

**KAMLOOPS INDIAN BAND**  
**OFFICE CONSOLIDATION OF**  
**BUILDING BY-LAW NO. 1995-05**

**WARNING NOTE!!**

Users of this consolidation are reminded that it has been prepared for convenience of reference only and that, as such, it has no official sanction.

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**KAMLOOPS INDIAN BAND**  
**BUILDING BY-LAW NO. 1995-05**

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**KAMLOOPS INDIAN BAND**

**BY-LAW NO. 1995-05**

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

Should any provision of this By-law be found invalid such provision is severable.

WHEREAS Section 81 of the Indian Act empowers the Council of a band to make by-laws respecting the regulation of the construction, repair and use of buildings and make by-laws with respect to any matter arising out of or ancillary to the exercise of powers under Section 81 and the imposition of a penalty for the violation thereof;

AND WHEREAS it is deemed necessary for the health, safety and protection of persons and property to regulate the construction, alteration, repair or demolition of buildings and structures and regulate the installation, alteration, or repair of plumbing (including septic tanks and sewer connections) and the installation of electrical wiring, fixtures and services;

NOW THEREFORE the Chief and Council of the Kamloops Indian Band in open meeting assembled, enacts as follows:

1. This By-law may be cited for all purposes as the Kamloops Indian Band Building Regulations By-law No. 1995-05.
2. Kamloops Indian Band Building Regulations By-law No. 1995-05 and Kamloops Indian Band Waterworks Mt. Paul Industrial Park By-law 1995-004.

**DIVISION ONE - PREAMBLE**

**100 Short Title**

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

**101 Purposes**

The purpose of this by-law is to promote the health, safety and protection of persons and property and, subject to the Health Act and the Fire Services Act, to:

- (1) regulate the construction, alteration, repair, demolition, relocation or removal of buildings and structures; and
- (2) regulate the installation, alteration or repair of plumbing, heating and air conditioning, including appurtenant fittings, appliances and accessories.

**102 Metric Units**

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

**103 Application**

This by-law shall apply to:

- (1) the design and construction of a building when a building, or part

thereof, is constructed on site or is assembled or placed on-site as a factory-built unit or component;

- (2) the work involved in the demolition when the whole or any part of a building is demolished or removed;
- (3) all parts of the building when the whole or any part of a building is moved;
- (4) any alteration and to any part of a building affected by alterations to an extent which, in the opinion of the Building Inspector reduces the levels of public health and safety below the levels existing prior to the alteration;
- (5) all parts of the building affected by the change of use when occupancy and/or use of a building is changed;
- (6) all such replacements and alterations when materials and equipment regulated are replaced or altered in a building;
- (7) any part remaining when a building is damaged or destroyed to the extent of seventy-five (75) per cent or more of its value above its foundations as determined by the Building Inspector;
- (8) site grading and/or asphalt or other permanent surfacing, which will affect the drainage characteristics of the site;
- (9) the construction, installation, relocation or alteration of swimming pools, together with all ancillary equipment, services and attachments normally employed in the use of a swimming pool, and to the construction of fences surrounding such swimming pools;
- (10) the design and installation of the entire system when a plumbing system is installed, repaired, renovated or altered;
- (11) the design and repair of the entire plumbing system where a condition exists that is, or may become dangerous or injurious to health, except where the portion of the system affected is completely independent from any other part of the system;
- (12) the design and installation of on-site roads and underground utilities for commercial, multi-family or strata developments; and
- (13) the design, construction, or installation of solid fuel burning fireplaces, chimneys and equipment.

**104 Other Enactments**

Where any Provincial or Federal Act or Regulation or any other Kamloops Indian Band By-law may apply to any matter covered by this By-law, compliance with this By-law shall not relieve the owner or his agent from complying with provisions of such other Act, Regulation or By-law.

**105 Severability**

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

**KAMLOOPS INDIAN BAND  
BUILDING INSPECTION DIVISION  
CLIMATIC DATA**

Effective \_\_\_\_\_

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

This information is included for convenience only and without prejudice.

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

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

**DIVISION TWO - DEFINITIONS**

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

**200 Agent**

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

**201 Approved**

"Approved" mean approved in writing.

**202 Building Code**

"Building Code" means the current edition of the British Columbia Building Code as amended, added to or varied by regulation made under Section 740 of the Municipal Act.

**203 Building Inspector**

"Building Inspector" means the person appointed from time to time by the Kamloops Indian Band as the Building Inspections Manager in accordance with the provisions of the Duties and Responsibilities By-law, as amended from time to time, and included his duly appointed representatives.

**204 Band**

"Band" means the Kamloops Indian Band.

**205** "Band Engineer" means the person appointed as such from time to time by the Kamloops Indian Band and any person delegated to assist him in carrying out his duties under this by-law.

**206** "Commissioning into Service" means authorization by the Band Engineer that the sewer system within the applicable Local Improvement Area is substantially completed and can be used for the purpose intended.

**207 Construction**

"Construction" means any erection, repair, alteration, enlargement, addition, installation, demolition, removal or excavation.

**208 Chief and Council**

"Chief and Council" means the Chief and Council of the Kamloops Indian Band.

**209 Director of Public Services and Operations**

"Director of Public Services and Operations" means the person so appointed from time to time by the Kamloops Indian Band in accordance with the provisions of the Duties and Responsibilities By-law, as amended from time to time, and includes his duly appointed representative.

**210 Enactment**

"Enactment" means any applicable by-law of the Band, or Federal Statute.

211 Flood Plain

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

212 "Local Improvement Area" means the area shown on the plan as Kamloops Indian Reserve #1.

213 Owner

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

214 Permit

"Permit" means a permit required or issued pursuant to this by-law and without restricting the generality of the foregoing, includes a Building Permit, Plumbing Permit, Demolition Permit, Solid Fuel Appliance Permit, Building Moving Permit, Swimming Pool and Fireplace Permit.

215 Person

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

216 Site

"Site" means a lot or lots upon which buildings and structures are constructed or placed or intended to be constructed or placed.

217 Swimming Pool

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

218 Work

"Work" means the same as "construction" defined in Section 205.

219 Reserve #1

"Reserve #1" means the Kamloops Indian BAnd Reserve #1, being those lands, the title of which is vested in the Crown in the Right of Canada, which are or have been set aside for the use and benefit of the Kamloops Indian BAnd and which have not been unconditionally surrendered.

DIVISION THREE - PROHIBITIONS

- 300 No person shall, unless exempted by this by-law or any enactment;
- (1) commence construction or continue to construct a building or struction or any project for which a permit is required without first obtaining a permit for that purpose from the Building Inspection Divison; No Permit
  - (2) continue to construct a building or any portion thereof, where the Building Inspector has ordered cessation of the construction or the suspension of any part of the construction; Stop Work
  - (3) perform any work that is at variance with the description, plans and specifications for the building, structure or work for which a permit has been issued, without first having obtained approval in writing from the Building Inspector to do so; Deviation
  - (4) occupy or allow the occupancy of any building, or part thereof, after construction of such building or part thereof, without first obtaining an Occupancy Certificate for such building; Illegal Occupancy
  - (5) excavate or undertake work on, over or under public property or store any materials thereon without approval having first been obtained from the Director of Public Services and Operations; Work on Public Property
  - (6) fail to comply with any order or notice issued by the Building Inspector; or Comply With Order
  - (7) excavate or fill any building site in the absence of a valid permit. Earthwork Without Permit
- 301 No person having authority in the construction, reconstruction, demolition, alteration, removal, relocation, or occupancy of a building shall cause, allow, or maintain any unsafe condition. Unsafe Condition
- 302 No person shall interfere with or obstruct the entry of the Building Inspector acting in the administration or enforcement of this by-law. Obstruction of Entry



**DIVISION FOUR - AUTHORITY OF BUILDING INSPECTOR**

- |     |   |                                       |
|-----|---|---------------------------------------|
| 400 | The Building Inspector is empowered to:   | <u>Administration</u>                 |
|     | (1) enforce and administer the provisions of this by-law; and   |                                       |
|     | (2) enter any building or property at any reasonable time for the purpose of administering or enforcing this or any other Band by-law.  | <u>Right of Entry</u>                 |
| 401 | The Building Inspector is empowered to order:   | <u>Empowered to Order</u>             |
|     | (1) a person who contravenes this by-law to comply with the by-law in a specified time period;  |                                       |
|     | (2) the removal of any unauthorized encroachment on public property;  | <u>Encroachment</u>                   |
|     | (3) the removal of any building or part thereof constructed in contravention of this by-law;  | <u>Illegal Construction</u>           |
|     | (4) the termination of any occupancy, in contravention of this by-law; and  | <u>Terminate Occupancy</u>            |
|     | (5) the termination of any occupancy if an unsafe condition is deemed to exist because of work undertaken or not completed.   |                                       |
| 402 | The Building Inspector is empowered when in his opinion any building, construction, excavation or part thereof is in an unsafe condition as a result of being open or unguarded, or because of danger of fire or risk of accident, and when due notice to correct such condition has not been complied with, to make safe such condition at the expense of the owner. | <u>Unsafe Conditions</u>              |
| 403 | The Building Inspector, at his discretion, when immediate measures must be taken to correct an imminent danger of fire or risk of accident, is empowered to take appropriate action, without notice and at the expense of the owner.  | <u>Correct Imminent Danger</u>        |
| 404 | Any and all expenses incurred by the Band resulting from works undertaken under Section 402 or 403 shall be payable forthwith by the owner, and if not previously paid before December 31 of the calendar year, may be added to that year's property taxes.   | <u>Payment of Costs</u>               |
| 405 | The Building Inspector, at his discretion, before issuing an Occupancy Certificate, may require the owner to provide certification that the requirements of this by-law and other applicable by-laws have been complied with.   | <u>Certification Before Occupancy</u> |

- 406 The Building Inspector is empowered in instances where a building permit is applied for, on land having no access to a Band approved water supply system, to require as a condition of issuance of a building permit that a covenant be registered against the property in the form of Schedule "B" which is attached to and forms part of this by-law. No Water Supply
- 407 The Building Inspector may direct the immediate suspension or correction of all or any portion of the work on any building, by attaching a notice to that effect on such premises, when ever it is found by him that such work is not being performed in accordance with the provisions of the Building Code or any relevant by-laws of the Band. Such notice shall remain posted on the premises until all work that is not being performed in accordance with the Building Code or this or any other by-law has been remedied to the satisfaction of the Building Inspector. No work, other than the required remedial measures, shall be carried out on the portion of the work affected by the Stop Work Notice until such notice has been removed, and such notice shall only be removed by the Building Inspector in writing. Stop Work Order
- 408 The Building Inspector may require any owner to submit an up-to-date plan of survey by a registered British Columbia Surveyor which shall contain sufficient information regarding the site and the location of and building to;
- (1) establish prior to construction that requirements of this By-law and any other applicable by-law will be complied with, and
- (2) verify at the earliest practicable time after work is in place that all such requirements have been complied with.
- 409 The Building Inspector may require any plans and/or specifications submitted to bear the seal and signature of a member of the Architectural Institute of British Columbia or the Association of Professional Engineers of British Columbia before it is accepted, if in his opinion; Plans & Specifications by Architectural Institute or Professional Engineer
- (1) The site condition, soil types, contours or drainage requires special foundations design, or
- (2) The proposed building or structure is not standard construction, or
- (3) The proposed building or structure is valued at \$25,000.00 or more, or

- (4) The proposed building or structure is of a category requiring professional design.

The Building Inspector may further require that all phases of the construction are reviewed, inspected and certified on completion by the Architect or Engineer over his official seal and signature.

- 410 The Building Inspector may issue at the risk of the owner, a Permit for the construction of a phase of a building or complex prior to all required plans and specifications for the whole building or complex having been submitted or approved, provided:
- Permit at risk of owner

- (1) plans and specifications for the phase in question have been submitted in sufficient detail to satisfy the Building Inspector that the work to be done will comply with all requirements of the Building Code and of this or any other related by-law.
- (2) adequate information and detailed statements have been filed to the extent that the Building Inspector is satisfied the remainder of the building or complex will comply with all pertinent by-laws.

The requirements of this By-law apply to the remainder of the building or complex, as if the permit had been issued for the entire structure.

- 411 The Building Inspector may refuse to issue a permit:
- Permit Refusal

- (1) when in his opinion, information submitted is inadequate to ensure compliance with this or any applicable by-law,
- (2) when incorrect information is submitted,
- (3) that would be prohibited by any other by-law, act or regulation,
- (4) when site work has been carried out previous to issuance of a permit, including but not limited to, excavation or fill.

- 412 The Building Inspector may revoke a permit: Revoke Permit
- (1) if there is contravention of any condition under which the permit was issued,
  - (2) that was issued in error,
  - (3) that was issued on the basis of incorrect information,
  - (4) for violation of any provision of the Building Code.
- The revocation shall be in writing and transmitted to the permit holder by registered mail.
- 413 The Building Inspector may, for the purpose of determining permit fees, place a value on the work to be carried out, where no cost estimate is available, or he is not satisfied with the value submitted with the permit application. Designation of Building Fees
- 414 The Building Inspector may issue, in the case of single or two-family dwellings only, where weather conditions have prevented the completion of exterior work, a temporary occupancy permit, provided that: Temporary Occupancy Permit
- (1) interior of building is complete;
  - (2) utility services are complete;
  - (3) sufficient proof has been provided that remaining work will be completed by a specified date;
  - (4) no unsafe conditions exist;
- 415 The Building Inspector in order to prevent unnecessary delay may, prior to issuing a permit, grant permission, subject to such conditions as seem to him prudent, for an owner to excavate or fill on a proposed building site. To Prevent Unnecessary Delay
- 416 The Building Inspector, prior to issuing a permit, or during the course of construction, is empowered to impose such conditions as he deems reasonable to protect neighbouring property. Conditions to protect adjacent Property

**DIVISION FIVE - DUTIES AND RESPONSIBILITIES OF THE OWNER**

500 It is the owner's responsibility, prior to commencing construction to: Before Construction

(1) investigate the status of the proposed building site and ensure that any concerns relating to flooding, drainage, soil stability or other potential hazards are addressed and resolved to the satisfaction of the Building Inspector;

(2) obtain a State of Title Certificate from the Indian Land Registry Office to determine whether there are encumbrances, i.e. easements, covenants, etc. which may affect the proposed construction; State of Title

(3) investigate the availability, location and capacity of utility services to determine whether the proposed development can be accommodated and arrange the plumbing to suit the location of the connections provided for the lot in a manner satisfactory to the Building Inspector; and Utilities

(4) obtain from the Band, or other authority having jurisdiction where applicable, all necessary permits and any other approvals required in connection with the proposed work. Obtain Permits

501 The owner shall, during construction:

(1) permit the Building Inspector to enter the building or premises at any reasonable time for the purpose of administering and enforcing this or any other Building By-law; Right of Entry

(2) ensure that no work on any part of the building or structure continues beyond the inspection stages outlined in Section 502 without first obtaining the appropriate inspection or the written approval of the Building Inspector depending upon the circumstances; Inspections

(3) (a) keep posted in a conspicuous place on the property in respect of which the permit was issued, a copy of the permit or the placard provided by the Building Inspection Division showing the material facts in the permit; and Documents on Site

(b) ensure that plans and specifications on which the permit is based are continuously available at the work site during working hours.

- 502 The owner shall give a minimum of one working day's notice to the Building Inspector: Notice of Inspection
- (1) of intent to do work that has been ordered inspected during construction;
  - (2) of intent to cover work that has been ordered to be inspected prior to covering;
  - (3) when work has been completed so that a final inspection can be made;
  - (4) and, while not limiting the generality of the foregoing, at the following stages of construction:
    - (a) when excavation and footing forms are complete, including placement of required reinforcing, but prior to placing of any concrete;
    - (b) when foundation concrete, damp-proofing, water-proofing and perimeter drains are complete, but prior to any backfill being placed;
    - (c) when all pipes, joints and fittings connecting the building or structure to the sewer connection or private disposal system and the water supply have been completed but prior to any backfill being placed;
    - (d) when all structural components are in place but uncovered including windows, concrete, structural iron, stairs, duct work, rough plumbing, wiring and gas venting;
    - (e) when insulation and vapor barrier are complete but prior to placement of any finish thereon;

- (f) when such tests as may be required by the Plumbing Code or this by-law are being carried out on a building drainage system;
- (g) when the building water supply system has been completed and is under normal operating pressure;
- (h) when all fixtures, devices, attachments and appurtenances of the building plumbing system are complete; and
- (i) when all work is complete but prior to occupancy.

503 The owner shall not continue building construction beyond the foundation stage until: Work Foundation Stage

(1) a level of fire protection acceptable to the Building Inspector has been provided for the construction phase; and Fire Protection

(2) the owner has provided a current Certificate of Location by a registered British Columbia Land Surveyor to certify that the building and/or addition under construction is located on the property in compliance with Band regulations. Notwithstanding the requirements of this subsection, where: Surveyors Certificate

(a) the building or addition is located on a large parcel such that setback distances to the nearest property line are not a concern;

(b) the owner has provided sufficient information to satisfy the Building Inspector that no utility rights-of-way or other encumbrances are present which may affect the building site; and

(c) the owner has determined that a Certificate of Location is not required for mortgage or other legal purposes;

the Building Inspector may accept a Letter of Certification from the Land Surveyor in lieu of a Certificate of Location, or may waive the requirement entirely if satisfied that no certification is necessary.

504 The owner shall make or have made at its expense, tests or inspections necessary to prove compliance with this by-law and shall file copies of test results and inspection reports with the Building Inspector. Tests

- 505 The owner when required by the Building Inspector, shall uncover and replace at its own expense any work that has been covered contrary to an order issued by the Building Inspector. Uncover and Replace
- 506 The owner shall ensure that all work is confined within the boundaries of the property on which the work is, or is to be located and does not adversely affect adjacent properties. Protect Adjacent Properties
- 507 (1) The owner is responsible for the cost to repair any damage to Band property that may occur as a result of undertaking work for which a permit was required under this by-law, and for the purpose of this clause:
- (a) "Band Property" means all road allowancesc land and easements, with all works, utilities, structures and appurtenances therein or thereon; and
  - (b) "Damage" includes but is not limited to the placement, dropping or deposit of earth, debris, materials, objects or substances upon Band property, or surface scarring, cracking or breaking of pavement, curbing or sidewalks, or damage to utility systems within Band property.
- (2) It shall be the responsibility of the owner to observe the conditions of all Band properties adjacent to and surrounding the building site and report any existing damage to the Building Inspector prior to commencing work. Any damage observed by the Building Inspector during the construction process or as part of the final inspection of the building will be assumed to have resulted from the subject building construction and therefore the owner's responsibility to resolve unless reported as outlined above.
- (3) In the event that damage which is the owner's responsibility is not resolved by the owner prior to issuance of the Certificate of Occupancy, or within such other time limit set by the Building Inspector, or the damage requires the involvement of Band work crews to resolved, the costs so incurred by the Band shall be paid by the owner. Any costs not previously paid before December 31 of the calendar year may be added to that year's property taxes.
- 508 The owner when required by the Building Inspector, shall provide, in a form satisfactory to the Building Inspector, evidence to certify compliance with the requirements of this by-law and of any permits required. Certification



- 509 The owner when a building or part thereof is in an unsafe condition, shall forthwith take all action necessary to put the building in a safe condition. Correct Unsafe Condition
- 510 The owner shall: Notice of Intent to Occupy
- (1) prior to the occupancy of any building, or part of it, after completion of construction of the building, or part of it, including work required in connection with any change in classification of occupancy of any building, or part of it, obtain from the Building Inspector a Certificate of Occupancy;
- (2) prior to occupancy of the building, complete all site work including paving, curbing and landscaping, or post security with the Band or otherwise satisfy the Building Inspector that the work in question will be completed by a specified date in accordance with Band by-laws. Complete Site Works
- 511 Neither the granting of a permit nor the approval of the drawings and specifications nor inspections made by the Building Inspector shall in any way relieve the owner of such building from full responsibility for carrying out the work or having the work carried out in accordance with the requirements of this by-law, and any other enactment. Work in Accordance with By-laws
- 512 Where, at the time of application for a building permit, works and services exist on the land to be developed or within that portion of a highway immediately adjacent to the land up to the highway centre line, and if such works and services do not meet the minimum standards established by Kamloops Indian Band Subdivision Control By-law, as amended from time to time, then as a condition of issuing a building permit, the landowner may be required to improve the substandard works and services to at least the minimum standards as required by Kamloops Indian Band Subdivision Control By-law, as amended from time to time.

DIVISION SIX - PERMITS

- |     |   |   |
|-----|---|---|
| 600 | A permit is required whenever work regulated by this by-law is to be undertaken.  | <u>Permit Required</u>                            |
| 601 | To obtain a permit the applicant shall apply in writing on the form available from the Development Services Department, Building Inspection Division.   | <u>Application for Permit</u>                     |
| 602 | Sufficient information shall be filed with each application to clearly identify the property to be developed and to enable the Building Inspector to determine whether the proposed work will conform to this by-law or other enactments. Where required by the Building Inspector, the applicant shall provide a current Certificate of Title for the subject property.  | <u>Complete Description of Work and Occupancy</u> |
| 603 | Site plans shall be drawn to scale and referenced to the current registered legal survey for the subject property and shall show:<br><br>(1) by dimensions form property lines, the location of the proposed building, or buildings;<br><br>(2) means of access and egress to service the property and a detailed parking layout;<br><br>(3) the similarly dimensioned location of any other existing building or buildings on the site;<br><br>(4) existing and finished ground levels to an established datum;<br><br>(5) all easements and rights-of-way whether registered or not, and the location of natural water courses;<br><br>(6) for other than single and two family dwellings, provision for garbage containers, proposed method of screening and a detailed landscape treatment for the site; and<br><br>(7) such other information as the Building Inspector considers necessary to illustrate all essential features of the project. | <u>Site Plans</u>                                 |
| 604 | The Building Inspector may require any plans and/or specifications submitted to bear the seal and signature of a member of the Architectural Institute of British Columbia or the Association of Professional Engineers of British Columbia before it is accepted, if in his opinion:<br><br>(1) the site conditions, soil types, contours or drainage requires special foundation design, or   | <u>Certification of Plans</u>                     |

(2) the proposed building or structure is not standard construction, or

(3) the proposed building or structure is of a category requiring professional design.

The Building Inspector may further require the owner to provide proof that all phases of the construction will be supervised and inspected during construction and certified on completion by the Architect or Engineer over his official seal and signature. Such proof shall take the form of a Letter of Supervision in a format acceptable to the Building Inspector, sealed and signed by the Supervising Architect or Engineer, submitted prior to commencement of the project, and a similarly completed Letter of Certification upon completion of the project.

Supervision &  
Certification of  
Construction

605 The Building Inspector may require any owner to submit an up-to-date plan of survey by a registered British Columbia Land Surveyor which shall contain sufficient information regarding the site and the location of any building to:

Survey

(1) establish prior to construction that requirements of this by-law and any other enactment will be complied with; and

(2) verify at the earliest practicable time after work is in place that all such requirements have been complied with.

606 No permit shall be issued until:

Service Costs and  
Permit Fees

(1) off-site utilities to service the subject property are completed to the approval of the Band Engineer and Operations and/or all appropriate connection fees or other construction costs have been paid;

(2) the prescribed permit fee as detailed in Schedule "A" attached to this by-law has been paid; and

(3) (a) where required, bonding or other security has been posted;

(b) security in the form of cash or an irrevocable letter of credit for landscaping has been provided prior to the issuance of a building permit for all uses other than single or two family dwellings; and

(c) security in the form of cash or an irrevocable letter of credit has been provided for site maintenance during building construction and site development as follows:

- Single and two family building Permits \$2,000
- Multiple family, commercial and industrial building permits \$5,000

(4) Notwithstanding the provisions of this by-law, no person shall be required to pay a permit fee when applying for the issuance of a plumbing permit for a lot that exists within a sanitary sewer Local Improvement Area as defined in this by-law, providing the application for a plumbing permit is made within two (2) years from the date of the commissioning into service of a sanitary sewer system in a Local Improvement Area.

Service Costs and Permit Fees

607 In instances where sanitary sewer is not available, no permit will be issued until the Building Inspector is provided with written verification that the proposed sewage disposal system is approved by the Occupational & Environmental Health Service or other authority charged with enforcement of prevailing sanitary regulations.

Services Available

608 The Building Inspector may issue a permit when, to the best of his knowledge, the conditions set forth in this or any other applicable by-law have been met.

Issue Permits

609 The Building Inspector may issue at the risk of the owner, a permit for the construction of a phase of a building or complex prior to all required plans and specifications for the whole building or complex having been submitted or approved, provided:

- (1) plans and specifications for the phrase in question have been submitted in sufficient detail to satisfy the Building Inspector that the work to be done will comply with all requirements of the Building Code, Building and Zoning By-laws and any other related enactment; and
- (2) adequate information and detailed statements have been filed to the extent that the Building Inspector is satisfied the remainder of the building or complex will comply with all pertinent by-laws.

The issuance of the permit notwithstanding, the requirements of this by-law apply to the remainder of the building or complex, as if the permit had not been issued.

610 No permit shall be issued for the erection of an accessory building or structure on any lot, unless the principal building to which the accessory building or structure is an incidental use, has been erected, or will be erected simultaneously with said accessory building or structure.

Accessory Buildings

611 Notwithstanding the provisions of this division, accessory buildings in single and two family residential zones which do not exceed 10 m<sup>2</sup> (108 sq. ft.) in building area, used for storage purposes only, may be placed or constructed without building inspections provided they do not create a hazard. A siting permit shall be required to ensure that the building is sited in accordance with the Kamloops Indian Band Zoning By-law and any other applicable regulation. The permit fee shall be in accordance with Schedule "A" attached to and forming part of this by-law.

612 Construction must be commenced within one hundred and eighty (180) days of the issuance of a building permit, and must be completed to final inspection stage within two (2) years or the permit shall be deemed to be invalid. The Building Inspector may grant a renewal permit for a further one (1) year period if he is satisfied the construction is progressing in accordance with the approved plans at a reasonable rate of progress. A permit renewal fee shall be levied in accordance with Schedule "A" attached to and forming part of this by-law.

Permit Expiry

613 The Building Inspector may refuse to issue a permit if: Permit Refused

- (1) the information submitted is inadequate to determine compliance with, or is contrary to the provisions of this by-law or any enactment;
- (2) the information submitted is incorrect; or
- (3) issuance is prohibited by or is contrary to a provision of this by-law or any enactment.

614 The Building Inspector may revoke a permit where: Permit Revocation

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

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

615 The Building Inspector may, follow a request for occupancy, issue a Certificate of Occupancy if satisfied that the building or structure so inspected complies in all respects with the provisions of this by-law. Occupancy Certificate

**DIVISION SEVEN - PLUMBING**

- |     |   |  |
|-----|---|--|
| 700 | Application for a permit shall be in writing on the form available from the Director of Public Services and Operations Department, Building Inspection Division, and shall:   | Application for<br><u>Permit</u>       |
|     | (1) be signed by the owner or his agent;  |  |
|     | (2) state the number of fixtures to be installed in the building;   |  |
|     | (3) state the length of building sewer, building storm sewer and water service pipe;  |  |
|     | (4) include specifications and suitable drawings made to a scale of not less than 1:100, for the plumbing system with respect to multi-family, institutional, commercial and industrial buildings showing:  |  |
|     | (a) site services, size and location of pipes;  |  |
|     | (b) site drainage, size and location of pipes, catch basins and dry wells;  |  |
|     | (c) total fixture load on sanitary sewer and water supply systems;  |  |
|     | (d) sanitary riser diagram complete with fixture loads at the base of stacks; and   |  |
|     | (e) rain water leaders, size of pipe and area of roof drained;  |  |
|     | (5) contain any and all other information necessary to establish compliance with this by-law; and   |  |
|     | (6) include mechanical drawings designed by a Professional Engineer registered in the Province of British Columbia, for institutional buildings, buildings over three storeys in height, and buildings with complex plumbing systems as determined by the Building Inspector. |  |
| 701 | Every applicant for a plumbing permit must be capable of qualifying under one of the following categories:  | Qualifications of<br><u>Applicants</u> |

- (1) the registered owner, who is actually living in or intends to live in a single family dwelling being a detached residential building designed to be used exclusively as a residence for one family, may make an application for a plumbing permit to carry out work within such single family dwelling. The registered owner must show to the satisfaction of the Building Inspector, that he is capable of designing and carrying out the proposed work; or
- (2) an individual or firm, holding a valid certificate or proficiency and licenced to carry on the trade of plumbing within Reserv #1 lands.
- 702 Any licensed general contractor or licensed pipe laying contractor shall be considered qualified to lay building connections from the building to connect with the Kamloops Indian Band utility systems.
- 703 No permit shall be required for the repair of leaks in water pipes or the replacing of plumbing fixtures provided that such fixtures and the installation thereof conforms with all other requirements of this by-law and the British Columbia Plumbing Code. In addition, no permit shall be required for the removal of stoppages in drains provided that clean-outs are utilized for such purpose and it is not necessary to cut any sewer or drain pipe. No Permit Required
- 704 There shall be a separate connection to the Band sanitary sewer system for each separate parcel of land within the reserve #1 connected to such sewer system. Individual Services
- 705 Except where specifically required by the Band and where a legal right-of-way has been obtained and such plans are approved by the Public Services and Operations Branch, no plumbing system, drainage system, house sewer, private sewage disposal system or parts thereof, shall be located in any lot other than the property which is the site of the building, structure, or premises serviced by such facilities. Connection On Property It Serves
- 706 (1) No sewage or effluent from a building or structure shall pass through any septic tank or rock pit before entering the Band sanitary or storm sewer system. Direct Connection



- (2) For the puposes of this Section, "sewage" shall mean any liquid waste containing animal, vegetable or mineral matter in suspension or solution. No person shall use any sanitary sewer in an improper manner, by placing or allowing any substance other than sewage to enter the sanitary sewer through any opening, trap, or fitting connected therewith or by placing or allowing any substance or article which by its nature is incapable of dissolving readily in water, to enter such sanitary sewer.

- 707 Where a building is demolished or removed from its site the Public Services and Operations Branch shall determine the extent of work and the costs involved to seal, remove or leave in place the sanitary, storm sewer and water service connections. Any work required shall be carried out by Band work crews at the owner's expense. Removal of Building
- 708 Water service lines shall be installed at a minimum depth of 1.5 m(4.9 ft.). Service Depth

DIVISION EIGHT - SWIMMING POOLS

- |     |  |  |
|-----|--|--|
| 800 | No person shall commence or continue any work related to the installation, construction and alteration of a swimming pool or related ancillary equipment unless a valid permit has been issued by the Band.  | <u>Pool Permit</u>                                   |
| 801 | Every applicant for a permit shall be accompanied by the following material in duplicate:<br><br>(1) a plot plan showing the location of the proposed swimming pool and ancillary buildings relative to lot boundaries, existing buildings and structures, existing and proposed fences, and retaining walls;<br><br>(2) plans and sections adequately describing construction of the proposed swimming pool and ancillary equipment including all water supply piping, waste piping and appurtenances;<br><br>(3) details of water supply and method of disposal of waste water from backwashing and draining of the swimming pool;<br><br>(4) proposed fence construction in sufficient detail to show compliance with the requirements of this by-law; and<br><br>(5) such other additional information as may be required by the Building Inspector. | <u>Application Information</u>                       |
| 802 | The provisions of Section 604 of this by-law apply to applications under this section.   | <u>Engineering if Required by Building Inspector</u> |
| 803 | No pool designed to be supplied with water direct from the domestic water supply shall have any water inlet thereto below the flood level of the pool unless protected by an approved vacuum breaker.  | <u>Vacuum Breaker</u>                                |
| 804 | There shall be no direct connection between any domestic water supply line and any circulating pump, filter or other apparatus or device that comes in contact with the water in or from the pool. Recirculating systems shall take the water supply to the pool from an open surge tank or other system approved by the Building Inspector. The supply to the surge tank shall be above the flood level of the tank in such manner as to prevent water from the tank from entering the supply line.   | <u>No Direct Connection</u>                          |
| 805 | Every pool shall be capable of being drained. When a storm drain outlet of adequate capacity is available for use, swimming pool waste water shall be discharged thereto, subject to the approval of the Public Services and Operations Branch.  | <u>Drainage of Pools</u>                             |

806 No direct connection shall be made between any storm drain, sewer or any other drainage system and any line connected to a swimming pool.

807 Every below grade pool shall be surrounded by a non-slip walkway, designed so that surface water shall drain away from the pool.

Pool Walkways

808 In the case of a pool whose installation utilizes or includes auxilliary equipment such as, but not limited to, gas or electrical equipment, the Building Inspector may require evidence of approval of such authority as may have jurisdiction over such device or equipment.

Auxilliary Equipment

809 (1) Every swimming pool shall be totally enclosed by a fence, a building, or a combination of fence and building.

Pool Fence Requirements

(2) Fences shall be not less than 1.5 m(4.9 ft.) high. The base of every fence shall be not more that 100 mm(4 in.) above ground or adjacent grade. In all other respects, fences shall conform to the requirements of the Kamloops Indian Band Zoning By-laws, as amended from time to time.

(3) No horizontal or angled framing member shall be located on the outside of the fence between 200 mm(8 in.) and 1.0 m(3.3 ft.) above ground level or adjacent finished grade. Fnces composed of vertical members shall have no openings of a size which will permit the passage of a spherical object having a diameter of 100 mm(4 in.). Fences composed of anle members shall have no openings between adjacent members greater than 13 mm(1/2 in.). Notwithstanding the provisions of this subsection, standard chain link wire mesh may be acceptable provided that such fence meets the minimum height requirements indicated in subsection 809(2), the mesh size does not exceed 50 mm(2 in.) and the wire is not less than No. 11 guage.

(4) Access through required fences shall be by means of self-closing gates so designed as to cause the gates to become secured with self-latching devices located on the swimming pool side of the fence and at a height of at least 1.0 m(3.3 ft.) above grade or on the outside of the fence at 1.5 m(4.9 ft.) above grade.

- (5) The swimming pool fence enclosure shall be completed in accordance with the approved plans and specifications. It shall be the owner's responsibility to ensure that the swimming pool area is maintained in a safe, secure condition during the construction period and until a permanent enclosure approved by the Building Inspector is in place.

Pool Security

The owner shall give a minimum of one working day's notice to the Building Inspector requesting a final inspection when the pool is complete and the permanent fencing and gate(s) are in place.

- 810 (1) Pools shall be located subject to the following minimum setback requirements:

Pool Location

- (a) 6.0 m(19.7 ft.) from front street line (measured to security fence);
- (b) 4.5 m(14.8 ft.) from side street line;
- (c) 1.0 m(3.3 ft.) from side or rear lot lines; and
- (d) 1.5 m(4.9 ft.) from principal building.

- (2) Pool equipment which is not housed in a building, nor is intended to be housed in a building, may be located subject to the same minimum setbacks as stated for pools in Section 810(1) hereto.
- (3) Pool equipment which is housed in a building, or is intended to be housed in a building, shall be subject to the same siting requirements as other accessory buildings.
- (4) No setbacks are required between pools, pool equipment and other accessory buildings or structures.
- (5) Walkways, decks, patios, or like structures which surround or abut a pool and do not exceed 0.6 m(2 ft.) above grade are not subject to setback requirements. When the structure exceed 0.6 m(2 ft.) in height, the setbacks as set out in subsections 810(1)(a), (b) and (c) apply and must be maintained.

**DIVISION NINE - GENERAL REGULATIONS**

**900 Relocation of Buildings**

- (1) No person shall:**
  - (a) move or cause to be moved any building or structure from one parcel to another without first obtaining a permit; or**
  - (b) relocate a residential building or part of it to another parcel of land within Band Lands unless it can be shown that the dwelling, once re-established on the new site, will have an assessed value not less than the average assessed values of all dwellings situated within 50 m(164 ft.) of the subject site.**
- (2) Every application for a permit to move a building shall:**
  - (a) identify the existing location of the building and the proposed location to which the building is to be moved;**
  - (b) provide written verification that the time, manner and route of the move have been approved by the Director of Public Services and Operations and the R.C.M.P. (Native Detachment) and the Ministry of Transportation and Highways when applicable; and**
  - (c) provide written verification by the appropriate utility authorities that all utility services have been disconnected and/or sealed as required.**
- (3) Every application for a building relocation permit shall be accompanied by security in a form acceptable to the Building Inspector, and in an amount equal to the estimated cost of completing the building in its new location to occupancy stage. The amount so estimated shall be acceptable to the Building Inspector, but in no case shall the security be less than Five Thousand Dollars (\$5,000.00).**

**Surety**

- (4) Should a building which has been relocated subject to the provisions of this Division not be completed to occupancy stage within one year from the date of issuance of the permit, the Building Inspector may send a written notice to the owner stating that the building does not comply with this by-law or other enactment and direct the owner to remedy the non-compliance within thirty (30) days from the date of service of the notice. If the non-compliance is not remedied within the period of thirty (30) days, the Building Inspector may draw upon the security on deposit and take whatever action is necessary to effect completion of the building and site.
- Action to Complete

901 Demolitions

- (1) The demolition of any building requires a permit prior to commencement of work. Permit Required
- (2) Every person making application for a permit to demolish a building shall, as part of his application, provide the Building Inspector with satisfactory evidence that:
- (a) no unsafe condition will be created or permitted; and
  - (b) all utility services to the building have been disconnected and all such disconnections have been approved by the appropriate authority.
- (3) Before issuing a permit to demolish any building, the Building Inspector may demand, as a condition of issuance that security be provided in a form satisfactory to the Building Inspector to ensure that the site of the demolition will be left in a safe, neat condition, free from debris or dust, and compatible with neighbouring properties. The amount of the security shall be equal to the estimated cost of site restoration and shall be equal to the estimated cost of site restoration and shall be acceptable to the Building Inspector. In the event that the site is not properly restored to a standard satisfactory to the Building Inspector, the Building Inspector may send written notice to the owner requiring that the site be properly restored within thirty (30) days from the date of service of the notice. If the restoration is not carried out within the period of thirty (30) days the Building Inspector may draw upon the security on deposit and take whatever action is necessary to effect restoration of the site. Security Required

- (4) Prior to issuing a permit to demolish any building, the Building Inspector may impose such conditions as seem to him reasonable to protect the public.

Conditions

902 Temporary Buildings

- (1) The word "temporary", as used in this subsection, shall mean a period not exceeding one (1) year.
- (2) A person desiring to erect a temporary building, structure, or shelter shall make application for a permit, in writing, to the Building Inspector. The application shall be accompanied by:
- (a) the legal description and address of the property on which the temporary building is to be located;
  - (b) a site plan to scale of the subject property showing all existing buildings and structures on-site and the proposed location of the temporary building;
  - (c) details of the construction of the temporary building as requested by the Building Inspector;
  - (d) a statement of the intended use and duration of the use;
  - (e) where required by the Building Inspector, details of any screening, landscaping or other temporary treatment as may be appropriate and applicable;
  - (f) security in a form and amount satisfactory to the Building Inspector but in any event no less than Two Thousand Dollars (\$2,000.00) in value, to guarantee that the building will be removed from the site within the time limit indicated; and
  - (g) the permit fee in accordance with Schedule "A" attached to and forming part of this by-law.
- (3) Temporary building shall comply with the requirements of this by-law and the siting requirements of the Kamloops Indian Band Zoning By-law.

Requirements for Permit

Security

903 Site Drainage and Grading

- (1) All sites shall be graded so that all buildings contained thereon are effectively protected from surface water.

Grading and Drainage of Sites

(2) Except for single and two family dwellings or as otherwise specified in this by-law, every building site shall be graded so that all surface water accumulated thereon is contained on site and disposed of by connection to the Band storm drain or other method of disposal acceptable to the Building Inspector.

(3) Slopes shall not exceed the natural angle of repose of the soil and all transitions of slope shall be gradual.

Maximum Slope of  
Soil

904 Roof Drainage

On any building which is the subject of permit, the Building Inspector may direct that perimeter drains, rainwater leaders, gutters and down spouts or other drainage appurtenances be installed where necessary for proper drainage, and may further direct that they be connected to the Band storm drain or other method of disposal acceptable to the Building Inspector.

Building Drainage

905 Maintenance of Construction Sites

Every construction site shall be maintained free of loose or blowing debris and shall be subject to a continuous and effective program of dust control during the various phases of construction. The Building Inspector may require as a condition of issuance of the building permit, that security in a form and an amount acceptable to the Building Inspector, be provided to guarantee compliance with this clause. In the event the conditions contained herein are violated, the Building Inspector may draw upon the security for the purposes of effecting adequate maintenance of the site.

Control of Dust and  
Debris

In the event the forfeited security is not sufficient to provide continuous maintenance sufficient to provide continuous maintenance of dust and debris until construction is finalized, the Kamloops Indian Band or its appointed agents, may enter the site and take whatever actions are required to resolve the matter, and charge the cost directly to the owner. If the costs incurred are not paid by the owner within sixty (60) days of written notice, the unpaid amount will be added to and form part of the taxes payable in respect of the land or real property as taxes in arrears.

906 Protection of Adjacent Properties

Where work is being done subject to a permit under the provisions of this by-law, all property adjacent to the work shall be protected and the Band shall be saved harmless from any damage or cost arising out of or incidental to the work.

Band Saved  
Harmless



907 Regulations Governing Constructions in Flood Plain Flood Plain

- (1) Prior to the issuance of a building permit for work within flood plain where:
- (a) the work to be carried out constitutes a new building or an addition to an existing building which will be in finished floor area twenty-five (25) per cent or larger than the existing finished floor area; and
  - (b) no other flood plain covenant is registered on the title of the subject property,

the owner, as a condition of issuance of the building permit, must enter into a covenant registerable under Indian and Northern Affairs Canada which shall indemnify the Kamloops Indian Band and the Province of British Columbia in the event of future property damage as a result of flood conditions. The covenant shall be in the form of Schedule "C" which is attached to and forms part of this by-law.

- (2) The owner shall provide proof of registration of the covenant required under Subsection 907(1) prior to the issuance of a building permit.
- (3) Notwithstanding the provisions of Section 907, it is the responsibility of the owner to ensure that the building will be safe from water action, whether caused by surface runoff or not.

Owner's  
Responsibility

908 Site Identification

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

DIVISION TEN - APPEAL

- 1000 An appeal against a decision of the Building Inspector relative to a Building Code regulation lies with the Building Code Appeal Board of The Indian and Northern Affairs Canada, Ottawa, Ontario, K1A 0H4. Building Code Appeal Board
- 1001 The appellant shall file with the Secretary of the Board a statement in writing in such detail as will enable the Board properly to consider the appeal, setting out:
- (1) the nature and subject matter of the appeal;
  - (2) the address of the building affected by the appeal; and
  - (3) the sections of the Building Code affected by the appeal.

DIVISION ELEVEN - PENALTIES

1100 Every person violating any provision of this by-law is liable on summary conviction to a fine of not less than One Hundred Dollars (\$100.00) or more than One Thousand Dollars (\$1,000.00) for each offence; a separate offence shall be deemed to be committed on each day during or on which a violation occurs or continues. Provided, however, where more than one registered owner of land is charged with a single offence hereunder, they shall be considered as one person.

DATES OF ADOPTION

By-law No. 1995-05 - Adopted March 27, 1995

READ A FIRST TIME the March 7, 1995

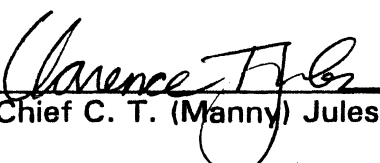
READ A SECOND TIME the March 14, 1995

READ A THIRD TIME the March 27, 1995

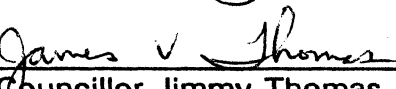
RECONSIDERED AND ADOPTED the 27th day of March, 1995.

THIS BY-LAW IS HEREBY MADE A BY-LAW OF THE BAND at a duly convened meeting of the Council of the Band the 27th day of March, 1995.

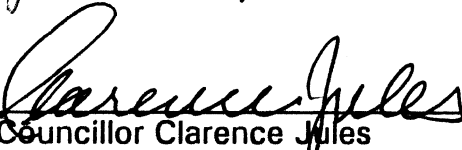
Voting in favour of the by-law are the following members of Council:

  
Chief C. T. (Manny) Jules

  
Councillor Fred Camille

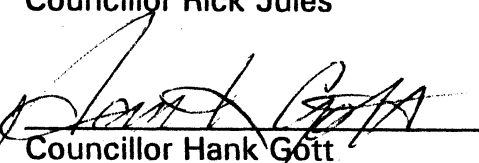
  
Councillor Jimmy Thomas


  
Councillor James Casimir

  
Councillor Clarence Jules

\_\_\_\_\_  
Councillor Rick Jules

  
Councillor Russell Casimir

  
Councillor Hank Gott

  
Councillor Jeff Seymour

being the majority of those members of the Council of the Kamloops Band present at the aforesaid meeting of the Council.

**KAMLOOPS INDIAN BAND  
315 YELLOWHEAD HIGHWAY  
KAMLOOPS, BC  
V2H 1H1  
PHONE 828-9700 FAX 372-8833**

**SCHEDULE "A" - SCALE OF FEES**

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

Amounts of permit fees shall be in accordance with the following scale:

1. Building

- |     |   |          |
|-----|---|----------|
| (a) | Value of construction \$1,000 or less non-refundable  | \$ 50.00 |
| (b) | \$50.00 plus for each \$1,000 or part thereof by which the value exceeds the sum of \$1,000 up to a maximum value of \$25,000 as additional fees    | \$ 6.00  |
| (c) | \$194.00 plus for each \$1,000 or part thereof by which the value exceeds the sum of \$25,000 up to a maximum value of \$100,000 as additional fees | \$ 5.00  |
| (d) | \$569.00 plus for each \$1,000 or part thereof by which the value exceeds the sum of \$100,000 up to a maximum value of \$500,00 as additional fees | \$ 4.50  |
| (e) | \$2,369.00 plus for each \$1,000 or part thereof by which the value exceeds the sum of \$500,000 as additional fees                                 | \$ 4.00  |

2. Demolition and Relocation

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

- |      |   |          |
|------|---|----------|
| (a)  | For buildings less than 100 m <sup>2</sup> (1,080 sq. ft.) in area                            | \$ 50.00 |
| (b)  | For buildings over 100 m <sup>2</sup> in area per each 100 m <sup>2</sup> or portion thereof: |          |
| (i)  | First 100 m <sup>2</sup>  | \$ 50.00 |
| (ii) | Each additional 100 m <sup>2</sup> or portion thereof   | \$ 20.00 |

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

3. Special Inspection

For the special inspection of any building to determine whether it complies with the provisions of this by-law: \$ 50.00

4. Renewal Permit

In the event that a renewal permit is require for construction which has not reached final completion within the time limit set out in this by-law, the fee for such renewal permit shall be the greater of \$50.00 or twenty (20) per cent of the original building permit fee.

5. Temporary Building

For a permit to construct, place or occupy a Temporary Building for one (1) year or part thereof \$125.00

6. Siting Permit

For a permit to construct or locate a storage building not exceeding 10 m<sup>2</sup> (108 sq. ft.) in building area \$ 20.00

7. Solid Fuel Appliances

The fee for a permit to install a wood stove, insert or other solid fuel appliance, per appliance \$ 50.00

8. Plumbing

(a) Minimum fee for any plumbing permit or first fixture \$ 30.00

(b) Permit fee for each fixture after the first fixture \$ 6.00

(c) Permit fee for an interceptor or catch basin, each \$ 10.00

(d) Fee for a preliminary inspection related to plumbing, each \$ 25.00

(e) Single and two family dwellings,

(i) Water service inspection fee per unit \$ 30.00

(ii) Sewer service inspection fee per unit \$ 30.00

(iii) Combined water and sewer service inspection fee per unit \$ 40.00

(f) Water service inspection fee, except single and two family dwellings,

(i) First 15 m(49.2 ft.) or part thereof \$ 20.00

(ii) Each additional 15 m(49.2 ft.) or part thereof \$ 16.00

(g) Sanitary sewer service inspection fee, except single and two family dwellings,

(i) First 15 m(49.2 ft.) or part thereof \$ 20.00

(ii) Each additional 15 m(49.2 ft.) or part thereof \$ 16.00

(h) Permit fee for the alteration of a plumbing system where no additional fixtures are to be installed, each \$ 10.00

(i) Permit fee for the connection to the Band water service of any hydraulic equipment, each \$ 25.00

(j) Permit fee for the installation of a vacuum breaker or approved double check valve assembly in any plumbing system, each \$ 6.00

(k) Permit fee for each sprinkler system, a base fee up to the first 25 sprinkler heads \$ 30.00

Each additional sprinkler head above the first 25 \$ .75

(l) Permit fee for each storm or rainwater catch basin \$ 20.00

(m)	Permit fee for each fire hydrant	\$ 25.00
(n)	Permit fee for storm or rainwater piping:	
	First 15 m(49.2 ft.)	\$ 20.00
	Each additional 15 m(49.2 ft.)	\$ 16.00

9. Re-inspection Fee

Where any re-inspection carried out pursuant to this by-law discloses faulty work and a subsequent inspection is thereby made necessary, the fee for each such subsequent inspection shall be \$25.00

10. Double Permit Fee

Where work for which a permit is required by this by-law has been commenced prior to issuance of a building permit, the applicant shall pay to the Band double the fee prescribed in Schedule "A", provided, however, that the additional fee shall not exceed \$1,000.00.

11. Value of Work

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

12. Permit Fee Refund

Where no construction has commenced within six (6) months of building permit issuance, should the permit holder apply in writing to cancel the permit and present the original receipt, the Building Inspector may refund the permit fee less the greater of \$50.00 or fifty (50) percent of such fee paid in respect to the building permit.

13. Fee Reduction for Professional Supervision

Where a professional engineer or architect is retained by the owner and an undertaking is provided to coordinate the design and field review of the project, the building fee will be reduced by five (5) percent to a maximum reduction of \$1,000.00 for any one property to reflect the cost of the work that would otherwise be carried out by Kamloops Indian Band Building Inspection staff.

**KAMLOOPS INDIAN BAND  
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PHONE 828-9700 FAX 372-8833**

**SCHEDULE "B" - WATER SUPPLY COVENANT  
BUILDING PERMIT**

Charge

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

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

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

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

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

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

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

\_\_\_\_\_  
This Covenant made this            day of            , 19 .

BETWEEN:

(hereinafter called the "Covenantor")

OF THE FIRST PART

AND: Kamloops Indian Band,  
315 Yellowhead Highway,  
Kamloops, B.C.,  
V2H 1H1 in the Province  
of British Columbia

(hereinafter called the "Covenantee")

OF THE SECOND PART

WHEREAS the Covenantor is the registered owner of certain lands and premises located in the Kamloops Indian Band Reserve No. 1, being more particularly known and described as:

(Hereinafter called "the lands")

AND WHEREAS the Covenantee, before consenting to the issuance of a Building Permit on the lands and as a condition thereof, requires a Covenant to be charged against the lands, in priority to any financial charges, and further requires such Covenant to be registered against the lands, with the Indian and Northern Affairs Canada, Ottawa, Ontario, which Covenant is for the purpose of saving the Kamloops Indian Band harmless, and minimizing the loss which owners or occupants of the lands may incur as a result of failur to obtain an adequate supply of potable water.

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

This Covenant shall run with and bind the lands and the Covenantor and all persons claiming under him.

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

WITNESS:

COVENANTOR:

\_\_\_\_\_

\_\_\_\_\_

ADDRESS:

\_\_\_\_\_

OCCUPATION:

\_\_\_\_\_

WITNESS:

COVENANTOR:

\_\_\_\_\_

\_\_\_\_\_

ADDRESS:

\_\_\_\_\_

OCCUPATION:

\_\_\_\_\_



**KAMLOOPS INDIAN BAND  
315 YELLOWHEAD HIGHWAY  
KAMLOOPS, BC  
V2H 1H1  
PHONE 828-9700 FAX 372-8833**

**SCHEDULE "C" - FLOOD PLAIN COVENANT  
BUILDING PERMIT**

Charge

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

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

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

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

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

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

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

\_\_\_\_\_  
This Covenant made this        day of        , 19 .

BETWEEN:

(hereinafter called the "Covenantor")

OF THE FIRST PART

AND:        Kamloops Indian Band,        Indian and Northern  
              315 Yellowhead Highway,        Affairs Canada,  
              Kamloops, B.C.,        AND Ottawa, Ontario  
              V2H 1H1 in the Province        K1A 0H4  
              of British Columbia        CANADA

(hereinafter called the "Covenantee")

OF THE SECOND PART

WHEREAS the Covenantor is the registered owner of certain lands and premises located in the Kamloops Indian Band Reserve No. 1, being more particularly known and described as:

(Hereinafter called "the lands")

AND WHEREAS the Covenantee, before consenting to the issuance of a Building Permit on the lands and as a condition thereof, requires a Covenant to be charged against the lands, with the Indian and Northern Affairs Canada, Ottawa, Ontario, and further that he requires such Covenant to be registered against the lands in priority to any financial charges with the Indian and Northern Affairs Canada, Ottawa, Ontario.

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

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

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

WITNESS:

COVENANTOR:

\_\_\_\_\_

\_\_\_\_\_

ADDRESS:

\_\_\_\_\_

OCCUPATION:

\_\_\_\_\_

WITNESS:

COVENANTOR:

\_\_\_\_\_

\_\_\_\_\_

ADDRESS:

\_\_\_\_\_

OCCUPATION:

\_\_\_\_\_

**KAMLOOPS INDIAN BAND**  
**315 YELLOWHEAD HIGHWAY**  
**KAMLOOPS, BC**  
**V2H 1H1**  
**PHONE 828-9700 FAX 372-8833**

**SCHEDULE "D" - APPLICATION FOR PERMIT**

Pursuant to By-law No. \_\_\_\_\_ being a By-law for the regulation of the construction, repair, demolition or removal of buildings and structures and to regulate the installation, alteration or repair of plumbing, heating and air conditioning, including appurtenant fittings, appliances and accessories.

I, \_\_\_\_\_ of \_\_\_\_\_  
NAME ADDRESS

being the Owner \_\_\_\_\_ Authorized Agent \_\_\_\_\_ hereby make application to:

Construct:	Add to:	Alter:
Repair:	Demolish:	Other:

All Easements and/or Rights-Of-Way are shown on the Drawings

Owner:	Address:		
Designer:	Address:		
Contractor:	Address:		
Legal Description:	Type of Building:		
Intended Use & Occupancy:			
Zoning:	Building Area:	Storeys:	Lot Area:
Roofing:	Method of Heating:	Garage:	Carport:

Total Value of All Work Including Subtrades \$ \_\_\_\_\_

Permit Fee \$ \_\_\_\_\_

Additional Details of Proposed Work:

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I agree to conform to all the By-laws of the Kamloops Indian Band and to all statutes and regulations in force on the Kamloops Indian Reserve and to save the Band harmless from any actions or cost whatsoever arising out of or incidental to, granting of this permit, if issued.

I recognize that within the boundaries of the Kamloops Indian Reserve #1 there are areas of "problem soils" and that these are widely distributed as to location. I affirm that it is my responsibility as Owner/Agent to identify foundation conditions generally on which the intended construction is to be placed and all action required to ensure the adequacy of the foundation.

I have read and understand all the requirements of this application.

NAME \_\_\_\_\_

DATE \_\_\_\_\_

PERMIT NO. \_\_\_\_\_

DATE ISSUED ON \_\_\_\_\_

**KAMLOOPS INDIAN BAND**  
**315 YELLOWHEAD HIGHWAY**  
**KAMLOOPS, BC**  
**V2H 1H1**  
**PHONE 828-9700 FAX 372-8833**

**SCHEDULE "E" BUILDING PERMIT**

Date Issued:	Permit No:
Name:	
Location of Work:	
Legal Description:	
Owner:	Address:
Contractor:	Address:
Purpose for Which Permit is Issued:	
Variance Permit No. if any:	Date Issued:
Permit Expires:	

CALL FOR INSPECTIONS AS INDICATED

INSPECTION OF	APPROVED DATE	INSPECTORS SIGNATURE
Excavation & Forms		
Foundation		
Frame & Roof		
Insulation		
Electrical		
Plumbing (Rough in)		
Heating		
Other		
Final		

**NOTES:**

- 1) This card must be posted in a conspicuous place on the premises for which it is issued.
- 2) Issuance of this permit does not relieve the applicant of compliance with all By-laws.

\_\_\_\_\_  
 Building Inspector

\_\_\_\_\_  
 Dated

**KAMLOOPS INDIAN BAND**  
**315 YELLOWHEAD HIGHWAY**  
**KAMLOOPS, BC**  
**V2H 1H1**  
**PHONE 828-9700 FAX 372-8833**

**SCHEDULE "F" BUILDING PERMIT -**  
**INSPECTION APPROVAL RECORD**

Date Issued:	Permit No:
Name:	
Location of Work:	
Legal Description:	
Owner:	Address:
Contractor:	Address:
Purpose for Which Permit is Issued:	
Variance Permit No. if any:	Date Issued:
Purpose for which variance permit issued:	

CALL FOR INSPECTION AS INDICATED

INSPECTION OF	APPROVED DATE	INSPECTORS SIGNATURE
Excavation & Forms		
Foundation		
Frame & Roof		
Insulation		
Electrical		
Plumbing (Rough in)		
Heating		
Other		
Final		

**NOTES:**

- 1) This card must be posted in a conspicuous place on the premises for which it is issued.
- 2) Issuance of this permit does not relieve the applicant of compliance with all By-laws.

\_\_\_\_\_  
 Building Inspector

\_\_\_\_\_  
 Dated

**KAMLOOPS INDIAN BAND**  
**315 YELLOWHEAD HIGHWAY**  
**KAMLOOPS, BC**  
**V2H 1H1**  
**PHONE 828-9700 FAX 372-8833**

**SCHEDULE "G" - OCCUPANCY PERMIT**

Name:
Address:
Legal Description:

Approved:

The Building Constructed under Authority of Permit No. \_\_\_\_\_ may now be occupied.

\_\_\_\_\_  
Building Inspector

\_\_\_\_\_  
Date

**KAMLOOPS INDIAN BAND**  
**315 YELLOWHEAD HIGHWAY**  
**KAMLOOPS, BC**  
**V2H 1H1**  
**PHONE 828-9700 FAX 372-8833**

**SCHEDULE "H" - INSPECTION NOTICE**

REGARDING BUILDING OR BUILDINGS SITUATED AT:

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\_\_\_\_\_  
Building Inspector

\_\_\_\_\_  
Dated

**KAMLOOPS INDIAN BAND**  
**315 YELLOWHEAD HIGHWAY**  
**KAMLOOPS, BC**  
**V2H 1H1**  
**PHONE 828-9700 FAX 372-8833**

**SCHEDULE "I" - INSPECTION REPORT**

Date	
Builder	
Permit	
Zone	
Stage	
Footing	
Foundation	
Frame	
Insulation	
Plumbing	
Final	
Other	

A surveyor Certificate prepared by a Certified B.C. Land Surveyor required before proceeding passed foundation stage.

\_\_\_\_\_  
Building Inspector

\_\_\_\_\_  
Completed Date



**KAMLOOPS INDIAN BAND  
315 YELLOWHEAD HIGHWAY  
KAMLOOPS, BC  
V2H 1H1  
PHONE 828-9700 FAX 372-8833**

**SCHEDULE "J" - STOP WORK NOTICE**

REGARDING BUILDING, OR BUILDINGS SITUATED AT: <hr/> <hr/> <hr/>
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**NOTICE IS HEREBY GIVEN THAT UNDER THE BY-LAWS OF THE KAMLOOPS INDIAN BAND ALL FURTHER WORK UPON THIS BUILDING IS PROHIBITED UNLESS AUTHORIZED IN WRITING BY THE BUILDING INSPECTOR.**

\_\_\_\_\_  
Building Inspector

\_\_\_\_\_  
Dated

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