply.

- 1. This covenant shall run with and bind the lands, the covenantor and all persons claiming under him.

IN WITNESS WHEREOF the said covenantor has hereunto set his hand and seal the day and year first above written.

\_\_\_\_\_  
WITNESS:

\_\_\_\_\_  
COVENANTOR:

\_\_\_\_\_  
ADDRESS:

\_\_\_\_\_  
OCCUPATION:

\_\_\_\_\_  
WITNESS:

\_\_\_\_\_  
COVENANTOR:

\_\_\_\_\_  
ADDRESS:

\_\_\_\_\_  
OCCUPATION:

APPENDIX "C"  
FLOOD PLAIN COVENANT

Building Permit

Charge

True Value: \_\_\_\_\_

\_\_\_\_\_  
(Nature of Charge)

HEREWITH FEES OF \$ \_\_\_\_\_

ADDRESS of person entitled to be registered as owner, if different than shown in instrument:

\_\_\_\_\_

Legal description, if not shown in instrument being submitted with this application:

\_\_\_\_\_

Full name, address, telephone number of person presenting application:

\_\_\_\_\_

\_\_\_\_\_  
(Signature of applicant, or  
solicitor or authorized agent)

This Covenant made this                    day of                    , 20   .

**BETWEEN:**

(hereinafter called the "Covenantor")

OF THE FIRST PART

**AND:**                    City of Kamloops, of  
                              7 Victoria Street West, in the  
                              City of Kamloops, in the  
                              Province of British Columbia

(hereinafter called the "Covenantee")

OF THE SECOND PART

APPENDIX "C"  
FLOOD PLAIN COVENANT

WHEREAS the covenantor is the registered owner of certain lands and premises located in the City of Kamloops, being more particularly known and described as:

(Hereinafter called "the lands")

AND WHEREAS the covenantee, before consenting to the issuance of a building permit on the lands and as a condition thereof, requires a covenant to be charged against the lands, pursuant to Section 219 of the Land Title Act, Chapter 250, R.S.B.C. 1996, and further that he requires such covenant to be registered against the lands in priority to any financial charges pursuant to Section 219 of the Land Title Act, Chapter 250, R.S.B.C. 1996.

NOW THEREFORE WITNESSETH THIS AGREEMENT that for and in consideration of the sum of one dollar (\$1.00) now paid by the covenantee to the covenantor (the receipt of which is hereby acknowledged) and for other good and valuable consideration, the said covenantor and all persons claiming under him or purchasers of any of the said lands and premises will observe the following restrictions:

1. The covenantor will indemnify and save harmless the City of Kamloops and the Province of British Columbia and their servants and employees from any and all claims for damage, injury or loss whatsoever in the event of flood damage to the lands thereof.
2. This covenant shall run with and bind the lands, the covenantor and all persons claiming under him.

IN WITNESS WHEREOF the said covenantor has hereunto set his hand and seal the day and year first above written.

\_\_\_\_\_  
WITNESS:

\_\_\_\_\_  
COVENANTOR:

\_\_\_\_\_  
ADDRESS:

\_\_\_\_\_  
OCCUPATION:

\_\_\_\_\_  
WITNESS:

\_\_\_\_\_  
COVENANTOR:

\_\_\_\_\_  
ADDRESS:

\_\_\_\_\_  
OCCUPATION:

APPENDIX "D"  
REGISTERED PROFESSIONAL'S PROOF OF INSURANCE

**ATTENTION: BUILDING OFFICIAL**

Re: \_\_\_\_\_  
(Legal Description of Property)

Project Civic Address: \_\_\_\_\_  
Unit No. Street No. Street Name

Project Legal Description: \_\_\_\_\_

Building Permit Application No.: \_\_\_\_\_

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

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

\_\_\_\_\_  
Signature of Registered Professional

\_\_\_\_\_  
Name of Firm

(affix seal)

APPENDIX "E"  
Owner(s) Undertaking Letter

Notes:

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

**ATTENTION: BUILDING OFFICIAL**

Dear Sir:

Re:

\_\_\_\_\_ (Legal Description of Property)

Project Civic Address:

	Unit No.	Street No.	Street Name
--	----------	------------	-------------

Project Legal Description: \_\_\_\_\_ (the "Property")

Building Permit Application No.: \_\_\_\_\_ (the "Project")

In consideration of the City of Kamloops (the "City") accepting and processing an application for a building permit in respect of the project, and as required by the City's Building By-law, the following representations, warranties, and indemnities are given to the City.

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

\_\_\_\_\_  
Name (print)

\_\_\_\_\_  
Address (print)

APPENDIX "E"  
Owner(s) Undertaking Letter

Project Legal Description \_\_\_\_\_ Permit No.: \_\_\_\_\_

2. I understand and acknowledge that the owner of the property is fully responsible for carrying out the work, or having the work carried out by a contractor or a registered professional, to ensure compliance with the current version of the Building Code, the City Building By-law, other applicable City by-laws, or any other applicable enactments.

3. I understand and acknowledge that neither:  
(a) the issuance of a building permit by the City;  
(b) the acceptance or review of plans and supporting documents in respect of the project; nor  
(c) any monitoring visit made by a City building official, shall not in any way constitute a representation, warranty, or statement by or on behalf of the City that the project complies with the current version of the Building Code, the City Building By-law, other applicable City by-laws, or any other applicable enactments, nor relieve the owner and/or his or her agent from full and complete responsibility to perform the work in accordance with the Building Code, the City's by-laws, other applicable enactments respecting safety.

4. I am not in any way relying on the City or any of the City building officials to protect:  
(a) the owner(s) or any future owner(s) of the property;  
(b) any use or occupier of the property; or  
(c) any other person(s) as contemplated in Division One of the current version of the City Building By-law; and,

from injury or physical harm, property loss or damage, economics loss or any other any other form of claim or cause of action and I will not make any claim, counterclaim, or initiate third party proceedings, alleging responsibility or liability on the part of the City or any of its building officials in connection with the project.

5. Where a "Letter of Assurance of Professional Design and Commitment for Field Review" is required, I have authorized, and am relying on the following registered professional(s) to prepare and submit adequate plans and supporting documents and conduct all appropriate and necessary field reviews in respect of the Project:

(Print Name of each registered professional(s))

- Coordinating: \_\_\_\_\_
- Architectural: \_\_\_\_\_
- Building Envelope: \_\_\_\_\_
- Structural: \_\_\_\_\_
- Mechanical: \_\_\_\_\_

APPENDIX "E"  
Owner(s) Undertaking Letter

Project Legal Description \_\_\_\_\_ Permit No.: \_\_\_\_\_

---

Plumbing: \_\_\_\_\_

Fire Suppression Systems: \_\_\_\_\_

Electrical: \_\_\_\_\_

Geotechnical - temporary: \_\_\_\_\_

Geotechnical - permanent: \_\_\_\_\_

(the "Registered Professional(s)")

In reviewing the plans and supporting documents submitted with this application for a building permit hereby state:

- 6. That I am authorized to give these representations, warranties, assurances, and indemnities to the City.
- 7. I understand and acknowledge that the City will rely solely upon the "Letter of Assurance of Professional Design and Commitment for Field Review" prepared by the registered professional(s) in respect of the project to ensure compliance with the current version of the Building Code, the City Building By-law, other applicable City by-laws and any other applicable enactments.
- 8. In the case where the property is owned by a company or corporation, I have been authorized by the company to make the representation, warrants, and assurances to the City as contained in Appendix "D".
- 9. I have been advised by the City that I should obtain independent advice from a lawyer prior to signing and submitting Appendix "E" to the City.

APPENDIX "E"  
Owner(s) Undertaking Letter

Project Legal Description \_\_\_\_\_ Permit No.: \_\_\_\_\_

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**Where Owner is an individual:**

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Witness (Print Name)

\_\_\_\_\_  
Owner (Print Name)

\_\_\_\_\_  
Address of Witness

\_\_\_\_\_  
(Additional Owner)

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Witness (Print Name)

\_\_\_\_\_  
Owner (Print Name)

\_\_\_\_\_  
Address of Witness

(If required, reproduce and attach another copy of this page for additional owner signatures)

**Where Owner is a Company or Corporation:**

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Name of Company or Corporation

\_\_\_\_\_  
Witness (Print Name)

\_\_\_\_\_  
Signature of Authorized Signatory for Company or Corporation

\_\_\_\_\_  
Address of Witness

\_\_\_\_\_  
Name of Authorized Signatory of Company or Corporation

\_\_\_\_\_  
Title of Authorized Signatory for Company or Corporation