



CAMPBELL RIVER INDIAN BAND BUILDING BYLAW

1400 Weiwaikum Road

Campbell River, B.C. V9W 5W8
250-286-6949 fax # 250-287-8838

A BYLAW OF THE CAMPBELL RIVER INDIAN BAND TO PROVIDE FOR THE ADMINISTRATION OF THE BUILDING CODE.

WHEREAS section 81(1)(h) of the Indian Act authorizes the Campbell River Indian Band, for the health, safety and protection of persons and property, to regulate the construction, alteration, repair, or demolition of buildings and structures by bylaw;

AND WHEREAS the Department of Indian Affairs affirms our authority to adopt a Building Code to govern standards in respect of the construction, alteration, repair and demolition of buildings on the Campbell River Indian Reserve # 11;

AND WHEREAS it is deemed necessary to provide for the administration of the Building Code;

NOW THEREFORE the Council of the Campbell River Indian Band, at a duly convened meeting, enacts as follows:

1.0 Title

1.1 This Bylaw may be cited for all purposes as the "**Campbell River Indian Band Building Code Bylaw**."

2.0 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 section 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 Campbell River Indian Band to administer this Bylaw.

"**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 buildings exceeding 600 square meters in building area or exceeding three stories 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.

"City" means the City of Campbell River.

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

"Standard (Part 9) Building" means:

(a) Residential occupancies,

"Structure" means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and retaining structures less than 1.5 meters in height.

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

3.0 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 Campbell River Indian Reserve # 11 in the general public interest. The activities undertaken by or on behalf of the Band 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 this Bylaw extend:

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

3.2.2 To the assumption by the Band 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;

3.2.4 To providing a warranty or assurance that construction undertaken pursuant to building permits issued by the Band 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 approval or occupancy approval is issued under this Bylaw.

3.2.6 This Bylaw is only for the Construction of Complex Buildings as defined in section 2.1 of this Bylaw and does not affect the Building of Standard Residential Housing except as stated in section 10.

4.0 Conditions of Approval:

4.1 Approval is required whenever work regulated under this Bylaw is to be undertaken which will be in writing by the Band Council.

4.2 Neither the issuance of approval 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 Band 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 approval was issued in compliance with the Building Code, this Bylaw and other applicable enactments respecting safety.
- 4.4 Neither the issuance of approval 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 District 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 approval 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 approval is issued and his or her representatives are responsible for making such determination.

5.0 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.
 - (d) To buildings of residential nature (standard buildings) except as defined in section 10.

6.0 Prohibitions

- 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 excavation or other work related to construction, unless the Band and/or a Building Official has issued written approval for the work.
- 6.2 No person shall occupy or use any building or structure:
- (a) Unless valid written approval has been issued by a Building Official for the building or structure; or
 - (b) Contrary to the terms of any written approval 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 the approval application or construction undertaken pursuant to this Bylaw.
- 6.4 No person shall, unless authorized in writing by the Band and/or a Building Official, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to a building or structure pursuant to this Bylaw.
- 6.5 No person shall do any work that is substantially at variance with the accepted design or plans of a building, structure or other works for which written approval 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 District on property in the administration of this Bylaw.

7.0 Building Officials

- 7.1 A Building Official will:

- 7.1.1 Administer this Bylaw;

- 7.1.2 Keep records of applications, approvals, 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 an approval is sought under this Bylaw substantially conform to the requirements 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 credentials confirming his or her status as a Building Official.

- 7.3 A Building Official may order the correction of any work that is being or has been done in contravention of this Bylaw.

- 7.4.1 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.

8.0 Applications

- 8.1 Unless exempted by section 5.2 of this Bylaw, a person shall apply for and obtain:

- 8.1.1 Written building approval before constructing, repairing or altering a building or structure;

- 8.1.2 Written approval before moving a building or structure;

- 8.1.3 Written approval before demolishing a building or structure;

- 8.1.4 Written approval for the construction of a masonry fireplace or the installation of a wood burning appliance or chimney unless the works are included in a valid existing building approval letter.

- 8.2 An application for approval required under this Bylaw shall be made in the form of a written submission to the Band Council.

- 8.3 All plans submitted with the 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 separate building approvals and shall be assessed a separate building fee calculated as prescribed in Schedule "A" to this Bylaw.

9.0 Applications for Complex Buildings

- 9.1 An application for building approval with respect to a complex building shall:
- 9.1.1 Be made in the form of a written submission to the Band Council and/or Building Official, signed by the owner, or a signing officer if the owner is a corporation, and the coordinating registered professional;
 - 9.1.2 Are accompanied by the owner's acknowledgment of responsibility and undertakings under this Bylaw made in the form provided by the Building Official, signed by the owner, or a signing officer if the owner is a corporation;
 - 9.1.3 Include a copy of a Land Status Report made within three (3) days of the date of the application;
 - 9.1.4 Include a site plan prepared by a British Columbia Land Surveyor showing:
 - 9.1.4.1 The bearing and dimensions of the parcel taken from the registered subdivision plan;
 - 9.1.4.2 The legal description and civic address of the parcel;
 - 9.1.4.3 The location and dimensions of all statutory rights of way, easements and setback requirements;
 - 9.1.4.4 The location and dimensions of all existing and proposed buildings or structures on the parcel;
 - 9.1.4.5 Setbacks to the natural boundary of any lake, swamp, pond or watercourse where the Bands land use policies establish citing requirements related to flooding;
 - 9.1.4.6 The existing and finished ground levels to an established datum at or adjacent to the site and the geodetic elevation of the underside of the floor system of a building or structure where the Bands land use policies establish citing requirements related to minimum floor elevation; and
 - 9.1.4.7 The location, dimension and gradient of parking and driveway access;
 - 9.1.4.8 The Building Official may waive the requirements for a site plan, in whole or in part, where the permit sought is for the repair or alteration of an existing building or structure.
 - 9.1.5 Include floor plans showing the dimensions and uses of all areas:
the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions.
 - 9.1.6 Include a cross section through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;
 - 9.1.7 Include elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;
 - 9.1.8 Include:
 - (a) A plan that shows the location and size of every building drain and every trap and inspection piece that is on a building drain; and
 - (b) A sectional drawing that shows the size and location of every soil or waste pipe, trap and vent pipe;all to be submitted in the form and quantities required by the Building Official, and containing complete design and calculation criteria;

- 9.1.9 Include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the building or structure substantially conforms to the Building Code;
- 9.1.10 Include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approval;
- 9.1.11 Include a letter of assurance in the form of Schedule "A" as referred to in section 2.6.2.1 of Part 2 of the Building Code signed by the owner, or a signing officer of the owner if the owner is a corporation, and the coordinating registered professional.
- 9.1.12 Include letters of assurance in the form of Schedules "B-1" and "B-2" referred to in section 2.6.2.1 of Part 2 of the Building Code, each signed by such registered professionals as the Building Official or Building Code may require to prepare the design for and conduct field reviews of the construction of the building or structure;
- 9.1.13 Include two sets of drawings at a suitable scale of the design prepared by each registered professional and including the information set out in sections 9.1.5 - 9.1.9 of this Bylaw;
- 9.1.14 State the intended use or uses of and the Value of each building or structure.
- 9.2 In addition to the requirements of section 9.1, the following may be required by a Building Official to be submitted with the building approval application for the construction of a complex building where the complexity of the proposed building or structure or citing circumstances warrant:
- 9.2.1 Site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a registered professional, in accordance with the City's subdivision servicing bylaw and the Bands Physical Development Plans as shown on the Bands "as built" drawings;
- 9.2.2 A section through the site showing grades, buildings, structures, parking areas and driveways;
- 9.2.3 Any other information required by the Building Official or the Building Code to establish substantial compliance with this Bylaw, the Building Code and other bylaws and enactments relating to the building or structure.
- 10.0 **Standard Buildings (Residential)**
- 10.1** For residential homes on a flood plain:
- (a) All homes shall be constructed with the underside of the floor system set at or above an elevation of 3.50 metres to ensure adequate flood protection.
- (b) The underside of the floor system is defined as the bottom of the concrete slab in the case of slab-on-grade construction and the underside of the floor joists in the case of footing wall construction.
- 10.2 Building set backs:**
- (a) Houses should be sited with the following minimum setbacks from lot lines to provide adequate room for fire fighting and safe sight lines.
- a. Front yard at least 4.0 metres deep, 5.0 metres in front carports or garages
- b. Rear Yard at least 7.0 metres deep

- c. Side Yard at least 15 metres wide
- d. Side Yard adjoining a street at least 3.5 metres wide

(b) Setbacks from the estuary at a minimum of 15m or a maximum of 30 m will be determined by the Department of Fisheries and Oceans from the high water mark.

10.3 Five inspections are mandatory:

- (a) **Site inspection** to ensure that house/trailer can be built on the chosen lot and to ensure that all houses/trailers should line up with those situated along the street.
- (b) **Foundation inspection** to ensure that the foundation footings and walls drain tile and drain rock in place, ready for back fill, this inspection is important so you can get your home insured.
- (c) **Framing and insulation inspection** – frame construction is basically in place and ready for drywall stage. Roof, windows and outdoors, wiring, plumbing and heating rough-in, wall floor insulation and vapor barrier must be in place.
- (d) **Exterior** - Everything should be completed including appliance installations and final grading. Lawn planting and exterior paint may not be complete at this stage due to weather conditions but must be finished in a timely manner.

10.4 Water and Sewer:

Campbell River First Nation Members will arrange to have the water and sewer hooked up through a backhoe to their property. It is the Campbell River First Nation Members responsibility to fix or repair the lines running from their homes.

10.5 Hydro:

Campbell River First Nations Members must arrange for their hydro hook up at their own expense.

10.6 Culvert:

The Campbell River First Nations Member will only receive one culvert for his/her driveway. If additional culverts are needed, the First Nations Member must purchase at their own expense.

10.7 Landscaping:

It is the responsibility of the Campbell River First Nation Member to make improvements to their lot and/or landscape the lot at their own expense. Landscaping must be completed within one year of moving into the home.

10.8 Home Insurance and Property Registration:

On completion of the construction of the home, it is up to the Campbell River First Nations Member to insure the home with first loss payee as either the Chartered Bank or Credit Union if mortgaged and if not mortgaged first loss payee being the Member themselves.

The Registration of title of the property under section 20(2) Certificate of Possession will only take place after the mortgage has been paid in full, if there is not an mortgage on the property a Certificate of Possession will be issued upon request.

10.9 Building Approval Fees:

Campbell River First Nations Members will not have to pay a building approval fee for residential homes.

10.10 Accessory buildings and secondary uses must be ancillary to a principal use:

An accessory building or secondary use is only allowed where the principal use complies with this Bylaw and the Campbell River Indian Band Zoning Bylaw under section 81(1) g. No accessory building or secondary use is permitted in the absence of a principle use. There can only be one residential dwelling on each lot.

10.11 Accessory buildings on lots smaller than 1.0 hectare

- (a) Accessory buildings are permitted on lots smaller than 1.0 hectare only if they meet the requirements in this section.
- (b) The combined floor area of all accessory buildings on the lot must be less than 75 square meters or 10% of the lot area, whichever is smaller.
- (c) The maximum size for an accessory building is 55.0 square meters maximum size
- (d) The Maximum height of the accessory building is 4.0 meters or 4.5 meters if the roof pitch matches the roof pitch of the principle building.
- (e) No accessory buildings or structure may be located in the front yard.

11.0 Professional Plan Certification

- 11.1 The letters of assurance in the form industry acceptable form are relied upon by the Band 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 Building approval issued for the construction of a Complex Building, or for a Standard Building for which a Building Official required professional design, shall be in the form provided by the Band.
- 11.3 Building Approval issued under this Bylaw shall include a notice to the owner that the building approval 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.
- 11.4.1 When building approval is issued this Bylaw the approval fee shall be reduced by 50% of the fees payable pursuant to Schedule "a" to this Bylaw.

11.0 Fees and Charges

- 11.1 Approval fees and Inspection charges are required under this bylaw for all complex buildings, prior to the issuance of any approval under this Bylaw.
- 11.2 The owner and/or developer may obtain a refund of the approval fees prescribed in Schedule "A" to this Bylaw when an approval is surrendered and cancelled before any construction begins.
- 11.3 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.

12.0 Building Approval for Complex Buildings

- 12.1 When:
- 12.1.1 A completed application, including all required supporting documentation, has been submitted;
 - 12.1.2 The proposed work set out in the application substantially conforms to the Building Code, this Bylaw and all other applicable bylaws and enactments respecting safety;
 - 12.1.3 The owner or his or her representative has paid all applicable fees prescribed under section 12.1 of this Bylaw;
 - 12.1.4 The owner or the owner's representative has paid all charges and met all requirements imposed by any other enactment or bylaw;
 - 12.1.5 No enactment, covenant, agreement, or regulation favouring or enacted by the Band authorizes the approval to be withheld or prevents it from being issued;
 - 12.1.6 The owner has retained a professional engineer or geoscientist if required by the *Engineers and Geoscientists Act*; and
 - 12.1.7 The owner has retained an architect if required by the *Architects Act*;
- the Band Council shall issue the approval for which the application is made.
- 12.2 Except as otherwise provided in section 25.3, every permit is issued upon the condition that the approval shall expire and the rights of the owner and/or developer under the approval shall terminate if:
- 12.2.1 The work authorized by the approval is not commenced within 6 months from the date of issuance of the approval;
 - 12.2.2 Work is discontinued for a period of more than 1 year; or
 - 12.2.3 The exterior finish of the building is not completed within 18 months from the date of issuance of the approval.
- 12.3 The Band and/or Building Official may issue foundation approval prior to the issuance of building approval.
- 12.4 The Band and/or Building Official may issue building approval 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 Band and/or Building Official to demonstrate to the Band and/or 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 approval fee applicable to that portion of the building or structure has been paid. The issuance of the approval notwithstanding, the requirements of this Bylaw apply to the remainder of the building or structure as if the approval for the portion of the building or structure had not been issued.
- 13.0 Disclaimer of Warranty or Representation**
- 13.1 Neither the issuance of approval under this Bylaw, the review and acceptance of the design, drawings, plans or specifications, nor inspections made by a Building Official, shall constitute a representation or warranty that the Building Code or this Bylaw have been complied with or that the building or structure meets any standard of materials or workmanship.
- 13.2 No person shall rely on the issuance of 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.

14.0 Professional Design and Field Review

14.1 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

15.0 Responsibilities of the Owner and/or Developer

15.1 Every owner and/or developer shall ensure that all construction complies with the Building Code, this Bylaw and other applicable enactments respecting safety.

15.2 Every owner and/or developer to whom approval is issued shall, during construction:

15.2.1 Post and maintain the approval in a conspicuous place on the property in respect of which the permit was issued;

15.2.2 Keep a copy of the accepted designs, plans and specifications on the property; and

15.2.3 Post the civic address on the property in a location visible from any adjoining streets.

16.0 Inspections

16.1 When a registered professional provides letters of assurance the Band and/or Building Official will rely solely on field reviews undertaken by the registered professional and the letters of assurance 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.

16.2 Notwithstanding sections 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.

16.3 In addition to the inspections required under section 16.4b, 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.

16.4 The owner, or the owner's representative, shall give at least 24 hours notice to the City 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:

16.4.1 Installation of perimeter drain tiles and damp-proofing, prior to backfilling;

16.4.2 The preparation of ground, including ground cover, when required, prior to the placing of a concrete slab;

16.4.3 Rough in of factory built chimneys and fireplaces and solid fuel burning appliances;

16.4.4 The framing and sheathing;

16.4.5 Duct work, roughed-in plumbing or gas venting;

16.4.6 Insulation and vapour barrier;

16.4.7 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.

16.5 No aspect of the work referred in section 16.4b of this Bylaw shall be concealed until a Building Official has accepted it in writing.

16.6 The requirements of section 16.4b of this Bylaw do not apply to any aspect of the work that is the subject of a registered professional's letter of assurance provided under this Bylaw.

17.0 Retaining Structures

17.1 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 structures greater than 1.5 meters in height shall be submitted to a Building Official prior to acceptance of the works by the Building Official.

18.0 Bonding Against Damage to Highway

18.1 Where an owner will, in the course of construction of the building for which approval is issued:

- (a) Be excavating upon the property;
- (b) Be bringing heavy equipment onto the site from the adjacent roadway; or
- (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 with the City 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.

18.2 The sum of money required by subsection 18.1 herein shall be as specified in Schedule "B" to this Bylaw, and shall be deposited with the City in the form of cash, certified cheque or Irrevocable Letter of Credit in the City's standard format from a Chartered Bank of Canada, evidence of this payment must be forwarded to the Band prior to the issuance of the building approval.

18.3 Where it is deemed necessary by the Public Works Manager or a Building Official to sweep the streets due to construction activities undertaken in connection with or under a building approval, there shall be deducted from the monies on deposit the fee for the sweeping of streets as set out in Schedule "B" to this Bylaw.

18.4 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 approval, 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 City 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 18.2 to pay the costs of such repairs or clean up.

18.5 Should there be an insufficiency of monies on deposit with the City, then the owner shall be liable for payment, and shall pay forthwith, upon invoice, the balance that is required by the City 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.

18.6 Sections 19.1 and 19.2 inclusive shall not apply to property that is not serviced by underground municipal utilities or a paved road.

19.0 Driveway Access

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

19.2 No person may install a culvert unless approval 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 are 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) metres.

20.0 Moving Buildings

20.1 No person shall move a building or structure on the Campbell River Indian Reserve # 11, or from place to place within the reserve, unless he has a valid and subsisting approval issued by the Band and/or Building Official.

20.2 The Band and/or Building Official shall not issue approval unless 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.

20.3 No building or structure may be relocated within the Reserve unless it meets the following conditions:

- (a) It has an appraised value and a home inspection report (independent inspector) that supports its worth.
- (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 approval;

21.0 Underground Electrical Services

21.1 Where electrical services are to be upgraded, no building approval shall be issued for new buildings or renovations of commercial, industrial and multi family buildings in the following areas unless all overhead services are directed underground if and when the Band relocates the services underground:

22.0 Permits, Applications and Forms

22.1 The Band and/or 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.

23.0 Cancellation of Permit

23.1 The Band and/or Building Official may revoke approval issued under this Bylaw where:

31.1.1 The application for approval contained false or misleading information;

31.1.2 There is a contravention of a provision of this Bylaw or the Building Code.

23.2 The revocation of approval must be in writing and delivered to the owner in person or by registered mail.

23.3 An owner and/or developer may, within 14 days of delivery of the notice of revocation, apply to the Band Council for a reconsideration of the decision of the Building Official to revoke the owner and/or developer's approval.

24.0 Penalties and Enforcement

24.1 Every person who contravenes any provision of this Bylaw commits an offense punishable on summary conviction and shall be liable to a fine of not more than One Thousand (\$1,000.00) Dollars or to imprisonment for not more than 30 days or both. The Band Council may also order injunctive reliefs as prescribed under section 81(2) and (3) of the Indian Act.

24.2 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.

24.3 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 the work.

24.4 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.

24.5 Every person who commences work requiring building approval without first obtaining such approval shall, pay an additional charge equal to double of the building approval fee prior to obtaining the required building permit.

25.0 Schedules and Appendices

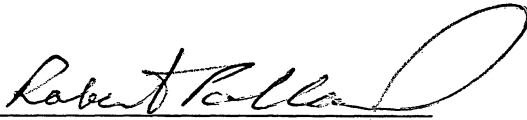
25.1 Schedule "A" attached to this Bylaw forms a part of and is enforceable in the same manner as this Bylaw.

26.0 Transitional

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

Adopted on the 21 day of December 2005.

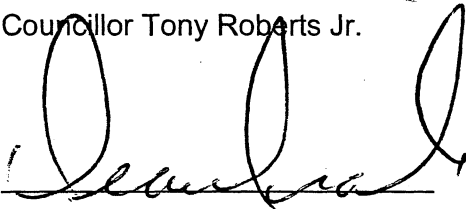
THEREFOR BE IT RESOLVED that the Campbell River Indian Band Council has reviewed the above bylaw and approve the Bylaw in its entirety.



Chief Robert Pollard

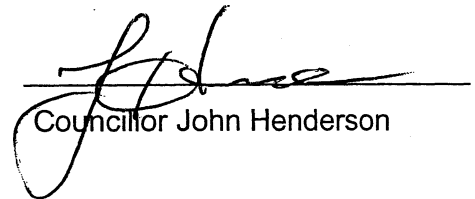


Councillor Tony Roberts Jr.



Councillor Dean Drake

Councillor Dan Smith



Councillor John Henderson

Councillor Josh Duncan

Schedule "A" – Approval Fees

All Construction

Prior to issuing approval, a Building Inspector may require an applicant to provide the Band or Building Official with an appraisal of the value of the proposed construction, at the applicant's expense. In such case, the building permit fee must be based on the appraised value of the construction in accordance with the following:

Value of Construction	Fee
Not exceeding \$5,000.00	\$50.00
Over \$5,000.00 but less than \$200,000.00	\$50.00 for the first \$5,000.00 Plus \$6.50 for each additional \$1,000.00
Over \$200,000.00	\$7.00 per 1,000

Other

	Fee
Plan review	
Ancillary building	\$50.00
Less than 4 self-contained dwelling units	\$100.00
Multifamily, commercial industrial	\$150.00
Demolition	\$30.00
Building File review	\$50.00
Construction without valid approval	Double Fee
Re-inspection	\$50.00

Plumbing

	Fee
1 or 2 plumbing fixtures	\$24.00
> 3 plumbing fixtures	\$6.00 per fixture
Inspection of water or sewer lines on private	\$10.00
Inspection of fire sprinkler system	\$0.60 per sprinkler head
Inspection of residential or commercial lawn	\$25.00 per zone
Inspection of commercial irrigation system	\$100.00 per diameter inch of supply
Inspection of fire protection system	\$25.00 per standpipe hydrant or hose
Inspection of connection to, or alteration of,	\$30.00
Inspection of septic tank after connection to	\$20.00 (pump out receipt required)
Inspection of maintenance holes, interceptors	\$30.00
Inspection of pump station	\$30.00
Construction without a valid approval	Double Fee
Callback inspection	\$50.00

SCHEDULE B

FEE SCHEDULE: BONDING AGAINST DAMAGE TO DISTRICT STREETS DURING THE COURSE OF CONSTRUCTION ON OTHER THAN THE HIGHWAY ITSELF

- (A) Cash, Certified Cheque or Approved Irrevocable Letter of Credit to be deposited with the District prior to the issuance of any building approval in the amount of \$10.00/frontage foot minimum fee \$500.00

- (C) Fee for necessary additional inspection - subsequent to final inspection by a Building Inspector, in order to ensure that the provisions of this Bylaw have been complied with. [Pursuant to Sections 7(3)(b) and 7(3)(c)]..... \$50.00

- (D) Fee to be retained from Building Bond for Sweeping of Streets [Pursuant to Sections 7(3)(d) and 7(3)(e)]
Per occurrence as directed by Superintendent of Public Works or Building Inspectors..... \$50.00