

**VILLAGE OF TAHSIS
BUILDING BYLAW NO. 525, 2006**

**A bylaw of the Village of Tahsis to provide for the administration
of the Building Code.**

WHEREAS section 692 (1), (2) of the *Local Government Act* authorizes the Village of Tahsis, for the health, safety, and protection of persons and property, to regulate the construction, alteration, repair, or demolition of building 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 building 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 Tahsis, in open meeting assembled, enacts as follows;

Section 1 - Citation

1.1 This Bylaw may be cited as the "Village of Tahsis Building Bylaw 525, 2006".

Section 2 - Definitions

2.1 In this Bylaw:

The following words and terms have the meanings set out in section 1.1.3.2 of the British Columbia Building Code 1998: **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, non-combustible construction, occupancy, owner, registered professional, and residential occupancy.**

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

"Building Official" means the person employed or contracted by the Village to administer this Bylaw.

"Village" means the Village of Tahsis.

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“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.

“Value” means the fair market value of the work proposed to be undertaken, including materials and labour.

“Health and safety aspects of the work” means design and construction regulated by Part 3, Part 4, and sections 9.4, 9.8, 9.9, 9.10, 9.12, 9.14, 9.15, 9.17, 9.18, 9.20, 9.21, 9.22, 9.23, 9.24, 9.31, 9.32, and 9.34 of Part 9 of the Building code.

“Complex (Part 3) 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 building 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.

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“Standard (Part 9) 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:

- (i) residential occupancies,
- (ii) business and personal services occupancies,
- (iii) mercantile occupancies, or
- (iv) medium and low hazard industrial occupancies.

Section 3 - Purpose of Bylaw

- 3.1 This 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 in the general public interest. The activities undertaken by or on behalf of the Village pursuant to this Bylaw are for the sole purpose of providing a limited and interim spot checking function for reason of health, safety, and the protection of persons and property. It is not contemplated nor intended, nor does the purpose of the 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 or a 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;

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- 3.2.4 to providing a warranty or assurance that construction undertaken pursuant to building permits issued by the Village is free from latent, or any defects;
- 3.2.5 to providing to any person a warranty that construction is in compliance with the Building Code, this Bylaw or any other enactment with respect to a building or structure for which a building permit or occupancy permit is issued under this Bylaw.

Section 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 specifications or supporting documents, nor any inspections made by or on behalf of the Village 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 the Building Code, the requirements of this Bylaw 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, this Bylaw and 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 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.

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Section 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, change of occupancy and occupancy of existing buildings and structures.
- 5.2 This Bylaw does not apply:
- (a) to buildings or structures exempted by Part 1 of the Building Code except as expressly provided herein;
 - (b) to retaining structures less than 1.5 meters in height;
 - (c) to the clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, when such repairs do not involve or require the replacement or rearrangement of valves, pipes, fixtures or hot water tanks.

Section 6 – Prohibition

- 6.1 No person shall commence or continue any construction, alteration, placement, reconstruction, demolition, removal or relocation or change the occupancy of any building or structure, including evacuation 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:
- (a) unless a valid and subsisting occupancy permit has been issued by a Building Official for the building or structure; or
 - (b) 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 temper with any notice, permit or certificate posted upon or affixed to a building or structure pursuant to this Bylaw.

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- 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 on property in the administration of this Bylaw.

Section 7 - Building Officials

- 7.1 A 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 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 conform to the requirement of the building Code.
- 7.2 A Building Official;
 - 7.2.1 may enter any land, building, structure or premises at all reasonable times to ascertain whether the requirements of this Bylaw are being met and its regulations 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 24 hours in advance of entry; and
 - 7.2.3 shall carry proper credential 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 the contravention of this bylaw.

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- 7.4 If the cessation of work has been ordered under section 32.3 of this Bylaw, a Building Official may authorize the work to continue when the contravention has been corrected.

Section 8 – Applications

- 8.1 Unless exempted by section 5.2 of this Bylaw, a person shall apply for and obtain:
- 8.1.1 a building permit before construction, repairing or altering a building or structure;
 - 8.1.2 a moving permit before moving a building or structure;
 - 8.1.3 a demolition permit before demolishing a building or structure
 - 8.1.4 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 included in a valid and subsisting building permit.
- 8.2 An application for a permit required under this Bylaw shall be made in the form provided by the Building Official.
- 8.3 All plans submitted with permit applications shall bear the name and address of the designer of the building or structure.
- 8.4 Each building or structure to be constructed on a site requires a separate building permit and shall be assessed a separate building permit fee calculated as prescribed in Schedule “A” to this bylaw.
- 8.5 The Building Official may require a geotechnical report completed by a qualified professional as per the regulations in Section 56 of the *Community Charter* and/or a Riparian Areas report as per Riparian Areas Regulations set out by the Province and completed by a qualified professional as regulated in any other Bylaws of the Village or other enactments.
- 9.0 Application for Complex Buildings**
- 9.1 An application for a building permit with respect to a Complex Building shall be made as per Schedule “B” to this bylaw:

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10 Application for Standard Buildings

- 10.1 An application for a building permit with respect to a Standard Building shall be made as per Schedule "C" of this bylaw.

11. Professional Plan Certification

- 11.1 The letters of assurance in the form of Schedules B-1 and B-2 referred to in section 2.6 or Part 2 of the Building code and provided pursuant to sections 9.1.11, 10.1.10, 10.2.5 and 15.1 of this Bylaw are relied upon by the Village 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 letter of assurance pursuant to section 10.2.5 of this bylaw, shall be in the form required by the Village.
- 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 When a building permit is issued in accordance with section 11.2 of this Bylaw the permit fee shall be reduced by 50% of the fees payable pursuant to Schedule "A" to the bylaw.

12 Fees and charges

- 12.1 In addition to the applicable fees and charges required under other bylaws, a permit fee, prescribed and calculated in accordance with Schedule "A" to this Bylaw, shall be paid in full prior to the issuance of any permit under this Bylaw.
- 12.2 The applicable plan-processing fee prescribed in Schedule "A" shall accompany an application made for a building permit to this Bylaw:
- 12.2.1 the plan-processing fee is non-refundable and shall be credited against the building permit fee when the building permit is issued.

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- 12.2.2 an application shall be cancelled and the plan-processing fee forfeited if the building permit has not been issued and if the permit fee is not paid within 180 days of the date of written notification to the owner that the permit is ready to be issued.
- 12.2.3 when an application is cancelled the plans and related documents submitted with the application may be destroyed.
- 12.3 The owner may obtain a refund of the permit fees prescribed in Schedule "A" to this Bylaw when a permit is surrendered and cancelled before any construction begins, but the refund shall not include the plan-processing fee paid pursuant to section 12.2 of this Bylaw.
- 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, the re-inspection charge prescribed in Schedule "A" to this Bylaw shall be paid prior to additional inspections being performed.

13 Building Permits

- 13.1 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 to the Building code, this Bylaw and all other applicable bylaws and enactment respecting safety;
 - 13.1.3 the owner or the owner's representative has paid all applicable fees prescribed under section 12.1 of this bylaw;
 - 13.1.4 the owner or the owner's representative has paid all charges and met all requirements imposed by any other enactment or bylaw;
 - 13.1.5 no enactment, covenant, agreement, or regulation favouring or enacted by the Village authorizes the permit to be withheld or prevents it from being issued;

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- 13.1.6 the owner has retained a professional engineer or geoscientist if required by the *Engineers and Geoscientist Act* and the *Community Charter* or Bylaw of the Village or other enactment;
- 13.1.7 the owner has retained an architect if required by the *Architects Act*;
- a Building Official shall issue the permit for which the application is made.
- 13.2 When the application is in respect of a building that includes, or will include, a residential occupancy, the building permit must not be issued unless the owner provides the evidence required by section 30(1) of the *Homeowner Protection Act, S.B.C. 1998, c.31* and amendments thereto.
- 13.3 Except as otherwise provided in section 25.3, every permit is issued upon the condition that the permit shall expire and the rights of the owner under the permit shall terminate if:
- 13.3.1 the work authorized by the permit is not commences within six (6) months from the date of issuance of the permit;
- 13.3.2 work is discontinued for a period of more than one (1) year; or
- 13.3.3 the exterior finish of the building is not completed within eighteen (18) months from the date of issuance of the permit.
- 13.4 A Building Official may issue a foundation permit prior to the issuance of a building permit.
- 13.5 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 to demonstrate to the Building Official that the portion authorized to be constructed substantially complies with the Building Code, and with this and other applicable bylaws, and provided 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.

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13.6 When a site has been excavated under an excavation permit issued pursuant to section 13.4 of the bylaw and a building permit is not subsequently issued or a subsisting building permit has expired in accordance with the requirements of section 13.3, 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 sixty (60) days of being served notice by the Village to do so.

14.0 Disclaimer of Warranty or Representation

14.1 Neither the issuance of a permit under this Bylaw, the review and acceptance of the design, drawing, plans or specifications, nor inspections made by the Building Official, shall constitute a representation or warranty that the Building Code or this Bylaw have been complied with or that the building or structure meets any standard of materials or workmanship.

14.2 No person shall rely on the issuance of a permit under this bylaw, the review or acceptance of the design, drawings, plans or specifications nor any inspection made by a Building Official as establishing compliance with the Building Code or this Bylaw or any standard of construction, materials or workmanship.

15.0 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 to 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-8" 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 a 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 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 section 9.1.11, 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 the form provided by the Building Official.

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16.0 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, during construction:
- 16.2.1 post and maintain the permit in a conspicuous place on the property in respect of which the permit is issued;
 - 16.2.2 keep a copy of the accepted designs, plans and specification on the property; and
 - 16.2.3 post the civic address on the property in a location visible from any adjoining streets.

17.0 Inspections

- 17.1 When a registered professional provides letters of assurance in accordance with sections 9.1.11, 10.1.10, 10.2.5 or 15.1 of the Bylaw, the Village 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 certification that the construction substantially conforms to the design, plans and specifications and that the construction 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 In addition to the inspections required under section 17.4, a Building Official may attend 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.

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- 17.4 The owner, or the owner's representative, shall give at least two week's notice to the Village 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 them:
- 17.4.1 installation of perimeter drain tile and damp-proofing, prior to backfilling;
 - 17.4.2 the preparation of ground, including ground cover, when required, prior to the placing of a concrete slab;
 - 17.4.3 rough in of factory built chimneys and fireplaces and solid fuel burning applications;
 - 17.4.4 the framing and sheathing
 - 17.4.5 duct work, roughed-in plumbing or gas venting
 - 17.4.6 insulation and vapour barrier
 - 17.4.7 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 work referred in 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 subject of a registered professional's letter of assurance provided in accordance with sections of 9.1.11, 10.1.10, 10.2.5, 15.1 or 15.2 of this Bylaw.

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18.0 Occupancy Permits

18.1 No person shall occupy a building or structure or part of a building or structure or change the class of occupancy of a building or structure until an occupancy permit has been issued in the form provided by the Village

18.2 An occupancy permit shall not be issued unless:

18.2.1 all letters of assurance have been submitted when required in accordance with section 9.1.11, 10.1.10, 10.2.5, 15.1, and 15.2 of this Bylaw; and

18.2.2 all aspects of the work requiring inspection and an acceptance pursuant to section 17.4 of this Bylaw have been inspected and accepted.

18.3 A Building Official may issue an occupancy permit for part of a building or structure when that part of the building or structure is self-contained, is provided with essential services and meets the requirements as set out in section 18.2 of this Bylaw.

19.0 Retaining Structures

19.1 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. Sealed copies of the design plan and field review reports prepared by the registered professional for all retaining structure greater than 1.5 meters in height shall be submitted to a Building Official prior to acceptance of the works of the Building Official.

20.0 Bonding Against Damage to Highway

20.1 Where an owner will, in the course of construction of the building for which a permit is issued:

(a) be excavating upon the property;

(b) be bringing heavy equipment onto the site from the adjacent roadway; or

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- (c) be transporting materials from or to the site across a curb or ditch where no boulevard crossing has been constructed;

the owner must deposit to the Village a sum of money sufficient to pay for the costs of repairing any damage likely to be done to the adjacent highway, or public utilities located in or on the adjacent highway, during the course of construction.

- 20.2 The sum of money required by subsection 20.1 herein shall be as specified in Schedule "A 2" to this Bylaw, and shall be deposited with the Village in the form of cash, certified cheque or Irrevocable Letter of Credit in the Village's standard format from a Chartered Bank of Canada, prior to the issuance of the building permit.
- 20.3 Where it is deemed necessary by the Public Works Manager or a Building Official to sweep the streets due to construction activities in connection with or under a building permit, there shall be deducted from the monies on deposit the fee for the sweeping of streets as set out in Schedule "A 2" to this Bylaw.
- 20.4 Where a highway, or a public utility on or adjacent to a highway, has been damaged by any work undertaken in connection with or under a building permit, and where the owner fails to clean up or repair the highway or public utility, or cause the highway or public utility to be cleaned up or repaired in a manner satisfactory to the Public Works Manager within fourteen (14) days of being notified to do so by the Public Works Manager or Building Official, then the Village or its authorized agents shall carry out such repairs or clean up as is deemed necessary by the Public Works Manager and may use the security provided by the owner under section 20.2 to pay the costs of such repairs or cleanup.
- 20.5 Should there be an insufficiency of monies on deposit with the Village, then the owner shall be liable for payment, and shall pay forthwith, upon invoice, the balance that is required by the Village to carry out or cause to be carried out, the necessary repairs, clean up or highway reconstruction, together with an administration charge of twenty-five (\$25.00) dollars.
- 20.6 Sections 20.1 to 20.5 inclusive shall not apply to property that is not serviced by underground municipal utilities or a paved road.

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21.0 Driveway Access

21.1 No person shall construct any driveway or other access to any building from any street without a permit from the Building Official approving the location and grade of the driveway or other access.

21.2 No person shall install a culvert unless a permit has been obtained under this Bylaw for that purpose. No permit for the installation of any culvert shall be issued unless the location, size, line grade, length and type of pipe is approved by the Building Official. The culvert shall be bedded upon acceptable bedding material and backfilled with approved pit run gravel or better. The minimum length for a driveway culvert shall be six (6) meters.

22.0 Application for Modular Homes

22.1 An application for a building permit with respect to a modular home shall be made as per Schedule "D" of this bylaw:

23.0 Mobile Homes

23.1 An application for a building permit with respect to a mobile home shall be made as per Schedule "E" of this bylaw:

24.0 Park Model Trailers

24.1 General

All park model trailers and components that are placed on a parcel within the Village shall be certified, at the time of manufacture, by the Canadian Standards Association as complying with CAN/CSA Z241,10.1 " Site Preparation, Foundation and Anchorage of Mobile Homes".

24.2 Installation

The installation of park model trailers shall conform to:

- (a) the manufacturer's installation instructions; or
- (b) CSA Z240,10.1 "Site Preparation, Foundation and Anchorage of Mobile Homes".

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25.0 Moving Buildings

- 25.1 No person shall move a building or structure into the Village, or from place to place within the Village, unless he or she has a valid and subsisting permit issued by the Building Official. The fees for such a permit shall be as prescribed and set forth in Schedule "A" attached hereto.
- 25.2 The Building Official shall not issue a permit as required in subsection 25.1 unless there has been produced a certificate, signed by a registered professional, certifying that the building or structure substantially conforms to the health and safety aspects of the Building Code (as defined in Part 20.0 of this Bylaw) in all respects.
- 25.3 No building or structure may be relocated within the Village unless it meets the following conditions:
- (a) it has a value when completed of not less than 100% of the average of all building within a 50 meter radius of the lot which it is to be located;
 - (b) it must be placed on a permanent foundation within three (3) months from the date of issuing the permit;
 - (c) all construction must be completed within twelve (12) months of issuing the permit;
 - (d) the owner must provide cash or letter of credit equivalent to 125% of the value of the work performed as a guarantee that the building exterior is completed within twelve (12) months of issuing the permit.

28 Fire Limit Areas

- 28.1 An application for a building permit with respect to a Fire Limit Areas shall be made as per Schedule "F" of this bylaw:

29. Plumbing Permits - Qualifications of Applications

- 29.1 No permit for the installation, repair or replacement of plumbing in any building shall be issued unless the applicant:

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- (a) possesses a British Columbia tradesman's qualification certificate as plumber; or
- (b) is the registered owner and occupier of the single family dwelling in which the plumbing is to be installed, repaired or replaced, provided that the Building Official has been provided with proof that the owner is able to satisfactorily complete the proposed work.

30.0 Permits, Applications and Forms

30.1 A Building Official may from time to time prescribe the form of application, permit, stop work notice, do not occupy notice, and other forms required for the purpose of administering this Bylaw.

31.0 Cancellation of Permit

31.1 A Building Official may revoke a permit issued under this Bylaw where:

- 31.1.1 the application for the permit contained false or misleading information;
- 31.1.2 there is a contravention of a provision of this Bylaw or the Building Code

31.2 The revocation of a permit must be in writing and delivered to the owner in person or by registered mail.

31.3 An owner may, within 14 days of delivery of the notice of revocation, apply to the Village Council for a reconsideration of the decision of the Building Official to revoke the owner's permit.

32.0 Penalties and Enforcement

32.1 Every person who contravenes any provision of this Bylaw commits an offence punishable on summary conviction and shall be liable to a fine of not more than Ten Thousand (\$10,000.00) Dollars or to imprisonment for not more than six (6) months.

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- 32.2 A person who fails to comply with an order or notice issued by a Building Official or who allows a violation of this Bylaw to continue, despite that order or notice, commits an offence.
- 32.3 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 on the site of work.
- 32.4 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.
- 32.5 Where a person occupies a building or structure or part of a building or structure in contravention of section 6.2 of this Bylaw a Building Official may post a Do Not Occupy notice on the affected part of the building or structure.
- 32.6 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 provision 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.
- 32.7 Every person who commences work requiring a building permit without first obtaining such a permit shall, pay an additional charge equal to double of the building permit fee prior to obtaining the required building permit.

33.0 Severability

- 33.1 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.

34.0 Schedules and Appendices

- 34.1 Schedules "A" through "F" attached to this Bylaw forms a part of and is enforceable in the same manner as this Bylaw.

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35.0 Transitional

35.1 The provisions of this Bylaw apply to every building permit for which an application is received after the date of adoption of this bylaw.

35.2 The provision of the Village of Tahsis Building Bylaw No. 4 1970 shall continue to apply to all building permits issued before the adoption of this Bylaw and in respect of which:

- (a) the permit has not been cancelled; or
- (b) an occupancy permit for the work authorized by the permit has not been issued.

36.0 Repeal Bylaw

36.1 Except to the extent provided in section 35.2, Village of Tahsis Building Bylaw No. 4 1970, and any other amendments thereto, is hereby repealed in its entirety.

This bylaw may be cited for all purposes as the “Village of Tahsis Building Bylaw 525-2006.

READ for the first time this 19th day of June, 2006.

READ for the second time this 19th day of June, 2006.

READ for the third time this 19th day of June, 2006.

RECONSIDERED, finally passed and adopted this 20th day of June, 2006

Mayor

Deputy Director of Corporate
Administration

I hereby certify that the foregoing is a true and correct copy of the original Bylaw No. 525 2006 duly passed by the Council of the Village of Tahsis on this 20th day of June, 2006.

Deputy Director of Corporate
Administration