



## Village of Telkwa Building Bylaw No. 533, 2003

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### INDEX OF AMENDING BYLAWS

**This document has been reproduced for convenience only** and is a consolidation of the “Village of Telkwa Building Bylaw No. 533” with the following amending bylaws:

<b>Amendment Bylaw</b>	<b>Adopted Date</b>
No. 766	April 25, 2023
No. 733	February 23, 2021
No. 717	November 12, 2020

### NOTE TO USER

WHEREAS each bylaw consolidation shall be proof, in the absence of evidence to the contrary, of the original bylaw, of all bylaws amending it and of the fact of adoption of the original and all amending bylaws, pursuant to the “Village of Telkwa Consolidation of Bylaws Authorization Bylaw No. 711, 2020”, which was adopted on the 10<sup>th</sup> day of November, 2020;

This consolidation is hereby certified to be a true and correct copy, this 1<sup>st</sup> day of May, 2023.

A handwritten signature in black ink, appearing to be "D. A.", written over a horizontal line.

Corporate Officer  
Village of Telkwa



**THE CORPORATION OF THE VILLAGE OF TELKWA  
BUILDING BYLAW NO. 533, 2003**

A bylaw for the administration of the British Columbia Building Code

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

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

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

**NOW THEREFORE THE COUNCIL OF THE VILLAGE OF TELKWA**, in open meeting assembled, enacts as follows:

**1. TITLE**

1.1 This bylaw may be cited for all purposes as the “Village of Telkwa Building Bylaw No. 533”.

**2. DEFINITIONS**

2.1 In this bylaw:

The following words and terms have the meanings set out in Section 1.4.1.2. Defined Terms of the *British Columbia Building Code 2018*: assembly occupancy, building, building area, building height, business and personal services occupancy, care or detention occupancy, constructor, coordinating registered professional, designer, field review, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, mercantile occupancy, medium hazard industrial occupancy, occupancy, owner, registered professional, and residential occupancy.

“**Building**” means any structure used or intended for supporting or sheltering any use or occupancy.

“**Building Code**” means the *British Columbia Building Code* as adopted by the Minister responsible under provincial legislation, as amended or re-enacted from time to time.

**“Building Official”** includes Building Inspectors, Plan Checkers and Plumbing Inspectors designated by the Village of Telkwa.

**“Building Permit”** means those certain documents authorizing construction, the forms of which are set out in Schedules which are attached to and form part of this Bylaw.

**“Bylaw Enforcement Officer”** means the person appointed by the Village as Bylaw Enforcement Officer for the Village;

**“Complex Building”** means:

- (a) all buildings used for major occupancies classified as
  - (i) assembly occupancies,
  - (ii) care or detention occupancies,
  - (iii) high hazard industrial occupancies, and
- (b) all buildings exceeding 600 square meters in building area or exceeding three storeys in building height used for major occupancies classified as
  - (i) residential occupancies,
  - (ii) business and personal services occupancies,
  - (iii) mercantile occupancies,
  - (iv) medium and low hazard industrial occupancies.

**“Health and safety aspects of the work”** means design and construction regulated by Part 1, Part 2 Part 3, Part 4, Part 6, Part 7 and sections 9.4, 9.7, 9.8, 9.9, 9.10, 9.13, 9.14, 9.15, 9.17, 9.18, 9.19 9.20, 9.21, 9.22, 9.23, 9.24, 9.25, 9.31, 9.32, 9.34, and 9.36 of Part 9 of the *Building Code*.

**“Standard building”** means a building of three storeys or less in building height, having a building area not exceeding 600 square meters and used for major occupancies classified as

- (a) residential occupancies,
- (b) business and personal services occupancies,
- (c) mercantile occupancies, or

(d) medium and low hazard industrial occupancies.

**“Structure”** means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and retaining structures less than 1.5 meters in height and not supporting an occupancy.

**“Temporary”** refers to a structure intended to be erected or placed on a parcel of land for twenty-four months or less;

**“Village”** means the Village of Telkwa or the geographical area within its boundaries, as the context requires;

**“Value”** means the figure which is:

(a) the contract price for all construction work, or

(b) the figure stated by the applicant of the value of the work shown on the application and acceptable to the Building Inspector.

### **3. PURPOSE OF BYLAW**

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

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

3.2.1 to the protection of owners, owner/builders or constructors from economic loss;

3.2.2 to the assumption by the Village of Telkwa or any building official of any responsibility for ensuring the compliance by any owner, his or her representatives or any employees, constructors or designers retained by him or her, with the *Building Code*, the requirements of this bylaw or other applicable enactments respecting safety;

3.2.3 to providing any person a warranty of design or workmanship with respect to any building or structure for which a building permit or occupancy permit is issued under this bylaw;

3.2.4 To providing a warranty or assurance that construction undertaken pursuant to building permits issued by the Village of Telkwa is free from latent, or any defects.

#### **4. PERMIT CONDITIONS**

4.1 A permit is required whenever work regulated under this bylaw is to be undertaken.

4.2 Neither the issuance of a permit under this bylaw nor the acceptance or review of plans, drawings or supporting documents, nor any inspections made by or on behalf of the Village of Telkwa shall in any way relieve the owner or his or her representatives from full and sole responsibility to perform the work in strict accordance with this bylaw, the *Building Code* and or other applicable enactments respecting safety.

4.3 It shall be the full and sole responsibility of the owner (and where the owner is acting through a representative, the representative) to carry out the work in respect of which the permit was issued in compliance with the *Building Code* and this bylaw or other applicable enactments respecting safety.

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

4.5 No person shall rely upon any permit as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms. The person to whom the building permit is issued and his or her representatives are responsible for making such determination.

4.6 Any owner of Property for which a Permit is issued shall be responsible or the cost of repair of any damage to municipal works or property that occurs as a result of work performed under the permit.

4.7 Any owner of property for which a Permit is issued shall conform to all requirements of this part and all other statutes and bylaws in force in the Village of Telkwa.

#### **5. SCOPE AND EXEMPTIONS**

5.1 This bylaw applies to the design, construction and occupancy of new buildings and structures, and the alteration, reconstruction, demolition, removal, relocation and occupancy of existing buildings and structures.

5.2 This bylaw does not apply to buildings or structures exempted by Part 1 of the *Building Code* except as expressly provided herein, nor to retaining structures less than 1.5 meters in height or that are part of a building or structure that does not support an occupancy.

## **6. PROHIBITIONS**

6.1 No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building or structure, including excavation or other work related to construction unless a building official has issued a valid and subsisting permit for the work.

6.2 No person shall occupy or use any building or structure unless a valid and subsisting occupancy permit has been issued by a building official for the building or structure, or contrary to the terms of any permit issued or any notice given by a building official.

6.3 No person shall knowingly submit false or misleading information to a building official in relation to any permit application or construction undertaken pursuant to this bylaw.

6.4 No person shall, unless authorized in writing by a building official, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to a building or structure pursuant to this bylaw.

6.5 No person shall do any work that is substantially at variance with the accepted design or plans of a building, structure or other works for which a permit has been issued, unless that variance has been accepted in writing by a building official.

6.6 No person shall obstruct the entry of a building official or other authorized official of the Village of Telkwa on property in the administration of this bylaw.

6.7 No person shall connect downspout, drains or surface runoff to a building sewer or building drain leading to the sanitary drainage system.

## **7. BUILDING OFFICIALS**

7.1 Each building official may:

7.1.1 administer this bylaw;

7.1.2 keep records of permit applications, permits, notices and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of this bylaw or microfilm, electronic or digital copies of such documents;

7.1.3 establish, if requested to do so, whether the methods or types of construction and types of materials used in the construction of a building or structure for which a permit is sought under this bylaw substantially conforms to the requirements of the *Building Code*.

7.2 A building official:

7.2.1 may enter any land, building, structure, or premises at any reasonable time for the purpose of ascertaining that the terms of this bylaw are being observed;

7.2.2 where any residence is occupied, shall obtain the consent of the occupant or provide written notice to the occupant twenty-four (24) hours in advance of entry; and

7.2.3 shall carry proper credentials confirming his or her status as a building official.

7.3 A building official may order the correction of any work that is being or has been done in contravention of this bylaw.

## **8. APPLICATIONS**

8.1 Every person shall apply for and obtain:

8.1.1 a building permit before constructing, repairing or altering a building or structure;

8.1.2 a moving permit before moving a building or structure:

(a) Moving Applications & Permits shall be obtained from the Building Inspector, by the owner (or his duly authorized agent), prior to the moving of buildings and structures, into, out of, or within the Village;

(b) the Owner (or his duly authorized agent) is responsible for:

(i) complying with the requirements of this Bylaw regulating building, plumbing and demolition of works and services;

(ii) complying with the requirements of any other Bylaw of the Village;

(iii) complying with the requirements of all other regulating bodies; and



(iv) ensuring the building or structure is certified structurally sound, for moving purposes, by a practicing engineer registered in the Province of British Columbia.

8.1.3 a fireplace and chimney permit prior to the construction of a masonry fireplace or the installation of a wood burning appliance or chimney unless the works are encompassed by a valid building permit.

8.1.4 a new valid permit for any work to be completed for which a building permit was issued where that permit has subsequently lapsed.

8.1.5 Prior to commencing any plumbing work:

- (a) if not already done, arrange for connection to Village water, sanitary sewer and storm sewer services, where services are available;
- (b) arrange the plumbing to suit the location of the connection provided for the lot by the Village;
- (c) arrange for dye-testing the sanitary sewer service as witnessed by the Building Inspector prior to backfilling the service line trench.
- (d) where the Village sanitary sewer connection is not available to the property, a sewage disposal system (approved by the Medical Health Officer) must be installed.

8.1.6 a demolition permit before demolishing a building or structure;

- (a) demolition is sought or required by Bylaw, or by regulation, for any building, structure, works or services, and includes underground piping, foundations and tanks;
- (b) every applicant for a demolition permit shall submit a Site Profile in accordance with the Contaminated Sites Regulation, B.C. Reg. 375/96. Sections I, II, III and XI of the Site Profile must be completed in all cases, even if the applicant would otherwise be exempt from submitting a Site Profile under B.C. Reg. 375/96. Site Profiles must be submitted on the form prescribed in B.C. Reg. 375/96; When a Site Profile has been forwarded to a “manager” as per B.C. Reg. 375/96, an application for a demolition permit under this bylaw shall not proceed until the said “manager” has advised the municipality that a site investigation under Section 20.2 of the Waste Management Act will not be required, or until the municipality has received a valid and subsisting approval in principle, conditional certificate of compliance, or certificate of compliance under Section 20.71 of the Waste Management Act.”;

(c) the owner (or his duly authorized agent) and the Contractor shall abide by the following requirements:

- (i) arrange for the Village to disconnect and cap water and sewer service lines to the property, prior to demolition;
- (ii) arrange disconnection of all power, telephone and gas lines, prior to demolition;
- (iii) obtain from the Village any additional permits required for street closures, and notify all regulating bodies, prior to demolition;
- (iv) protect, as per *Building Code* Requirements (Part 8 “Safety Measures and Construction and Demolition Sites”) all public sidewalks, thoroughfares and streets, prior to demolition;
- (v) remove all demolition materials and foundations from the site, fill and level all excavations, and leave the site in a tidy manner;
- (vi) damages to utilities, adjoining properties and all liabilities during demolition are the responsibility of the Owner (or his duly authorized agent) and the Contractor;
- (vii) ensure compliance with Heritage Bylaws(s), where applicable; and
- (viii) all above items are to be fully complied with within ninety (90) days of the date of issuance of the Demolition Application & Permit.

8.2 An application for a moving permit shall be made in the form attached as “Building Permit Application Form” to this bylaw.

8.3 An application for a demolition permit shall be made in the form attached as “Building Permit Application Form” to this bylaw.

8.4 An application for a fireplace and chimney permit shall be made in the form attached as “Building Permit Application Form” to this bylaw.

8.5 All plans submitted with permit applications shall bear the name and address of the designer of the building or structure.

8.6 Each building or structure to be constructed on a site requires a separate building permit and shall be assessed a separate building permit fee based on the value of that building or structure as determined in accordance with the Village of Telkwa Fees and Charges Bylaw.

## 9. APPLICATIONS FOR COMPLEX BUILDINGS

9.1 An application for a building permit with respect to a complex building shall;

9.1.1 be made in the form attached as “Building Permit Application Form” to this bylaw, signed by the owner, or a signing officer if the owner is a corporation, and the coordinating registered professional;

9.1.2 be accompanied by the owner’s acknowledgment of responsibility and undertakings made in the form attached as Form “M” to this bylaw, signed by the owner, or a signing officer if the owner is a corporation;

9.1.3 include a copy of a title search made within 30 days of the date of the application;

9.1.4 include a site plan prepared by a British Columbia Land Surveyor, a Registered Survey Technologist or by a Registered Professional showing:

9.1.4.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;

9.1.4.2 the legal description and civic address of the parcel;

9.1.4.3 the location and dimensions of all statutory rights of way, easements and setback requirements;

9.1.4.4 the location and dimensions of all existing and proposed buildings or structures on the parcel;

9.1.4.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where the Village of Telkwa’s land use regulations establish siting requirements related to flooding;

9.1.4.6 the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a building or structure where the Village of Telkwa’s land use regulations establish siting requirements related to minimum floor elevation; and

9.1.4.7 the location, dimension and gradient of parking and driveway access.

9.1.4.8 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.

9.1.5 Include sufficient information on building plans to determine compliance with this bylaw such as:

9.1.5.1 floor plans showing the dimensions and uses of all areas: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions.

9.1.5.2 a cross section through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;

9.1.5.3 elevations of all sides of the building or structure showing finished details, roof slopes, windows, doors, and finished grade; and required details.

9.1.5.4 cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the building or structure substantially conforms to the *Building Code*;

9.1.5.5 mechanical information.

9.1.6 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;

9.1.7 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 corporation, and the coordinating registered professional;

9.1.8 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; and

9.1.9 include three sets of drawings at a suitable scale of the design prepared by each registered professional and including the information set out in sections 9.1.5 – 9.1.8 of this bylaw.

9.2 In addition to the requirements of section 9.1, the following may be required by a building official to be submitted with a building permit application for the construction of a complex building where the complexity of the proposed building or structure or siting circumstances warrant:

- 9.2.1 site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional, in accordance with the Village of Telkwa's subdivision servicing bylaw.
- 9.2.2 a section through the site showing grades, buildings, structures, parking areas and driveways;
- 9.2.3 any other information required by the building official or the *Building Code* to establish substantial compliance with this bylaw, the *Building Code* and other bylaws and enactments relating to the building or structure.

## **10. APPLICATIONS FOR STANDARD BUILDINGS**

10.1 An application for a building permit with respect to a standard building shall;

- 10.1.1 be made in the form attached as Form "A" to this bylaw, signed by the owner, or a signing officer if the owner is a corporation;
- 10.1.2 be accompanied by the owner's acknowledgment of responsibility and undertakings made in the form attached as Form "M" to this bylaw, signed by the owner, or a signing officer if the owner is a corporation;
- 10.1.3 Include a copy of a title search made within 30 days of the date of the application;
- 10.1.4 Include a site plan prepared by a British Columbia Land Surveyor, a Registered Survey Technologist or Registered Professional showing:
  - 10.1.4.1 the bearing and dimensions of the parcel taken from the registered subdivision plan;
  - 10.1.4.2 the legal description and civic address of the parcel;
  - 10.1.4.3 the location and dimensions of all statutory rights of way, easements and setback requirements;
  - 10.1.4.4 the location and dimensions of all existing and proposed buildings or structures on the parcel;
  - 10.1.4.5 setbacks to the natural boundary of any lake, swamp, pond or watercourse where the Village of Telkwa's land use regulations establish siting requirements related to flooding;

- 10.1.4.6 the existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a building or structure where the Village of Telkwa's land use regulations establish siting requirements related to minimum floor elevation; and
- 10.1.4.7 the location, dimension and gradient of parking and driveway access.
- 10.1.4.8 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.
- 10.1.5 Include floor plans showing the dimensions and uses of all areas: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; stair dimensions; and mechanical information such as the location and size of every drain and of every trap or inspection piece that is on the drain.
- 10.1.6 Include a cross section through the building or structure illustrating foundations, drainage, ceiling heights and construction systems; and size and location of every soil or waste pipe, trap and vent pipe and the plans and specifications shall contain complete design and calculation criteria and shall contain the name and address of the Designer.
- 10.1.7 Include elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;
- 10.1.8 Include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the building or structure substantially conforms to the *Building Code*;
- 10.1.9 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;
- 10.1.10 Include a foundation design prepared by a registered professional in accordance with section 4.2 of Part 4 of the *Building Code*, accompanied by letters of assurance in the form of Schedules B-1 and B-2 as referred to in section 2.6 of Part 2 of the *Building Code*, signed by the registered professional;

- 10.1.11 The requirements of section 10.1.10 may be waived by a building official in circumstances where the building official has required a professional engineer's report pursuant to section 699 (2) of the Local Government Act the building permit is issued in accordance with sections 699 (5) and (6) of the *Local Government Act*.
- 10.1.12 The requirements of section 10.1.10 may be waived by a building official if documentation, prepared and sealed by a registered professional, is provided assuring that the foundation design substantially complies with section 9.4.4 of Part 9 the *Building Code* and the foundation excavation substantially complies with section 9.12 of Part 9 of the *Building Code*.
- 10.1.13 The requirements of Section 10.1.10 may be waived for the construction of a detached one and two family dwelling as well as accessory buildings where the owner signs Form "M" acknowledging their responsibility for the design and construction of the foundation and supporting soils;
- 10.1.14 include three sets of drawings at a suitable scale of the design containing sufficient information to determine compliance with this bylaw, including the information set out in sections 10.1.5 – 10.1.8 and 10.1.10, if applicable, of this bylaw.
- 10.2 In addition to the requirements of section 10.1, the following may be required by a building official to be submitted with a building permit application for the construction of a standard building where the project involves two or more buildings, which in the aggregate total more than 1000 square meters, or two or more buildings that will contain four or more dwelling units, or otherwise where the complexity of the proposed building or structure or siting circumstances warrant:
- 10.2.1 site servicing and drainage drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional, in accordance with the Village of Telkwa's subdivision servicing bylaw.
- 10.2.2 a section through the site showing grades, buildings, structures, parking areas and driveways;
- 10.2.3 a roof plan and roof height calculations;
- 10.2.4 structural, electrical, mechanical or fire suppression drawings prepared and sealed by a registered professional;

10.2.5 letters of assurance in the form of Schedules B-1 and B-2 as referred to in section 2.6 of Part 2 of the *Building Code*, signed by the registered professional;

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

## **11. PROFESSIONAL PLAN CERTIFICATION**

11.1 The letters of assurance in the form of Schedules B-1 and B-2 referred in section 2.6 of Part 2 of the *Building Code* and provided pursuant to sections 9.19, 10.1.10, 10.2.5, and 15.1 of this bylaw are relied upon by the Village of Telkwa and its building officials as certification that the design and plans to which the letters of assurance relate comply with the *Building Code* and other applicable enactments relating to safety.

11.2 A building permit issued for the construction of a complex building, or for a standard building for which a building official required professional design pursuant to section 10.2.4 and letters of assurance pursuant to section 10.2.5 of this bylaw shall be in the form of Form “B” to this bylaw.

11.3 A building permit issued pursuant to section 11.2 of this bylaw shall include a notice to the owner that the building permit is issued in reliance upon the certification of the registered professionals that the design and plans submitted in support of the application for the building permit comply with the Building Code and other applicable enactments relating to safety.

11.4 Pursuant to Section 290 of the *Local Government Act*, when a building permit is issued in accordance with section 11.2 of this bylaw the permit fee shall be reduced by 5% of the fees payable, up to a maximum reduction of five hundred dollars (\$500.00).

## **12. FEES AND CHARGES**

12.1 In addition to applicable fees and charges required under other bylaws, the fees and charges under this bylaw are specified in the Village of Telkwa Fees and Charges Bylaw.

12.2 The application fee is non-refundable.

12.3 The owner may obtain a refund of the Building Permit fee when a permit is surrendered and cancelled before any construction begins; however,

(a) the refund shall not include the application fee; and



(b) no refund shall be made where construction has begun or an inspection has been made.

12.4 Where, due to non-compliance with this bylaw, more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection, a re-inspection charge as set out in the Village of Telkwa Fees and Charges Bylaw, shall be paid prior to additional inspection being performed.

### **13. BUILDING PERMITS**

13.1 The building official shall issue the permit for which the application is made when:

13.1.1 A completed application including all required supporting documentation has been submitted;

13.1.2 the proposed work set out in the application substantially conforms with the *Building Code*, this bylaw and all other applicable Village of Telkwa bylaws and enactment's;

13.1.3 the owner or his or her representative has paid all applicable fees set out in including any fees for filing of a notice on title or for the closing of an incomplete file should the permit lapse prior to the work being completed. The administration fee will be returned if the work is completed for which the permit has been issued and the owner receives a final inspection report, occupancy permit, or renewal permit prior to the permit lapsing;

13.1.4 the owner or his or her representative has paid all charges and met all requirements imposed by any other Village of Telkwa enactment or bylaw; and

13.1.5 no enactment, covenant, agreement, or regulation in favour or, regulation of, the Village of Telkwa authorizes the permit to be withheld.

13.2 When the application is in respect of a building that includes, or will include, a residential occupancy, the building permit must not be issued unless the owner provides evidence pursuant to section 30 (1) of the Homeowner Protection Act that the proposed building:

13.2.1 is covered by home warranty insurance, and

13.2.2 the constructor is a licensed residential builder.

13.3 Section 13.2 of this bylaw does not apply if the owner is not required to be licensed and to obtain home warranty insurance in accordance with sections 20 (1) or 30 (1) of the Homeowner Protection Act.

13.4 Every permit is issued upon the condition that the permit shall expire and the rights of the owner under the permit shall terminate if:

13.4.1 the work authorized by the permit is not commenced within 6 months from the date of issuance of the permit; or

13.4.2 work is discontinued for a period of 12 months; or

13.4.3 work is not completed within 2 years of permit issuance.

13.5 A building official may extend the period of time set out under sections 13.4.1 and 13.4.2 where construction has not been commenced or where construction has been discontinued due to adverse weather, strikes, material or labour shortages, or similar hardship beyond the owner's control.

13.6 A building official may issue a building permit for a portion of a building or structure before the design, plans and specifications for the entire building or structure have been accepted, provided sufficient information has been provided to the Village of Telkwa to demonstrate to the building official that the portion authorized to be constructed substantially complies with this and other applicable bylaws and the permit fee applicable to that portion of the building or structure has been paid. The issuance of the permit notwithstanding, the requirements of this bylaw apply to the remainder of the building or structure as if the permit for the portion of the building or structure had not been issued.

13.7 When a site has been excavated under an excavation permit issued pursuant to section 13.6 of this bylaw and a building permit is not subsequently issued or a subsisting building permit has expired in accordance with the requirements of section 13.4, but without the construction of the building or structure for which the building permit was issued having commenced, the owner shall fill in the excavation to restore the original gradients of the site within 30 days of being served notice by the Village of Telkwa to do so.

#### **14. DISCLAIMER OF WARRANTY OR REPRESENTATION**

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

## **15. PROFESSIONAL DESIGN AND FIELD REVIEW**

- 15.1 When a building official considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a registered professional provide design and plan certification and field review by means of letters of assurance in the form of Schedules B-1, B-2 and C-B referred to in section 2.6 of Part 2 of the *Building Code*.
- 15.2 Prior to the issuance of an occupancy permit for a complex building, or standard building in circumstances where letters of assurance have been required in accordance with sections 10.1.10, 10.2.5 or 15.1 of this bylaw, the owner shall provide the Village of Telkwa with letters of assurance in the form of Schedules C-A or C-B, as is appropriate, referred to in section 2.6 of Part 2 of the *Building Code*.
- 15.3 When a registered professional provides letters of assurance in accordance with sections 9.1.9, 10.1.10, 10.2.5, 15.1 or 15.2 of this bylaw, he or she shall also provide proof of professional liability insurance to the building official in an acceptable form.

## **16. RESPONSIBILITIES OF THE OWNER**

- 16.1 Every owner shall ensure that all construction complies with the *Building Code*, this bylaw and other applicable enactments respecting safety.
- 16.2 Every owner to whom a permit is issued shall be responsible for the cost of repair of any damage to municipal works that occurs in the course of the work authorized by the permit.
- 16.3 Every owner to whom a permit is issued shall, during construction:
- 16.3.1 post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;
  - 16.3.2 keep a copy of the accepted designs, plans and specifications on the property; and
  - 16.3.3 post the civic address on the property in a location visible from any adjoining streets.

## 17. INSPECTIONS

- 17.1 When a registered professional provides letters of assurance in accordance with sections 9.1.9, 10.1.10, 10.2.5, 15.1 or 15.2 of this bylaw, the Village of Telkwa will rely solely on field reviews undertaken by the registered professional and the letters of assurance submitted pursuant to section 15.2 of this bylaw as assurance that the construction substantially conforms to the design and that the construction substantially complies with the *Building Code*, this bylaw and other applicable enactments respecting safety.
- 17.2 Notwithstanding section 17.1 of this bylaw, a building official may attend the site from time to time during the course of construction to ascertain that the field reviews are taking place and to monitor the field reviews undertaken by the registered professionals.
- 17.3 A building official may attend periodically at the site of the construction of standard buildings or structures to ascertain whether the health and safety aspects of the work are being carried out in substantial conformance with those portions of the *Building Code*, this bylaw and any other applicable enactment concerning safety.
- 17.4 The owner or his or her representative shall give at least twenty-four (24) hours notice to the building official designated by the Village of Telkwa when requesting an inspection and shall obtain an inspection and receive a building official's acceptance of the following aspects of the work prior to concealing it:
- 17.4.1 installation of perimeter drain tiles and damp-proofing, prior to backfilling;
  - 17.4.2 prior to placing any concrete for the footings or foundations, the owner or authorized agent shall notify the building official and request a site visit to document the various aspects of the foundation and where in the opinion of the building official, the siting regulations may be contravened, the owner shall provide a site plan per 9.1.4 or 10.1.4;
  - 17.4.3 installation of service lines, where applicable, per 8.1.5, prior to backfilling;
  - 17.4.4 The preparation of underground plumbing when required prior to the placement of a concrete slab;
  - 17.4.5 the preparation of ground, including ground cover, when required, prior to the placing of a concrete slab;
  - 17.4.6 rough in of factory-built chimneys and fireplaces and solid fuel burning appliances;

17.4.7 the framing and sheathing;

17.4.8 insulation and vapour barrier; and

17.4.9 when the building or structure is substantially complete and ready for occupancy, but before occupancy takes place of the whole or part of the building or structure.

17.5 No aspect of the work referred in section 17.4 of this bylaw shall be concealed until a building official has accepted it in writing.

17.6 The requirements of section 17.4 of this bylaw do not apply to any aspect of the work that is the subject of a registered professional's letter of assurance provided in accordance with sections 9.1.9 10.1.10, 10.2.5, 15.1 or 15.2 of this bylaw.

## **18. WATER METERS**

18.1 A water meter assembly, or provisions for a future water meter assembly, must be installed in accordance with the specifications and regulations contained within the Village of Telkwa Subdivision Servicing Bylaw and Water Regulation Bylaw.

## **19. SUMPS AND INTERCEPTORS**

19.1 Unless otherwise authorized by the Building Official, concrete building sumps or prefabricated interceptors shall be installed for all buildings or structures to collect foundation drain piping and roof or surface storm water piping, prior to final discharge into the municipal storm drainage system and in accordance with the Village of Telkwa Sewer Regulation Bylaw.

19.2 Concrete building sumps shall;

19.2.1 be the interlocking, lipped type,

19.2.2 if greater than 1.5 meters in depth, shall be not less than 1.0 meters in diameter,

19.2.3 be installed flush with the finished grade and sides installed plumb to make the lid of the sump level.

19.3 Prefabricated interceptors shall be designed and specified only by a registered professional.

19.4 If a pump is required within the building sump, appropriate backflow preventors will be required on the foundation drain piping to prevent backflow.

## **20. ENERGY CONSERVATION**

20.1 In relation to the conservation of energy, buildings may be constructed on or after May 1, 2023 in accordance with sections 9.36.2 to 9.36.4 of Division B of the *Building Code*.

## **21. CLIMATE DATA**

21.1 Climatic data used in the design of buildings within the Village of Telkwa municipal boundaries shall be that data provided by the building inspector supplied on Schedule “B” of the building regulation bylaw and as revised by the building inspector from time to time.

## **22. OCCUPANCY PERMITS**

22.1 No person shall occupy a building or structure or part of a building or structure until an occupancy permit has been issued in the form of Form “K” to this bylaw.

22.2 An occupancy permit shall not be issued unless:

22.2.1 All letters of assurance have been submitted when required in accordance with sections 9.1.9 10.1.10, 10.2.5, 15.1 and 15.2 of this bylaw.

22.2.2 All aspects of the work requiring inspection and acceptance pursuant to section 17.4 of this bylaw have both been inspected and accepted or the inspections and acceptance are not required in accordance with section 17.6 of this bylaw.

22.3 A building official may issue a provisional occupancy permit for part of a building or structure when the part of the building or structure is self-contained, provided with essential services and the requirements set out in section 21.2 of this bylaw have been met with respect to it; the building official may require the owner to provide cash security and determine a specified time limit for the provisional occupancy permit.

## **23. RETAINING STRUCTURES**

23.1 A registered professional shall undertake the design and conduct field reviews of the construction of a retaining structure greater than 1.5 meters in height and supporting an occupancy. Sealed copies of the design plan and field review reports prepared by the registered professional for all retaining structures greater than 1.5 meters in height shall be submitted to a building official prior to acceptance of the works.

## **24. PERMITS**

24.1 A moving permit shall be in the form of Form “B” to this bylaw.

24.2 A demolition permit shall be in the form of Form “B” to this bylaw.

24.3 A fireplace and chimney permit shall be in the form of Form “B” to this bylaw.

24.4 A building permit shall be in the form of Form “B” to this bylaw.

## **25. PENALTIES AND ENFORCEMENT**

25.1 Every person who contravenes any provision of this bylaw commits an offense punishable on summary conviction and shall be liable to a fine of not more than Ten Thousand Dollars (\$10,000.00) or to imprisonment for not more than six months.

25.2 Every person who fails to comply with any order or notice issued by a building official, or who allows a violation of this bylaw to continue, contravenes this bylaw.

25.3 A building official may order the cessation of any work that is proceeding in contravention of the *Building Code* or this bylaw by posting a Stop Work notice in the form of Form “L” to this bylaw.

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

25.5 Where a person occupies a building or structure or part of a building or structure in contravention of section 6.4 of this bylaw a building official may post a Do Not Occupy notice in the form of Form “N” to this bylaw on the affected part of the building or structure.

25.6 The owner of property on which a Do Not Occupy notice has been posted, and every person, shall cease occupancy of the building or structure immediately and shall refrain from further occupancy until all applicable provisions of the *Building Code* and this bylaw have been substantially complied with and the Do Not Occupy notice has been rescinded in writing by a building official.

25.7 Every person who commences work requiring a building permit without first obtaining such a permit shall, if a Stop Work notice is issued and remains outstanding for thirty (30) days, pay an additional charge equal to twenty-five percent (25%) of the building permit fee prior to obtaining the required building permit.

## **26. SEVERABILITY**

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

## **27. FORMS AND SCHEDULES**

27.1 Forms “C” through “N” attached to this bylaw form a part of this bylaw.

\* Note: Forms A, B, and D-J are no longer in use.

### FORMS:

- A. (\*form no longer in use)
- B. (\*form no longer in use)
- C. Inspection Report
- D. Service Connections Inspection Notice
- E. (\*form no longer in use)
- F. (\*form no longer in use)
- G. (\*form no longer in use)
- H. (\*form no longer in use)
- I. (\*form no longer in use)
- J. (\*form no longer in use)
- K. Occupancy Permit
- L. Stop Work Order
- M. Owners’ Undertakings
- N. Do Not Occupy

27.2 Schedule “B” Climatic Data attached to this bylaw forms a part of this bylaw.

## **28. REPEAL**

Village of Telkwa Building Bylaw No. 183, 1983 and amendments thereto are hereby repealed.





**VILLAGE OF TELKWA  
BY-LAW No. 533  
FORM K**

**OCCUPANCY PERMIT**

**THIS IS TO CERTIFY THAT PURSUANT TO THE TELKWA BUILDING BY-LAW,  
THE BUILDING (S) OR PORTION THEREOF DESCRIBED AS FOLLOWS MAY BE  
USED AND OCCUPIED AS INDICATED.**

**FOLIO NO.** \_\_\_\_\_

**STREET ADDRESS** \_\_\_\_\_

**LEGAL DESCRIPTION: LOT:** \_\_\_\_\_ **BLOCK** \_\_\_\_\_ **PLAN** \_\_\_\_\_

**ISSUED TO** \_\_\_\_\_

**ZONING** \_\_\_\_\_

**DESCRIPTION OF USE** \_\_\_\_\_

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**BUILDING INSPECTOR**

This permit confirms that inspections pursuant to the Building By-law No. 533 have been completed and no substantive violation of health and safety requirements has been observed. This permit is not a warranty that the subject building complies with all Municipal and Provincial Regulations governing building construction nor that it is without defect.

**VILLAGE OF TELKWA**  
**By-Law No. 533**  
**FORM L**

**STOP WORK ORDER**

PURSUANT TO THE TELKWA BUILDING BY-LAW, ALL WORK ON THE BUILDING WHEREUPON THIS NOTICE IS POSTED IS SUSPENDED BY ORDER OF THE BUILDING INSPECTOR.

PARTICULARS MAY BE OBTAINED AT THE OFFICE OF THE BUILDING INSPECTOR, MUNICIPAL HALL.

ANY PERSON WHO FAILS TO COMPLY WITH THIS ORDER WILL BE GUILTY OF AN OFFENCE AGAINST AND AN INFRACTION OF THE BYLAW AFORESAID FOR WHICH A PENALTY OF UP TO \$10,000 AND THE COSTS OF PROSECUTION MAY BE IMPOSED.

IT IS UNLAWFUL FOR ANY PERSON TO ALTER OR REMOVE THIS NOTICE.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BUILDING INSPECTOR

**VILLAGE OF TELKWA  
BY-LAW NO.533  
FORM M.a.  
OWNERS' UNDERTAKINGS**

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**NOTE:**

1. To be submitted prior to the issuance of a building permit.
  2. Only an original Schedule printed by the Village of Telkwa or an unaltered photocopy of this Form is to be completed and submitted.
- 

Village of Telkwa  
Box 220  
Telkwa, B.C. V0J 2X0

Attention: Building Official

Dear Sirs:

RE: Address \_\_\_\_\_

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

In consideration of the Village accepting and processing the above application for a building permit, and as required by the Village's building by-law, the following representations, warranties and indemnities are given to the Village.

1. That I am:  
( ) the owner of the above property; or  
  
( ) authorized by the owner of the property described above to make this application.
2. That I have authorized:

---

Name (Please Print)

---

Address (Please Print)

To make application for the above permit on my behalf.

3. That I will comply with or cause those whom I employ to comply with the B.C. *Building Code* and all bylaws of the Village and other statutes and regulations in force in the Village relating to the development, work, undertaking or permission in respect of which this application is made.
4. That I understand and acknowledge that I am fully responsible for carrying out the work, or having the work carried out, in accordance with the requirements of the B.C. *Building Code*, the Building Bylaw and all other By-laws of the Village.
5. That I understand and acknowledge that neither the issuance of a permit under this bylaw, the review of plans and supporting documents, nor inspections made by the building inspector shall in any way constitute a representation, warranty or statement that the B.C. *Building Code*, the Building Bylaw or any other bylaw of the town has been complied with.
6. That I confirm that I have relied only on the said registered professionals for the adequacy of the plans and supporting documents submitted with this application.
7. With respect to a complex building permit or a permit where a registered professional is involved the Village has relied and is relying exclusively on the Letter of Assurance of “Professional Design and Commitment for Field Review” prepared by:

(Insert name of registered professional)

Architectural: \_\_\_\_\_

Building Envelope: \_\_\_\_\_

Structural: \_\_\_\_\_

Mechanical: \_\_\_\_\_

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

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

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

Geotechnical – temporary: \_\_\_\_\_

Geotechnical – permanent: \_\_\_\_\_

In reviewing the plans and supporting documents submitted with this application for a building permit.

8. That I understand that where used herein the words “work” or “work or undertaking in respect of which this application is made” includes all plumbing, mechanical, and other works necessary to complete the contemplated construction.
9. That I am authorized to give these representations, warranties, assurance and indemnities to the Village.

That I confirm that I have been advised that I should seek independent legal advice from a lawyer in respect of signing this form.

Owner’s Information

Agent for Owner Information:

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address (Print)

\_\_\_\_\_  
Address (Print)

\_\_\_\_\_  
Title (Print)

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address (Print)

\_\_\_\_\_  
Address (Print)

\_\_\_\_\_  
Title (Print)

If owner is a company, affix Corporate seal in a space below:

The Corporate Seal of

Witness Information

\_\_\_\_\_  
Was hereunto affixed in the Presence of:

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

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of Officer (print)

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

\_\_\_\_\_  
Title of Officer (print)

\_\_\_\_\_  
Occupation (print)

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Name of Officer (print)

\_\_\_\_\_  
Title of Officer (print)

The above must be signed by the owner or his appointed agent. The signature must be witnessed. If the owner is a company, the corporate seal of the company must be affixed to the document in the presence of the duly authorized officers. The officers must also sign, setting forth their positions in the company.

Please note the following provision from the Village of Telkwa Building Regulation Bylaw:

- 4.3 It shall be the full and sole responsibility of the *owner* (and where the *owner* is acting through a representative, the representative) to carry out the work in respect of which the permit was issued in compliance with the *Building Code* and this bylaw or other applicable enactments respecting safety.

**FORM M**  
**OWNER'S UNDERTAKING OF BUILDING FOUNDATION**  
Building Inspection Division of the Development Services Department  
(250) 846-5212

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Permit #: \_\_\_\_\_

Project: \_\_\_\_\_

Project Site Address: \_\_\_\_\_

Legal Description: Lot: \_\_\_\_\_ District Lot: \_\_\_\_\_ Plan: \_\_\_\_\_

Pursuant to Section 10.1.13 of the Village of Telkwa Building Regulation Bylaw, I \_\_\_\_\_ being the registered owner of the above referenced property do hereby acknowledge and accept responsibility for the design and construction of the foundation for the above referenced project.

Furthermore, I recognize that within the boundaries of the Village of Telkwa there are areas of "Problem Soils" and that these are widely distributed as to location. I affirm that it is my responsibility as owner to identify foundation conditions generally on which the intended construction is to be placed and take all action required to ensure the adequacy of the foundation.

**Owner's Information**

**Agent for Owner's Information**

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

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

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Signature**

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

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

\_\_\_\_\_  
**Title (Print)**



FORM N

# **ATTENTION**

**NOTICE IS HEREBY GIVEN THAT UNDER THE  
BYLAWS OF THE VILLAGE OF TELKWA, ANY  
USE OR OCCUPANCY OF THIS STRUCTURE IS  
PROHIBITED DUE TO CONTRAVENTION OF THE  
VILLAGE OF TELKWA BUILDING BYLAW NO. 533, 2003**

# **DO NOT OCCUPY**

**THIS STRUCTURE.**

**ANY USE OR OCCUPANCY OF THIS STRUCTURE WITHOUT  
WRITTEN PERMISSION OF THE BUILDING INSPECTOR IS  
PROHIBITED.**

**CONTACT THE BUILDING INSPECTOR AT THE REGIONAL  
DISTRICT OF BULKLEY-NECHAKO AT 250-692-3195 FOR  
MORE INFORMATION.**

**IT IS UNLAWFUL FOR ANYONE TO REMOVE OR TEMPER  
WITH THIS NOTICE.**

**SCHEDULE “B”**  
**CLIMATIC DATA FOR THE VILLAGE OF TELKWA**

Notice to Builders and Designers – the following Climatic Information shall be used for Building Design within the Village of Telkwa boundaries.

CLIMATIC DATA

Climatic Zone 7A

The following snow/rain values are to be used when calculating roof design live loads:

Ground Snow Load (kPa) – 4.1

Assoc. Rain Load (kPa) – 0.2