



DISTRICT OF VANDERHOOF

BUILDING INSPECTION PROCEDURES POLICY

FEBRUARY, 2004

Objective

To provide for the consistent application, administration, and enforcement of the *District of Vanderhoof* Building Bylaw No. 965, 2004.

Procedures

1. Building Permit Applications

Application forms, as provided by the *District of Vanderhoof* Building Inspection Department, shall be completed by the applicant and contain all information cited in sections 8,9 and 10 of the *District of Vanderhoof* Building Bylaw No. 965, 2004.

2. Building Permits

Where a *building permit* is issued on the basis of the certification of a *registered professional* pursuant to section 290(1) of the *Local Government Act*, reliance upon that certification by the *District of Vanderhoof* shall be noted on the *building permit*.

3. Inspections

Given the volume of the *building* activity within the *District of Vanderhoof*, the broad area having to be covered by the *building officials* and the limited fiscal resources available to perform the *building* inspection service:

- 3.1. The *owner* of a property to which a *building permit* is issued is responsible to request and obtain all required inspections, as noted in the *District of Vanderhoof* Building Bylaw. Failing to request the required inspections and subsequently concealing the *work* may result in the *work* being rejected by the *building official*.
- 3.2. If a property *owner* requests an inspection for anytime other than a regularly scheduled trip, the *building official* will attempt to accommodate the property *owner*. However, if the *building official* is unable to travel to the *building site* on the date requested, the *building official* may alternatively ask questions over the telephone relating to the method of *construction* utilized, record responses and determine whether it is acceptable to conceal the *work* based upon the telephone responses. In all cases, photographs of the *work* shall be taken prior to the *work* being concealed and shall subsequently be submitted to the *building official* for review.

4. Record Keeping



The **building official** will keep records of any application received, **permits** and orders issued, inspections and tests performed and retain copies of all papers and documents connected with the administration of the Building Bylaw for a minimum of 30 years.

5. Construction Without A Building Permit

It is common for **building officials** to become aware of **buildings** or **structures** which are under **construction** without the required **building permit**. In such cases, because critical components of the **construction** have often been concealed, such as footings and plumbing, it is very time consuming for **building officials** to determine whether compliance with the **Building Code** has been achieved. Property **owners** are often reluctant to expose the critical components after they have been concealed. The **District** is limited in its capacity to inspect and **accept construction** which has occurred without the required **building permit**. The primary means of enforcing the Building Bylaw shall be to notify future prospective purchasers of the non-compliant status of the **building** or **structure**.

5.1. Notification to Property Owner of Non-Compliance

Depending upon the circumstances involved with individual cases of such non-compliance, the **building officials** may pursue either of the following options to resolve the issue:

- 5.1.1. A "Stop **Work Order**" may be posted on a **building** or **structure**. The "Stop **Work Order**" shall remain on the **building** or **structure** until a **building permit** has been issued, all required inspections have been performed and compliance with all related regulations has been achieved (e.g. zoning, sewage disposal, etc.), or;
- 5.1.2. A "Do Not Occupy" notice may be posted on a **building** or **structure**. Every **person**, shall cease **occupancy** of the **building** or **structure** immediately and shall refrain from further **occupancy** until a **building permit** has been issued, all required inspections have been performed, compliance with all related regulations has been achieved (e.g. zoning, sewage disposal, etc.) and has secured a written notice from the **building official** that the "Do Not Occupy" notice has been removed, or;
- 5.1.3. The **building official** may send the registered **owner** of the property a letter informing him / her of the bylaw infractions. The letter should state that further action will be taken if a **building permit** is not obtained within 30 days. If, after 30 days, a **building permit** has not been obtained, a double-registered letter shall be sent to the property **owner** stating that the **District of Vanderhoof** will be considering filing notice on the property title, pursuant to section 57 of the *Community Charter*, if all required



information (**building permit** application, third party certification, etc.) is not received within 30 days.

5.2 Inspections

Where **construction work** has been performed without the required **building permit** and the **work** requiring inspection has been concealed, the property **owner** may either:

- 5.2.1. remove the concealing elements (e.g. backfill, gyproc, etc.) for the benefit of the **building official**, or
- 5.2.2. seek third party certification by a **registered professional**, lawfully authorized to practice in the Province of British Columbia, that the concealed **work** conforms in all respects to the B.C. **Building Code**.

5.3 Notification on Title of Non-Compliance

- 5.3.1. The primary means of providing notification that a **building permit** has not been issued for the **building** and **structures** found to be under **construction** or to be recently constructed (within the previous 12 months) without a **building permit** is to register notice on the property title pursuant to section 57 of the *Community Charter*. The **building official** shall make a recommendation to the **Council** of the **District of Vanderhoof** to begin the process of registering notice on title as prescribed under section 57 of the *Community Charter*.
- 5.3.2. Due to limited available staff and fiscal resources, the **District of Vanderhoof** will not pursue the registration of notice on property titles where it is discovered that a **building** or **structure** constructed 12 months or more prior was constructed without a required **building permit**, unless there are safety considerations or considerations relating to other regulations (e.g. zoning) which are impacted by the non-compliant **building** or **structure**.
- 5.3.3. If the condition of a **building** or **structure** which was constructed without a required **building permit** is determined by the **building official** to be unsafe, regardless of its age and that determination is confirmed by a:
 - **registered professional**;
 - electrical inspector;
 - gas inspector;
 - environmental health officer; or
 - local representative to the Fire Commissioner



the **building official** shall make a recommendation to the **Council** of the **District of Vanderhoof** to begin the process of registering notice on title as prescribed under section 57 of the *Community Charter*.

6. Prohibiting Occupancy of an Existing Building

With regard to the authority of the **building official**, provided under the Building Bylaw, to require that a **building**, or portion thereof, be vacated or its **occupancy** or use be prohibited due to an unsafe condition, the following procedures shall be followed:

- 6.1. The **building official** shall give 24 hours written notice of entry in respect of an occupied dwelling and shall carry identification and credentials on entry.
- 6.2. After reviewing the potentially unsafe condition(s), the **building official** shall obtain a second opinion relating to the nature and degree of the unsafe condition(s) from one or more of the following:
 - **registered professional**;
 - electrical inspector;
 - gas inspector;
 - environmental health officer; or
 - local representative to the Fire Commissioner.
- 6.3. If the unsafe condition(s) is confirmed by the second opinion, a double registered letter shall be sent to the property **owner** stating the nature of the unsafe condition(s). "Condemned" notices shall then be posted at all conspicuous entries to the **building** or **structure**.
- 6.4. Remediation of the unsafe condition(s) and removal of the notices shall be in conformity with the Building Bylaw.

7. Release of Building Inspection Information

- 7.1. The **District of Vanderhoof** will release information relating to the status of **buildings** on a property to the **owner** of the property, his / her authorized **agent** or any other **person** requesting the information subject to the restrictions of the *Freedom of Information and Protection of Privacy Act*. Both requests for information and the information provided by the **building official** shall be provided in written form. When required, the **building official** may require a fee for each property information request. This fee represents the cost, to be borne by the user of the information, of researching the status of **buildings** on a property and providing a written response.
- 7.2. Where, as a result of a request for information regarding the status of **buildings** on a property, it is discovered that an existing **building** or **structure** was



constructed without a required ***building permit*** or ***occupancy permit***, the Building Inspection Department is often asked if any enforcement action is proposed.

7.2.1. Where the ***building*** or ***structure*** was constructed 12 months or more prior to the request for information was received, the ***building official*** shall respond in writing that “A ***building permit*** (or ***occupancy permit***) was not issued for the subject ***building*** (or ***structure***) and that no enforcement action regarding this non-compliant situation is anticipated at this time”, unless there are safety considerations or considerations relating to other regulations (e.g. zoning) which are impacted by the non-compliant ***building*** or ***structure***.

7.2.2. Where the ***building*** or ***structure*** was constructed within 12 months of the receipt of the request for information, or if there are safety considerations or considerations relating to other regulations (e.g. zoning) which are impacted by the non-compliant ***building*** or ***structure***, the ***building official*** shall respond in writing that “A ***building permit*** (or ***occupancy permit***) was not issued for the subject ***building*** (or ***structure***) and that enforcement action may be pursued in relation to the non-compliant situation.”

Note: Words that are both boldfaced and in italics are defined in the ***District of Vanderhoof*** Building Bylaw No. 965, 2004.