

DISTRICT OF STEWART

BUILDING REGULATION BYLAW No.843, 2010

A BYLAW TO REQUIRE ALL BUILDINGS, CONSTRUCTION, ALTERATIONS, AMENDMENTS, ADDITIONS, REPAIRS, RELOCATIONS AND DEMOLITIONS TO CONFORM TO THE BRITISH COLUMBIA BUILDING CODE

WHEREAS section 8(3)(l) of the *Community Charter* provides that a municipal Council may by bylaw regulate, prohibit and impose requirements in relation to buildings and other structures.

AND WHEREAS section 2(2) of the Buildings and Other Structures Bylaws Regulation, B.C. Reg. 86/2004 provides that a municipal Council may, for the purposes of section 9(4)(a) and (b) of the Community Charter, adopt a bylaw that establishes standards for the construction, alteration, repair and demolition of certain buildings or structures, subject to the restriction that the Bylaw may not establish standards that are additional to or different from the standards established by the British Columbia Building Code

AND WHEREAS Council for the District of Stewart wishes to provide for the application of the British Columbia Building Code to the design, construction and occupancy of all buildings throughout the District.

AND WHEREAS Council intends that the owner of land on which a building is constructed shall be solely responsible to ensure that the design, construction and occupancy of that owner's building is in conformity with the provisions of the District of Stewart's BUILDING REGULATION BYLAW NO. 843, 2010, as amended or replaced from time to time.

NOW, THEREFORE, the Council of the District of Stewart, in open meeting assembled, enacts as follows:

CITATION

1. This Bylaw shall be cited as "BUILDING REGULATION BYLAW NO. 843, 2010".

DEFINITIONS

2. In this Bylaw:

- (a) "Building" and "owner" have the meaning set out in section 1.4 of Division A - Part 1 of the British Columbia Building Code 2006.
- (b) "Building Code" means the British Columbia Building Code 2006 as adopted by the Minister pursuant to section 692(1) of the Local Government Act, as amended or re-enacted for time to time.

APPLICATION OF BUILDING CODE

3. The design, construction and occupancy of all buildings within the District must conform to the provisions of the Building Code.

RESPONSIBILITIES OF OWNER

4. It is the full and sole responsibility of the owner to ensure that the design, construction and

occupancy of that owner's building is in compliance with the Building Code.

- 5. The owner must provide at least forty-eight (48) hours advance notice in writing, to the District before commencing any construction, or changing the occupancy of a building, where the construction or change in occupancy is subject to the Building Code. The notice required under this Bylaw must be in the form set out in SCHEDULE "A", attached to and forming part of this Bylaw.

OFFENCE

- 6. Every person who contravenes a 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.
- 7. The penalties imposed under this Bylaw shall be in addition to and not in substitution for any other penalty or remedy imposed by any enactment.
- 8. If any offence continues for more than one day, separate fines, each not exceeding the maximum for that offence, may be imposed for each day during which the contravention occurs or continues.

REPEAL

- 9. The "District of Stewart Building Bylaw No.670, 1996" and any amendments, is repealed.

SEVERANCE


- 10. If a Court of competent jurisdiction declares any phrase, sentence or section of this Bylaw as being invalid, then the invalid portion shall be severed and the severance shall not affect the validity of the remainder.
- 11. Unless specifically provided for elsewhere in this Bylaw, this Bylaw shall come into full force upon adoption.

READ A FIRST TIME this 13th day of September, 2010.

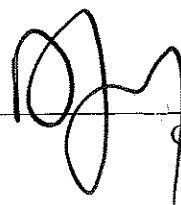
READ A SECOND TIME this 13th day of September, 2010.

READ A THIRD TIME this 13th day of September, 2010.

FINALLY CONSIDERED AND ADOPTED this 12th day of October, 2010.



 Mayor



 Corporate Officer

- Please Complete this form
- Return completed form only (detach from page 1) to the District of Stewart Office (705 Brightwell Ave.)

SCHEDULE "A" ATTACHED TO AND FORMING PART OF BYLAW NO. 843, 2010

NOTICE OF INTENTION TO CONSTRUCT OR TO CHANGE THE OCCUPANCY OF A BUILDING WITHIN THE DISTRICT OF STEWART.

Owner: _____

Address: _____

Legal Description of Property: _____

Intended use of Building: _____

Zone in which property located: _____

Corporate Officer's Comments:

ACKNOWLEDGMENT

I/We the undersigned, hereby acknowledge my/our responsibility to abide by the requirements of the District of Stewart's "Building Regulation Bylaw No. 843, 2010" ("the Bylaw") in relation to any construction on the above mentioned property, and to fully comply with the construction standards of the Building Code. I/We also understand that the District of Stewart will not be responsible for providing a Building Inspector to inspect the construction at any stage or to review my building plans for compliance with the Building Code, and that as the owner it is my full and sole responsibility to ensure that the design, construction and occupancy of the building is in compliance with the Building Code. I/we further understand that failure to comply with the above provisions may result in legal enforcement proceedings, and may result in a fine as set out in the Bylaw.

Owner

Corporate Officer
District of Stewart