



SONGHEES NATION
BUILDING REGULATION AND INSPECTION LAW, 2014

Songhees Nation
July, 2014

**SONGHEES NATION
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**SONGHEES NATION
BUILDING REGULATION AND INSPECTION LAW, 2014**

WHEREAS:

- A. The members of the Songhees Nation have in common inherent rights, customs, and traditions and the inherent right to self-government as affirmed by Section 35 of the *Constitution Act, 1982*;
- B. The Songhees Nation has control and management of Songhees lands and resources pursuant to the *Framework Agreement on First Nation Land Management* and has enacted the *Songhees First Nation Land Code* effective October 1st, 2011;
- C. The *First Nations Land Management Act* and Section 6.1 of the *Songhees First Nation Land Code* authorize the Songhees Nation's Council to pass laws on matters necessary to give effect to the *Land Code*, and authorizes the Songhees Nation to enforce such laws;
- D. The Government of British Columbia and the Government of Canada have adopted Building Codes that establish minimum requirements and regulate the construction, alteration, repair, demolition and removal of buildings and structures for the Province and Canada;
- E. The Council of the Songhees Nation on behalf of, and for the benefit and protection of, the Songhees Nation members deems it advisable and in the best interests of the Songhees Nation to enact a law to regulate the construction, alteration, repair, demolition and removal of buildings and structures within Songhees Nation lands.

NOW THEREFORE this *Songhees Nation Building Regulation and Inspection Law* is hereby enacted as a law of the Songhees Nation.

1. CITATION

- 1.1 This Law may be cited as the *Songhees Nation Building Regulation and Inspection Law, 2014*.

2. DEFINITIONS

- 2.1. Words and expressions have the same meanings as they have in the *Land Code* and *Individual Agreement* as amended from time to time, unless otherwise defined in this Law and as the context and circumstances warrant.
- 2.2. The following words have the meanings set out in Section 2 of the *Songhees First Nation Land Code*, as amended or replaced from time to time: *Council, First Nations Land Registry, Individual Agreement, Land Code, Lands Manager, member, Nation, and permanent interest*.
- 2.3. The following words and terms have the meanings set out in Division A, Part 1, Subsection 1.4.1 of the *Building Code*: *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, occupancy, plumbing system, registered professional, and residential occupancy*.

2.4. In this Law:

Building Code

means the *British Columbia Building Code 2012* enacted pursuant to the *Local Government Act*, R.S.B.C. 1996, c. 323, s. 692(1), including all amendments effective as at the date this law comes into force, and all subsequent amendments set out in Schedule "A";

Building Official

means a person employed or contracted by the *Nation* to administer this Law including:

- (a) *Lands Manager*;
- (b) bylaw officer;
- (c) building inspector; and
- (d) for matters regarding *fire suppression systems* and solid fuel burning appliances, the *fire chief* or the respective fire department personnel designated for those purposes by the *fire chief*;

Complex Building

means:

- (a) a *building* classified as a post disaster *building*;
- (b) all *buildings* used for major occupancies classified as:
 - (i) *assembly occupancy*;
 - (ii) *care or detention occupancy*; or
 - (iii) *high hazard industrial occupancy*;
- (c) all *buildings* exceeding 600 square meters in *building area* or exceeding three storeys in *building height* used for major occupancies classified as:
 - (i) *residential occupancy*;
 - (ii) *business and personal services occupancy*;
 - (iii) *mercantile occupancy*; or
 - (iv) *medium and low hazard industrial occupancy*;

Deconstruction

means the taking apart of a *building* or *structure* whereby at least 70% of the framing members of the *building* or *structure* are removed in salvageable form and are capable of being reused as framing members;

Excavation

means the space created by the removal of soil, rock or fill for the purpose of construction requiring a permit;

Fire Chief

means the person appointed by the *Nation*, or retained through an agreement for service to act on behalf of the *Nation*, as the Fire Chief;

Fire Suppression System

includes fire sprinkler system, foam system, wet and dry chemical fire suppression equipment and any other extinguishing system;

Health and safety aspects of the work means design and construction regulated by Part 3, Part 4, and Sections 9.4, 9.8, 9.9, 9.10, 9.12, 9.13, 9.14, 9.15, 9.16, 9.17, 9.18, 9.19, 9.20, 9.21, 9.22, 9.23, 9.24, 9.31, except to the extent that it deals with the potability of the water supply, 9.32, and 9.34 of Part 9 of the *Building Code*;

Occupancy Permit

means a permit for use or *occupancy* of a *building* or *structure* issued by the *Nation* under Section 19.1;

Parcel of Land

means a specific section or area of *Nation* land with a unique legal description and includes:

- (a) a lot on *Nation* land registered in the *First Nations Land Registry*;
- (b) an area of *Nation* land outlined in the *Individual Agreement*; and
- (c) an area of *Nation* land identified in the Natural Resources Canada (NRCAN) registry index plan maps;

Permanent Interest Holder

means a *person* who holds a *permanent interest* in a *parcel of land*, or a *person* duly authorized in writing, in a form satisfactory to the *Building Official*, to act as the *permanent interest holder's* agent;

Permit

notwithstanding the definition of "permit" in the *Land Code*, means a permit required by Section 6.1 and issued under Section 15.1 and may include a permit for: (a) building; (b) plumbing; (c) demolition; (d) deconstruction; (e) siting; (f) *occupancy* or a change of *occupancy*; (g) a fireplace, chimney, or woodstove; (h) oil furnace or oil tank; or (i) a *fire suppression system*;

Registered Professional

means a person who is registered or licensed to practice as an architect under the *Architects Act*, or a person who is registered or licensed to practice as a professional engineer under the *Engineers and Geoscientists Act*;

Standard Building

means a *building* of three storeys or less in *building height*, having a *building area* not exceeding 600 square meters and used for *major occupancies* classified as:

- (a) *residential occupancies*;
- (b) *business and personal services occupancies*;
- (c) *mercantile occupancies*; or
- (d) *medium to low hazard industrial occupancies*;

Single Family Dwelling Unit

means a *building or structure* which contains one dwelling unit;

Structure

means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into the land or water, but specifically excludes items listed in Section 5.2;

Temporary Building

means a building for temporary use or *occupancy* not exceeding one (1) year from the date of issuance of a building *permit*, but does not include non-permanent construction site *buildings*, emergency facilities and similar structures that may be used or occupied with the written permission of the *Nation*;

Two Family Dwelling Unit

means a *building or structure* which contains two dwelling units.

3. INTERPRETATION AND INCORPORATION OF BUILDING CODE

- 3.1 Notwithstanding any other provision, this Law shall be interpreted in accordance with this Part.
- 3.2 The *Building Code* applies with such modification as circumstances warrant, and if there is a conflict between this Law and the *Building Code*, or any other applicable enactment other than the *Land Code* or *Individual Agreement*, this Law prevails.
- 3.3 If there is a conflict between this Law and the *Land Code* or *Individual Agreement*, the *Land Code* and *Individual Agreement* shall prevail unless this Law expressly provides otherwise.
- 3.4 Words in italics are defined terms, and headings are inserted for information purposes only.
- 3.5 Schedules "A" through "J" form part of the requirements of this Law and appendices are included for information or explanatory purposes only.

4. PURPOSE

- 4.1 This Law is enacted for the purpose of regulating construction within the *Nation* in the general public interest. Activities undertaken by or on behalf of the *Nation* are for the sole purpose of providing a limited spot-checking function for reasons of health, safety and protection of persons and property. It is neither contemplated nor intended, nor does the purpose of this Law in any way extend:

- (a) to protect *permanent interest holders* or *constructors* from economic loss;
- (b) to provide a warranty that construction is in compliance with this Law, the *Building Code* or other applicable laws;
- (c) so that the *Nation* or a *Building Official* assumes any responsibility for ensuring a *permanent interest holder*, including agents, representatives, employees, *constructors*, and *designers* retained by the *permanent interest holder*, complies with this Law or the *Building Code* or any other applicable law or standard respecting safety;
- (d) to provide any *person* a warranty of design or workmanship with respect to a *building* or *structure* for which a *permit* or *certificate* is issued under this Law;
- (e) to provide a warranty or assurance that construction undertaken pursuant to a *permit* is free from latent or other defects.

5. SCOPE OF THE LAW

- 5.1 This Law applies to the design, construction and *occupancy* of new *buildings* and *structures* and the alteration, reconstruction, *deconstruction*, demolition, removal, relocation, change of *occupancy* and *occupancy* of existing *buildings* and *structures*.
- 5.2 This Law does not apply to:
- (a) *buildings* or *structures* exempted by Division A, Part 1 of the *Building Code* except as otherwise provided in this Law;
 - (b) retaining *structures* less than 1.22 meters in height;
 - (c) fences;
 - (d) concrete, asphalt or similar surfacing of land;
 - (e) portable swimming pools not anchored to the ground;
 - (f) pools having a surface area of 15 square meters or less or a depth of 450 mm or less;
 - (g) uncovered patios and terraces not more than 0.62 meters above grade;
 - (h) *buildings* constructed for short-term, non-permanent *occupancy* or use that are not *temporary buildings*; or
 - (i) factory-built wood burning appliances or chimneys.

6. PERMIT CONDITIONS

- 6.1 A *permit* is required whenever work regulated under this Law is to be undertaken.
- 6.2 Neither the issuance of a *permit* nor the acceptance or review of applications, plans, drawings, specifications or documents, nor any inspection made or monitoring activities undertaken by or on behalf of the *Nation* shall in any way:

- (a) relieve the *permanent interest holder* from full and sole responsibility to perform work in strict accordance with this Law, the *Building Code* and any other applicable laws respecting safety; or
 - (b) constitute a representation, warranty, assurance or statement that the *Building Code*, this Law or other applicable laws respecting safety have been complied with.
- 6.3 It shall be the full and sole responsibility of the *permanent interest holder*, and where the *permanent interest holder* is working through a representative the representative, to carry out the work in respect of which the *permit* is issued in compliance with this Law, the *Building Code* or other applicable enactment respecting safety.
- 6.4 No person shall rely upon a *permit* or *occupancy permit* or notice or order as establishing compliance with this Law or assume or conclude that this Law has been administered or enforced according to its terms, and the person for whom a *permit* or *occupancy permit* or notice or order is issued is solely responsible for making such determination.

7. PROHIBITIONS

- 7.1 A person must not commence or continue any construction, alteration, demolition, reconstruction, removal, relocation or change the *occupancy* of any *building* or *structure*, including *excavation*, or other work related to construction unless a *Building Official* has issued a valid and subsisting *permit* for the work.
- 7.2 A person must not commence or continue the installation or alteration of a *plumbing system*, including a *fire suppression system*, unless a *Building Official* has issued a valid and subsisting *permit* for the work.
- 7.3 A person must not occupy or use any *building* or *structure* without a valid and subsisting *occupancy permit* issued by a *Building Official*, or contrary to the terms of any *permit* or notice issued by a *Building Official*.
- 7.4 A person must not knowingly submit false or misleading information to a *Building Official* in relation to any *permit* application or construction undertaken pursuant to this Law.
- 7.5 A person must not, unless authorized in writing by a *Building Official*, reverse, alter, deface, cover, remove or in any way tamper with any notice, or *permit* or certificate posted upon or affixed to a *building* or *structure* pursuant to this Law.
- 7.6 A person must not do any work that is substantially at variance with the accepted design or plans of a *building*, *structure* or other works for which a permit has been issued, unless that variance has been accepted in writing by a *Building Official*.
- 7.7 A person must not obstruct a *Building Official* or other authorized official of the *Nation* from entering property to administer this Law.

8. BUILDING OFFICIALS

- 8.1 A *Building Official* may:
- (a) administer this Law;

- (b) prescribe the form of applications, *permits*, *certificates of use and occupancy*, orders and notices except to the extent that they are specifically prescribed by this Law;
- (c) receive and review applications and issue *permits* and *certificates of use and occupancy*, orders and notices in accordance with this Law;
- (d) establish whether the methods or types of construction and types of materials used in construction of a *building* or *structure* substantially conforms to the requirements of this *Law* and the *Building Code*;
- (e) keep records of applications, *permits*, *certificates of use and occupancy*, notices and orders issued, inspections and tests made, and shall retain copies of all documents related to the administration of this Law which may be in digital, or microfilm form;
- (f) enter a *parcel of land*, *building*, *structure* or premises at any reasonable time for the purpose of ascertaining that this Law is being observed and must:
 - (i) where entering a residence that is occupied, obtain the consent of the occupant, or provide written notice to the occupant 24 hours in advance of entry; and
 - (ii) carry proper credentials to confirm his or her status as a *Building Official*;
- (g) order and permit the correction of any work that is being done or has been done in contravention of this Law; and
- (h) if a cessation of work order is issued under Section 24.3, a *Building Official* may authorize work in order to correct the contravention, or to continue the work once the contravention has been corrected to the *Building Official's* satisfaction.

9. APPLICATIONS

9.1 A permit is not required:

- a) for minor repairs or alterations to non-structural components of the *building*;
- b) when a valve, faucet, fixture or service water heater is repaired or replaced, a stoppage is cleared, or a leak repaired if no change to the piping is required.

9.2 Unless exempted by Sections 5.2 or 9.1, every person shall apply for and obtain from the *Nation*:

- a) a building *permit* prior to *excavation* or blasting, constructing, repairing, altering, moving or adding to a *building*, *temporary building*, or *structure*;
- b) a demolition or deconstruction permit prior to demolishing or deconstructing a *building*, *temporary building* or *structure*, unless the works are encompassed by a valid and subsisting building *permit*;
- c) a fireplace, chimney, wood stove, or oil furnace *permit* prior to the construction of a masonry fireplace, or the installation of a chimney, wood burning appliance, solid fuel burning appliance or oil furnace, unless the works are encompassed by a valid and subsisting building *permit*;

- d) a plumbing *permit* prior to installing, or altering any *plumbing system* or *fire suppression system*, in a new or existing *building* unless the works are encompassed by a valid and subsisting building *permit*;
- e) a change of *occupancy classification permit* prior to changing any *occupancy classification*, unless the change of classification is encompassed by a valid and subsisting building *permit*;
- f) a moving *permit* prior to moving a *building* or *structure*;
- g) a mobile home *permit* prior to installation of a mobile home; and
- h) such other *permit* as may be required by this Law and prescribed by the *Nation*.

Buildings or Structures

- 9.3 Each *building* or *structure* to be constructed on a *parcel of land* requires a separate application for a *permit* and is assessed a separate fee as set out in Schedule "B".
- 9.4 All applications for a *permit* for a *building* or *structure* shall:
- (a) be made on the form contained in Schedule "C" as applicable, or otherwise prescribed by the *Nation*;
 - (b) be signed by the *permanent interest holder*;
 - (c) be accompanied by the *permanent interest holder's* acknowledgement of responsibility and undertakings made in the form prescribed by the *Nation* and attached as Schedule "D-1", signed by the *permanent interest holder*;
 - (d) include a copy of:
 - (i) the *parcel of land* abstract report found in the *First Nations Land Registry System*, or where none exists then in another relevant registry system, that is dated no more than five (5) days before the date of the application; and
 - (ii) all covenants, easements, rights-of-way and other registered charges against the *parcel of land*;
 - (e) where plans are submitted with the application, bear the name and address of the *designer* of the *building* or *structure* on the plans;
 - (f) include a site plan, and where the application is for a *complex building* include three (3) copies, prepared by a Canadian Land Surveyor at a scale of 1:100 showing:
 - (i) the bearing and dimensions of the *parcel of land* taken from the registered subdivision plan as applicable;
 - (ii) the legal description and civic address of the *parcel of land*;
 - (iii) the location and dimensions of all statutory rights of way, easements, development permit areas and setback requirements;

- (iv) the location and dimensions of all existing and proposed *buildings* or *structures* on the *parcel of land*;
- (v) setbacks to the natural boundary of the sea, wetland, pond or watercourse, as applicable;
- (vi) 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 *Nation* land use regulation establishes siting requirements related to minimum floor elevation; and
- (vii) the location, dimension and gradient of parking and driveway access.

9.5 A *Building Official* may waive the site plan requirements of Subsection 9.4(f) in whole or in part where the *permit* is sought for the repair or alteration of an existing *building* or *structure*.

Complex Building

9.6 In addition to the requirements of Section 9.4, an application for a *permit* for a *complex building* shall be signed by the *coordinating registered professional* and include:

- (a) 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;
- (b) a cross-section through the *building* or *structure* illustrating foundations, drainage, ceiling heights and construction systems;
- (c) elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, spatial calculations and finished grade;
- (d) cross-sectional details drawn at appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *Building Code*;
- (e) a grading plan that complies with Section 12.1;
- (f) copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and approvals from the relevant health authority;
- (g) letters of assurance in the form of Schedule A in the *Building Code*, Division C, Part 2, Subsection 2.2.7 [Professional Design and Review] containing a confirmation of commitment by the *permanent interest holder* and *coordinating registered professional* and signed by both, or by their respective signing officers if a corporation;
- (h) letters of assurance in the form of Schedule B in the *Building Code*, Division C, Part 2, Subsection 2.2.7 [Professional Design and Review] for professional design and commitment for *field review* signed by the *registered professional*, or by its respective signing officer if a corporation;
- (i) three (3) sets of drawings at an appropriate scale sufficient to show required details of the design prepared by each *registered professional* and including the information set out in Subsections 9.6 (a) and (d); and

- (j) the intended use or uses of each *building* or *structure* in a manner consistent with the Songhees Nation Zoning Bylaw or zoning law as applicable.

Standard Building

- 9.7 In addition to the requirements of Section 9.4, an application for a *permit* for a *standard building* shall include:
- (a) 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;
 - (b) a cross-section through the *building* or *structure* illustrating foundations, drainage, ceiling heights and construction systems;
 - (c) elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, spatial calculations and finished grade;
 - (d) cross-sectional details drawn at appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *Building Code*;
 - (e) a grading plan that complies with Section 12.1 of this Law;
 - (f) copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and any approval of the provincial or federal government that may be necessary;
 - (g) a foundation design prepared by a *registered professional* in accordance with the *Building Code*, Division B, Part 4, Section 4.2 [Foundations], accompanied by letters of assurance in the form of Schedule B (assurance of professional design and commitment for *field review*) in the *Building Code*, Division C, Part 2, Section 2.2 [Professional Design and Review], signed by the *registered professional* or by its respective signing officers if a corporation;
 - (h) two (2) sets of drawings at a scale of 1:50 of the design including the information set out in Subsections 9.8 (a),(d) and (g); and
 - (i) where the project involves:
 - (i) two or more *buildings*, which in the aggregate total more than 1,000 square meters; or
 - (ii) two or more *buildings* that will contain four or more dwelling units; or
 - (iii) where the complexity of the proposed *building* or *structure* or siting circumstances warrant,then the *application* shall also include:
 - 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 *Nation's Servicing Law* or other applicable legal requirements;

- 2) a cross-section through the site showing grades, *buildings*, *structures*, parking areas and driveways;
- 3) a roof plan and roof height calculations;
- 4) structural, electrical, mechanical or *fire suppression system* drawings prepared and sealed by a *registered professional*;
- 5) letters of assurance in the form of Schedule B (assurance of professional design and commitment for *field review*) in the *Building Code*, Division C, Part 2, Section 2.2 [Professional Design and Review], signed by the *registered professional*; and
- 6) any other information required by the *Building Official* to establish substantial compliance with this Law, and other laws relating to the *building* or *structure*.

(j) the intended use or uses of each *building* or *structure* in a manner consistent with the Songhees Nation Zoning Bylaw or zoning law as applicable.

9.8 A *Building Official* may waive the requirements of Subsection 9.8 (g) if documentation, prepared and sealed by a *registered professional*, is provided assuring that the foundation design substantially complies with the *Building Code*, Division B, Part 9, Section 9.4.4 [Foundation Conditions] and the foundation excavation substantially complies with the *Building Code*, Division B, Part 9, Section 9.12 [excavation].

Plumbing

9.9 In addition to the requirements of Section 9.4, an application for a *permit* for a *plumbing system* shall include drawings at a scale of 1:100 showing the proposed work in sufficient detail to illustrate compliance with the *Building Code*, including sectional drawings showing the size and location of every waste pipe, trap and vent pipe, except in the case of a system to be installed in a *single family dwelling unit* or *two family dwelling unit* where the drawings shall only be included if required by the *Building Official*.

9.10 Where Section 9.9 drawings illustrate a *fire suppression system* they must bear the seal of a *registered professional*.

Swimming Pool

9.11 In addition to the requirements of Section 9.4, an application for a *permit* to construct a pool shall provide a plan at a scale of 1:50 showing the location, enclosure details, depth and dimensions of the pool and its structural details, and all water supply piping, waste piping and appurtenances.

Fire Suppression System

9.12 The *fire chief* may prescribe the form of application and *permit* for the purpose of a *fire suppression system*.

9.13 Every *person* must apply for and obtain a *fire suppression system permit* from the *fire chief* prior to installing a *fire suppression system* and pay the applicable fee set out in Schedule "B".

Building Demolition

9.14 An application to demolish a *building* shall include confirmation that the applicant has made arrangements with the *Nation* for water and sewer services to be capped at the applicant's cost.

Building Move

9.15 An *application* to move a *building* shall include:

- (a) confirmation that the *permanent interest holder* has made arrangements with the *Nation* for water and sewer services to be capped at the *permanent interest holder's* cost;
- (b) an identification of the sites from which, and to which, the *building* is to be moved;
- (c) a route map for the proposed *building* move and evidence in a form acceptable to the *Building Official* of permission from the relevant authorities having jurisdiction to use all highways or roads identified in the route map;
- (d) confirmation that the *building* being moved will comply with the requirements of this *Law*, the *Building Code* and other applicable *Laws* of the *Nation* upon completion of construction at its new location; and
- (e) prior to the issuance of a *building permit*, an irrevocable Letter of Credit deposited in favour of the *Nation* in an amount equal to 125% of the estimated value of the subject *building* determined in accordance with Schedule "B", which in any event shall not be less than \$5,000.00 when the *building* will be moved off *Nation* lands and \$15,000 when the *building* is moved to a location on *Nation* lands. Notwithstanding other provisions of this *Law* the deposit is to secure payment for injury to, destruction, defacement, disturbance or deposit of material on *Nation* land or works due to the *building* move, and the *Permanent Interest Holder* agrees to allow a *Building Official*, and his or her agents and contractors, to remedy such injury, destruction, defacement, disturbance to *Nation* land or works and clean *Nation* land or works and apply the deposit to these costs, including applicable administration fees. The *Permanent Interest Holder* further agrees to allow a *Building Official*, and his or her agents and contractors, to enter his or her *parcel of land* for these purposes.

Additional Information Where Complexity Warrants

9.16 Where the complexity of the proposed *building* or *structure* or siting circumstances warrant, a *Building Official* may also require:

- (a) site service drawings, including sufficient detail of off-site services to indicate locations at the *parcel of land* property line, prepared and sealed by a *registered professional*, in accordance with the *Nation's Servicing Law* or other applicable legal requirements;
- (b) a section through the site showing grades, *buildings*, *structures*, parking areas and driveways;
- (c) a letter of opinion on how the proposed *building* or *structure* conforms to the *Building Code*, the *Songhees Nation Zoning Bylaw* or zoning law as applicable, or any applicable development permit areas; or
- (d) any other information required by the *Building Official* to establish substantial compliance with this *Law*, the *Building Code* or other laws relating to the *building* or *structure*.

10. PROFESSIONAL PLAN CERTIFICATION

- 10.1 Letters of assurance provided under Subsections 9.6(g), 9.6(h), 9.7(g), 9.7(i), or 14.2(d), or Section 17.1 are relied upon by the *Nation*, including its *Building Officials*, as certification that the design and plans to which the letters of assurance relate comply with the *Building Code*, this Law and other applicable enactments relating to safety.

11. FEES AND CHARGES

- 11.1 Fees and charges for services are payable as set out in Schedule "B".
- 11.2 A *permit* processing fee must accompany a *permit* application, is non-refundable, and shall be credited against the applicable *permit* fee when payable.
- 11.3 A *permit* fee is assessed based on the value of each *building* or *structure* for which a *permit* is sought, calculated in accordance with Schedule "B", and must be paid to the *Nation* in full prior to the issuance of a *permit*.
- 11.4 A *permit* fee for a *complex* or *standard building* may have the applicable *permit* fee reduced as set out in Schedule "B".

Fees Forfeited or Refunded

- 11.5 An application shall be cancelled and the plan processing fee forfeited if the *permit* has not been issued and the *permit* fee not paid within sixty (60) calendar days of the date of the written notification to the *permanent interest holder* that the *permit* is ready to be issued.
- 11.6 The *permanent interest holder* may obtain a refund of the *permit* fee, minus the *permit* processing fee, when a *permit* is surrendered and cancelled before any construction begins.
- 11.7 When a *permit application* or *permit* is cancelled or surrendered the plans and related documents submitted in relation to the application or *permit* may be destroyed.

Other Fees and Charges

- 11.8 All additional fees and charges are payable to the *Nation* in accordance with Schedule "B" as applicable.
- 11.9 Where due to non-compliance with this Law more than two inspections are necessary when one inspection is normally required, for each inspection after the second inspection a re-inspection charge set out in Schedule "B" is payable prior to the inspection being performed.
- 11.10 The fee for a special inspection or consultation with a *Building Official* for work which is not addressed by a valid and subsisting *permit* is payable at the charge-out rate set out in Schedule "B".
- 11.11 The fee for a letter report, as prepared by the *Building Official*, on the status of an existing *building* or *structure* is payable in accordance with Schedule "B".
- 11.12 The fee for the removal of a notice registered against a *parcel of land* in accordance with this Law is payable in accordance with Schedule "B".

11.13 Every person who commences work requiring a *permit* without first obtaining such a *permit* shall, if a stop work notice is issued, pay an additional charge in the amount equal to the percentage of the amount of the applicable *permit* fee that would have been payable prior to commencing the work as set out in Schedule "B".

Fees May be Waived or Discounted for Members

11.14 All or part of the applicable fees may be waived, in whole or in part, as determined in accordance with Schedule "B" for a *member* who is a *permanent interest holder* applying for a *permit* to construct a *single family dwelling unit* or a *two family dwelling unit* on their respective *parcel of land* for their personal residence.

12. SITE AND LOT GRADING

12.1 The *permanent interest holder* of land on which a *building* or *structure* is being constructed must control site drainage such that other sites are not impacted and in particular:

- (a) each *parcel of land* must be graded to drain into a *Nation* drainage system or a natural watercourse without draining onto an adjacent *parcel of land*;
- (b) areas adjacent to *buildings* or *structures* shall be graded away from the foundations to prevent flooding;
- (c) *parcels of land* lower than adjacent roadways must be provided with storm water management facilities to direct storm runoff to a drainage system approved by a relevant, qualified professional providing advice to the *permanent interest holder*, and
- (d) where storm runoff is not directed to a *Nation* drainage system, storm runoff may be directed to a natural watercourse by means of sheet flow only and not by means of swales or pipes or any other artificial means.

13. ESSENTIAL SERVICES AND PREVENTION PLAN

13.1 No *permit* for the construction of any *building* or *structure* for an *assembly, business and personal service, care or detention, industrial, mercantile, or residential occupancy* shall be issued unless the following essential services are provided:

- (a) Road – a road or driveway of sufficient strength, grade and width to provide ready access and egress to all the principal *buildings* by fire and emergency vehicles within 30 metres of the *building* or *structure* by fire and emergency vehicles at all times;
- (b) Water Supply (Potable) – a water service or other source of potable water supply in accordance with all applicable enactments;
- (c) Water Supply (Firefighting purposes) – proof and confirmation by a *registered professional* that there is an adequate supply of water for firefighting purposes;
- (d) Sewage Disposal – a community sewer or other method of sewage disposal approved under applicable Laws;

- (e) Storm Drainage – an approved method of storm drainage disposal, which may be a storm sewer, ditch or engineered rock pit, available to service the *building or structure*;
- (f) Warranty Provisions in place – the *Building Official* must have a copy of the warranty package prior to the start of any construction of the *building or structure*;
- (g) Mold resistant drywall to be used – the *Building Official* must ensure that all the drywall used is mold resistant drywall; and
- (h) Blinds for all windows – the *Building Official* must ensure that all windows in residential *buildings or structures* have proper blinds on them.

13.2 Where a site visit completed by a *registered professional*, or a *Building Official*, or both, determines a *parcel of land* may be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock fall, subsidence or avalanche, no *permit* for the construction of a *building or structure* shall be issued unless a prevention plan addressing the applicable hazard is provided and accepted by the *Building Official*.

14. EQUIVALENTS

14.1 This Law is not intended to limit the appropriate use of materials, equipment or methods of construction. A *permanent interest holder* who wants to use equivalent material, equipment or method of construction not specifically described in this Law or the *Building Code* shall submit to a *Building Official* sufficient equivalency evidence to demonstrate that the proposed equivalent will provide the level of performance required by this Law and the *Building Code*.

14.2 The equivalency evidence shall be in the form of a report from an engineer, architect or other *Building Code* professional, satisfactory to the *Building Official*, and in addition to the information and arguments presented to support the equivalency proposal, shall include:

- (a) the name of the *permanent interest holder*, and the name and address of the construction project;
- (b) the background of the *person* proposing the equivalency and their qualifications and experience in the field;
- (c) the sections of this Law or the *Building Code* for which the equivalency is sought;
- (d) confirmation that the author of the report is a qualified professional registered to practice in British Columbia and letters of assurance from the author in the form of Schedule B in the *Building Code*, Division C, Part 2, Section 2.2 in respect of the design of the *building or structure*; and
- (e) upon completion of the project that is the subject of the report, letters of assurance from the author of the report in the form of Schedule C-B in the *Building Code*, Division C, Part 2, Section 2.2 in respect of the design of the *building or structure*.

14.3 Equivalency reports shall be accompanied by the applicable fee payable as set out in Schedule "B".

14.4 Where equivalency evidence is accepted and relied upon by a *Building Official*, the *permanent interest holder* shall provide the *Nation* with a covenant, registrable in the *First Nations Land Registry*, that without limitation, includes a promise by the *permanent interest holder* not to build, use, alter, modify, maintain or repair except in accordance with conditions established in the equivalency report prepared

by a qualified professional and to reimburse the *Nation* for any expenses it may incur as a result of a breach of the covenant.

15. BUILDING PERMITS

- 15.1 A *Building Official* shall issue a *permit* in the form attached as Schedule "E" for which an *application* is made on being satisfied that the following requirements have been met:
- (a) a completed application including all required supporting documentation has been submitted;
 - (b) the proposed work set out in the application substantially conforms with this Law, including relevant provisions of the *Building Code*, and all other applicable enactments;
 - (c) the *permanent interest holder* has met all requirements imposed by this Law and any other applicable enactment, including payment of all fees and charges;
 - (d) no enactment, covenant, agreement or law of, or in favour of, the *Nation* requires the *permit* to be withheld;
 - (e) the proposed *building* or *structure* does not contravene any registered charge referenced in the parcel abstract report associated with the *parcel of land*; and
 - (f) the *permanent interest holder* has provided sufficient security for the repair or replacement of *Nation* works or land.
- 15.2 Every *permit* is issued on the condition that the *permit* shall expire and the rights of the *permanent interest holder* under the *permit* shall terminate if the work authorized by the *permit*:
- (a) is not commenced within six (6) months from the date of issuance of the *permit*; or
 - (b) is discontinued for a period of twelve (12) consecutive months; or
 - (c) is not completed within twenty four (24) months of the date the *permit* is issued..
- 15.3 No Person shall rely upon a *permit* as establishing compliance with this Law or assuming or concluding that this Law has been administered or enforced according to its terms.

Permit for a Complex Building or Standard Building

- 15.4 A *permit* issued for the construction of a *complex building* or a *standard building*:
- (a) shall include a notice to the *permanent interest holder* that the *permit* is issued in reliance upon the certification of the applicable *registered professionals* that the *building* complies with the *Building Code* and other applicable enactments relating to safety; and
 - (b) shall include where letters of assurance are provided under Subsections 9.6(g), 9.6(h), 9.7(g), 9.7(i), 14.2(d), or Section 17.1, a notice to the *permanent interest holder* that the *permit* is issued in reliance upon these letters that the *building* or *structure* for which the *permit* is issued comply with the *Building Code* and other applicable enactments relating to safety.

Permit for a Portion of a Building or Structure

15.5 A *Building Official* may issue a *permit* for a portion of a *building* or *structure* before the design, plans and specifications for the entire *building* or *structure* have been accepted, provided:

- (a) sufficient information has been provided to the *Nation* to demonstrate to the *Building Official* that the portion authorized to be constructed substantially complies with this and other applicable enactments; and
- (b) the *permit* fee applicable to that portion of the *building* or *structure* has been paid,

and in such case the requirements of this Law shall continue to apply to that portion of a *building* or *structure* which is the remainder as if the *permit* for a portion of the *building* or *structure* has not been issued.

Permit Renewal, Revocation or Reinstatement

15.6 A *Building Official* may renew a *permit* upon payment of the renewal fee set out in Schedule "B", provided that:

- (a) the *permit* remains issuable under this Law and the *Building Code*;
- (b) all fees and charges payable as of the date of renewal have been paid;
- (c) all other *Nation* laws have been adhered to;
- (d) the *permit* is renewed before the time periods in Section 15.2 lapse for non-commencement, discontinuation or non-completion, as applicable.

15.7 A *Building Official* may revoke a *permit* if:

- (a) there is a violation of a condition under which the *permit* was issued;
- (b) there is a breach of any provision of this Law, including the relevant provisions of the *Building Code*, and other applicable laws or enactments;
- (c) the *Building Official* determines that any information on the basis of which the *permit* was issued is incorrect; or
- (d) construction activity on the *parcel of land*, subject to the *permit*, otherwise threatens the health, safety, or protection of the public.

15.8 Notice of revocation of the *permit* shall be in writing and delivered to the *permanent interest holder* by mail or courier, and deemed served at the expiration of three business days from the date of sending.

15.9 A person who has been notified that a *permit* has been revoked shall immediately cease work related to the *permit* and may only remedy the cause for the revocation with the agreement of the *Building Official*.

15.10 A *permit* revoked under Section 15.7 shall be reinstated if the cause for the revocation is remedied to the *Building Official's* satisfaction.

16. RESPONSIBILITIES OF THE PERMANENT INTEREST HOLDER

Compliance and Cost of Repairs

16.1 The *permanent interest holder* is solely responsible for and must ensure that:

- (a) all construction complies with, and is performed in strict compliance with, the *Building Code*, this Law and all other applicable enactments respecting safety; and
- (b) a *building* or *structure* meets all applicable standards of materials or workmanship;

and no person shall rely on (a) or (b) above as establishing compliance with this Law or a standard of construction.

During Construction

16.2 Every *permanent interest holder* shall during construction:

- (a) post and maintain the *permit* in a conspicuous place on the *parcel of land* in respect of which the *permit* is issued;
- (b) keep a copy of the accepted design, plans and specifications on the *parcel of land*;
- (c) post the civic address of the *parcel of land* in a location visible from any adjoining streets;
- (d) ensure appropriate site safety measures are taken to protect the public from hazards which may result from the construction activities; and
- (e) pay the cost of repairs to *Nation* works that are damaged in the course of work authorized by the *permit*.

Disposal of Debris

16.3 The *permanent interest holder* shall dispose of all demolition, moving or construction debris in accordance with all applicable enactments, leave the *parcel of land* in a safe and sanitary condition, arrange for a *Building Official* to inspect the *parcel of land* prior to removing all demolition or moving equipment and, take immediate action to address issues arising from the inspection to the satisfaction of the *Building Official*.

17. PROFESSIONAL DESIGN AND FIELD REVIEW

17.1 When a *Building Official* considers that the site conditions, size or complexity of a development, or an aspect of a development, warrant, the *Building Official* may require that a *registered professional* provide design and plan certification and *field review* by means of letters of assurance in the form of Schedules A, B, C-A, or C-B in the *Building Code*, Division C, Part 2, Section 2.2 at the expense of the *permanent interest holder*.

17.2 Prior to a *Building Official* issuing an *occupancy permit* for a *complex building* or *standard building*, where letters of assurance under Subsections 9.6(g), 9.6(h), 9.7(g), 9.7(i), 14.2(d), or Section 17.1 have been provided, the *permanent interest holder* shall provide letters of assurance in the form of

Schedules C-A and C-B in the *Building Code*, Division C, Part 2, Section 2.2, as applicable, at the expense of the *permanent interest holder*.

- 17.3 When a *registered professional* provides letters of assurance, he or she shall also provide a *Building Official* with proof in the form of Schedule "D-2", of at least one million dollars (\$1,000,000.00) of professional liability insurance.

18. MONITORING AND INSPECTION

- 18.1 When a *registered professional* provides letters of assurance in accordance with Subsections 9.6(g), 9.6(h), 9.7(g), 9.7(i), 14.2(d), or Section 17.1, the *Nation* will rely solely on *field reviews* undertaken by the *registered professional* as assurance that the construction for which a *permit* is issued substantially conforms to the design and that the construction substantially complies with this Law and other applicable laws respecting safety.
- 18.2 A *Building Official* may attend a *parcel of land* from time to time during the course of construction under a *permit* to ascertain that *field reviews* are taking place and to monitor the *field reviews* undertaken by *registered professionals*.
- 18.3 A *Building Official* may attend periodically at the site of the construction of *standard buildings* or *structures* to monitor whether the health and safety aspects of the work are being carried out in substantial conformance with those portions of the *Building Code*, this Law and other applicable enactments concerning safety.
- 18.4 The *permanent interest holder* or his or her representative shall give at least twenty four (24) hours' notice to the *Nation* when requesting an inspection of the construction of a *building* or *structure* and shall obtain an inspection and receive a *Building Official's* acceptance of the following aspects of the work prior to concealing any aspect of the work:
- (a) verification of the location of foundation and footing forms outside of setback areas, prior to the placing of concrete, and the *permanent interest holder* shall provide a survey certificate prepared by a Canadian Land Surveyor to confirm the location of the forms in relation to the *parcel of land* boundaries and other *buildings* and *structures* on the land;
 - (b) installation of perimeter drain tiles, drain rock and damp-proofing, prior to backfilling;
 - (c) the preparation of ground, including ground cover, granular base materials, below-grade insulation, damp-proofing membrane, underground plumbing and any reinforced steel, when required, prior to placing concrete slab;
 - (d) rough in plumbing, and where any part of the *plumbing system* is covered before it is inspected it shall be uncovered if a *Building Official* so directs;
 - (e) ventilation;
 - (f) insulation and vapour barrier, including under slab insulation prior to placing concrete slab;
 - (g) installation of building services before a building drain, sanitary or storm sewer is covered, and when considered necessary, underground *building* drains, branches, storm drains, and sewers shall be retested after the completion of all backfilling and grading by heavy equipment;

- (h) rough in of chimneys, and fireplaces, after the installation of the smoke damper and prior to the installation of the first flue liner and any material that would conceal the details of the construction of the fire-box and smoke chamber;
 - (i) framing and sheathing, after the roof, all framing, fire blocking, bracing and ductwork is in place, and all pipes, venting, chimneys, roof space, and rough in of plumbing and electrical systems are complete;
 - (j) installation of solid fuel burning appliances, furnaces or boiler installations prior to being placed in service;
 - (k) installation of *fire suppression systems*;
 - (l) masonry or concrete construction;
 - (m) lathwork, before stucco is applied, and stucco, after the first coat, second coat and finish coat;
 - (n) water, and sewer connections, as applicable;
 - (o) the health and safety aspects of the work when the *building* or *structure* is substantially complete, but before *occupancy* or use takes place of the whole or part of the *building* or *structure*; and
 - (p) final inspection after the *building* or *structure* is complete and ready for *occupancy* or use.
- 18.5 No aspect of the work referred to in Section 18.4 of this Law shall be concealed until a *Building Official* has accepted it in writing.
- 18.6 The requirements of Section 18.4 of this Law do not apply to any aspect of the work that is the subject of a *registered professional's* letters of assurance provided under Subsections 9.6(g), 9.6(h), 9.7(g), 9.7(i), 14.2(d), or Section 17.1.

19. OCCUPANCY PERMIT

- 19.1 No person shall occupy or use a *building* or *structure*, or part of a *building* or *structure*, until a *Building Official* issues an *occupancy permit* in the form attached as Schedule "F".
- 19.2 A *Building Official* shall not issue an *occupancy permit* for a *building* or *structure* unless satisfied that the following requirements are met:
- (a) all letters of assurance are submitted as required by Subsections 9.6(g), 9.6(h), 9.7(g), 9.7(i), 14.2(d), and Section 17.1;
 - (b) all aspects of the work requiring inspection, monitoring and acceptance pursuant to Section 18.4 are inspected, monitored and accepted in writing by a *Building Official*, or inspections, monitoring and acceptance are not required pursuant to Section 18.6;
 - (c) the *permanent interest holder* has provided to the *Nation* as-built plans of works and services as required by the *Nation*;

- (d) the *permanent interest holder* has provided to the *Nation* a *building* survey prepared by a Canadian Land Surveyor showing the *building* height which complies with the Songhees *Nation* Zoning Bylaw or zoning law as applicable;
 - (e) the *permanent interest holder* has provided proof of connection to the community sewer and water systems, or the respective agency has provided proof that the proposed system is authorized; and
 - (f) there is no outstanding issue arising from Section 18.4.
- 19.3 The requirements of Subsection 19.2(d) may be waived by a *Building Official* if compliance with the *Nation's* land use laws can be ascertained without such a survey being prepared.
- 19.4 A *Building Official* may issue an *occupancy permit* for part of a *building* or *structure* where that part of the *building* or *structure* is self-contained and provided with essential services, including completion of the *health and safety aspects of the work*, and requirements in Section 19.2 have been met with respect to that part of the *building* or *structure*.
- 19.5 Notwithstanding Section 19.2, a conditional *occupancy permit* in the form set out in Schedule "G" may be issued by a *Building Official* provided the *building* or *structure* complies with the health and safety requirements of the *Building Code*, in particular Division B, Part 3, Part 4, Part 7, Part 8 and Part 9, and the exterior finishes are substantially complete.
- 19.6 When a *registered professional* provides letters of assurance in accordance with Subsections 9.6(g), 9.6(h), 9.7(g), 9.7(i), 14.2(d), or Section 17.1, the *Nation* will solely rely on them when issuing an *occupancy permit* as assurance that the items identified on the letters of assurance substantially comply with the *Building Code*, this Law and other applicable enactments respecting safety.

20. RETAINING STRUCTURES

- 20.1 A *registered professional* shall undertake the design and construction of a *retaining structure*, and sealed copies of the design plan and *field review* reports prepared by the *registered professional* shall be submitted to the *Building Official* prior to acceptance of the work by the *Building Official*.

21. SWIMMING POOLS

- 21.1 Every private pool, situated on or below ground level and used or intended for swimming, wading or bathing and having a depth of more than 0.6 meters that is not subject to regulations under the *Health Act*, must be completely enclosed within a non-climbable barrier not less than 1.22 meters in height and forming a continuous enclosure except at points of access, with no opening exceeding 100 mm, and constructed to prevent unauthorized entry to the pool, with all gates equipped with a spring hinge and latch mounted on the pool side.
- 21.2 Every private pool enclosure shall be maintained by the *permanent interest holder* or occupier in good order and all inoperative gates, latches, hinges and locks promptly repaired and replaced.
- 21.3 Pool plumbing shall be arranged so that:
- (a) pool water cannot enter a water supply line and, once having been drained from the pool, cannot be returned to the pool without filtering;

- (b) sewage from a sanitary sewer or sewage disposal system cannot enter the pool or the pool filtering system; and
 - (c) no direct connection is made between a storm drain, sewer or any other drainage system and a line connected to the pool.
- 21.4 For private pools constructed below the surrounding grade, a relief valve is required to be installed to prevent damage to the empty pool should the ground water table rise above the level of the base of the pool.
- 21.5 The enclosure, protection and sanitation of a private swimming pool is the sole responsibility of the *permanent interest holder*.

22. FIRE SUPPRESSION SYSTEMS

- 22.1 A *fire suppression system* must be installed in the following:
- (a) *single family dwelling unit*, a two family dwelling, townhouse dwelling or apartment dwelling, as defined in the Songhees *Nation Zoning Bylaw* or zoning law as applicable;
 - (b) an addition, repair or structural alteration to a *single family dwelling unit*, two family dwelling, townhouse dwelling or apartment dwelling as defined in the Songhees *Nation Zoning Bylaw* or zoning law as applicable, where the addition, repair or structural alteration adds fifty (50) square meters or more to the floor area of the *building* existing on the date on which the *building permit* application is made; and
 - (c) all uses referred to in the Songhees *Nation Zoning Bylaw* or zoning law as applicable, for which a *permit* application is made.
- 22.2 The design of every *fire suppression system*, including modifications to existing systems, shall be prepared by a *registered professional* and must bear the seal of the *registered professional*.
- 22.3 All *fire suppression systems* shall be installed by a person who possesses a British Columbia tradesman's qualification certification as a plumber or certified sprinkler installer in accordance with the applicable National Fire Protection Association standards, the *Building Code*, and other applicable enactments.
- 22.4 Where residential occupancies occur in combination with other occupancies, and the *Building Code* does not require the *building* to be equipped with a *fire suppression system*, the residential portions of the *building* must comply with this Part.

23. DAMAGE TO NATION WORKS

- 23.1 Before a *permit* is issued to construct, demolish or move a *building*, an irrevocable Letter of Credit deposited in favour of the *Nation* is required in an amount determined in accordance with Schedule "B", as security for the repair or replacement of any highway including sidewalks and boulevards, public work or any other *Nation* property altered or damaged by any activity related to the subject matter of the *permit*.

- 23.2 Funds under the irrevocable letter of credit will be used to the extent that they are required by the *Nation* to carry out such repair or replacement as determined necessary by the *Nation* including any final grading work.
- 23.3 The cost of any repair or replacement of *Nation* property or works which exceeds the amount of the irrevocable letter of credit is the responsibility of the *permanent interest holder*, who upon notification of the outstanding amount must pay it in full, or obtain the agreement of the *Nation* in writing, before a final *occupancy permit* is issued.

24. PENALTIES AND ENFORCEMENT

Contravention of the Law

- 24.1 Every person who contravenes a provision of this Law or fails to comply with an order or notice issued by a *Building Official*, or who allows a violation of this Law to continue, contravenes this Law.
- 24.2 Every person who contravenes a provision of this Law commits an offense punishable on summary conviction and shall be liable to a fine of not more than \$10,000.00 or to imprisonment for not more than six (6) months.

Stop Work Order

- 24.3 A *Building Official* may order the cessation of work that contravenes this Law or the *Building Code* by posting a Stop Work Notice in the form attached as Schedule "H" on the *parcel of land* where work is located.
- 24.4 The *permanent interest holder* of a *parcel of land* 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, except for such work as is necessary to remedy the reasons for the Stop Work notice with the agreement of a *Building Official*, until all applicable provisions of this Law have been substantially complied with and the Stop Work Notice has been rescinded in writing by a *Building Official*.

No Permit Notice

- 24.5 Notwithstanding Section 24.4, if work is undertaken for which a *permit* is required and there is no authorization to undertake the work, the *Nation* may issue a No Permit Notice and register it against the parcel of land in the *First Nations Land Registry*.

Do Not Occupy Order

- 24.6 Where a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of Part 19 (Occupancy Permit) a *Building Official* may post a Do Not Occupy notice on the affected part of the *building* or *structure* in the form attached as Schedule "I".
- 24.7 The *permanent interest holder* of a *parcel of land* on which a Do Not Occupy notice has been posted, and every other person, shall vacate the *building* or *structure* immediately and shall refrain from further *occupancy* until all applicable provisions of this Law have been substantially complied with and the Do Not Occupy notice has been rescinded in writing by a *Building Official*.

Enforcement

- 24.8 The offences in Schedule "J" of this Law are designated for enforcement under the *First Nations Lands Management Act*.
- 24.9 The Nation's Building Inspector, Bylaw Officer and *Lands Manager* are designated as enforcement officers for the purposes of this Law.

25. AMENDMENTS AND SEVERABILITY

- 25.1 Amendments to this Law may be made in accordance with the *Land Code* and any Interest or License consented to in accordance with this Law will be subject to such amendments.
- 25.2 If any part, section, subsection, clause, subclause, paragraph, sentence, wording or form of this Law is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the part, section, subsection, clause, subclause, paragraph, sentence, wording or form may be severed from the Law without affecting the validity of the Law or any portion of the Law remaining.

This Law shall come into force and effect on the 22nd day of OCT, 2014.

Chief Ron Sam



Councillor Garry Albany



Councillor Nicholas Albany



Councillor John Rice Jr.



Councillor Karen Tunkara

Councillor Frank George Sr.

List of Schedules

Songhees Nation Building Regulation and Inspection Law

- Schedule "A" - Amendments to *BC Building Code*, 2012 that apply to the extent that circumstances warrant after this Law comes into force.
- Schedule "B" - Songhees Nation Fees and Charges
Schedule "B-1" - List of Fees
Schedule "B-2" - Construction Values for all Properties
- Schedule "C" - Songhees Nation Permit Applications
Schedule "C-1" – Building Permit Application (General)
Schedule "C-2" – Chimney-Woodstove-Oil Furnace Application
Schedule "C-3" – Plumbing Permit Application (Residential)
Schedule "C-4" - Plumbing Permit Application (Commercial)
Schedule "C-5" – Demolition–Deconstruction Permit Application
Schedule "C-6" - Mobile Home Application
Schedule "C-7" – Change of Occupancy Classification
- Schedule "D" - Forms
D-1 - Acknowledgement of Permanent Interest Holder
D-2 - Registered Professional's Proof of Insurance
- Schedule "E" - Songhees Nation Building Permit
- Schedule "F" - Songhees Nation Occupancy Permit
- Schedule "G" - Songhees Nation Conditional Occupancy Permit
- Schedule "H" - Songhees Nation Stop Work Order
- Schedule "I" - Songhees Nation Do Not Occupy Notice
- Schedule "J" - Songhees Nation Ticket Infractions

SCHEDULE "A" – APPLICABLE AMENDMENTS TO *BC BUILDING CODE, 2012*

All amendments to the *British Columbia Land Code, 2012* in force as of the date the *Songhees Nation Building Inspection and Regulation Law* came into force and effect apply. The following subsequent amendments to the *British Columbia Building Code, 2012* also apply to the *Songhees Nation Building Inspection and Regulation Law*.

SCHEDULE "B" - SONGHEES NATION FEES AND CHARGES

This Schedule is composed of:

Schedule "B-1" – Fees and Charges

Schedule "B-2" - Construction Values for all Properties

SCHEDULE "B-1"
Songhees Nation Fees and Charges

PERMIT APPLICATION FEE	
All applications	\$50

PERMIT PROCESSING FEE (General)	
(Determine total construction value in accordance with Schedule "B-2" to determine appropriate value below)	FEE
Less than \$100.00	Nil
Over \$100.00 and not over \$1,000.00	\$50.00
Each additional \$1,000.00 or fraction thereof and not exceeding \$5,000.00	\$25.00
Each additional \$1,000.00 or fraction thereof not exceeding \$400,000.00	\$13.00
Each additional \$1,000.00 or fraction thereof over \$400,000.00	\$10.00

PERMIT PROCESSING FEE (FIREPLACE – CHIMNEY – WOOD STOVE – OIL FURNACE)	Value	X	Number of Units	=	Fee
Oil Furnace	\$22.00	X		=	
Construct Chimney – one single flue (masonry or metal)	\$44.00	X		=	
Each additional flue in masonry chimney above	\$22.00	X		=	
Construct Fireplace – connected to single flue	\$22.00	X		=	
Solid Fuel Burning Appliance – connected at time of construction	\$22.00	X		=	
Solid Fuel Burning Appliance – connected to existing acceptable chimney	\$44.00	X		=	
Chimney – reline, repair or alter (masonry)	\$44.00	X		=	
TOTAL FEE					

PERMIT PROCESSING FEE (Plumbing Permit Application (Residential))	Value	X	Number of Units	=	Fee
Fee (First 10 Fixtures)	\$22.00 per fixture	X		=	
Fee (Additional Fixtures)	\$17.00 per fixture	X		=	
Hot Water Tank (Domestic)	\$22.00 per tank	X		=	

Lawn Sprinkler System	\$49.00	X		=	
Hot Water Heating Boiler Connection	\$17.00	X		=	
Connect to Existing Rough-In	\$12.00 per fixture	X		=	
Alter Waste Lines (No Additional Fixtures)	\$44.00	X		=	
Water Connection	\$22.00	X	1	=	
Alter Water Lines or Add Special Valve	\$22.00	X		=	
Sanitary Sewer Connection	\$22.00	X	1	=	
Storm or Sewer Lift Station	\$17.00	X		=	
Remove or Make Safe Private Sewage System	\$17.00	X		=	
Installation of Floor Drain	\$12.00 each	X		=	
Install or Alter Rain Water Leads or Roof Drain	\$12.00	X		=	
Install or Replace Cistern for Potable Water	\$34.00	X		=	
Lawn Service Stand Pipe (Not Part of Building Plumbing)	\$22.00	X		=	
Area Drains, Sumps, Catch Basins	\$22.00	X		=	
Fire Protection Sprinkler System	\$22.00 each of	X		=	
Each Group of 10 Sprinklers or Portion Over First 10	\$17.00	X		=	
	TOTAL FEE				
PERMIT PROCESSING FEE (Plumbing Permit Application (Commercial))	Value		Units		Fee
Fee (First 10 Fixtures)	\$22.00 per fixture	X		=	
Fee (Additional Fixtures)	\$17.00 per fixture	X		=	
Hot Water Tank (Domestic)	\$22.00 per tank	X		=	
Lawn Sprinkler System	\$49.00 per zone	X		=	
Hot Water Heating Boiler Connection	\$17.00	X		=	
Connect to Existing Rough-In	\$12.00 per fixture	X		=	
Alter Sanitary/Storm Drainage System (Existing)	\$42.00	X		=	

Water Connection	\$22.00	X	1	=	
Sanitary Sewer Connection	\$22.00	X	1	=	
Alter or Add to Water System	\$22.00	X		=	
Install Floor Drain or Funnel Drain	\$12.00 each	X		=	
Install or Alter Rain Water Leads or Roof Drain	\$12.00	X		=	
Install or Replace Cistern for Potable Water	\$34.00	X		=	
Installation of Building Sanitary Sewer	\$21.00 per 100	X		=	
Installation of Building Storm Sewer	\$21.00 per 100	X		=	
Fire Protection Sprinkler System	\$21.00 each 1 st 10 heads	X		=	
Each Group of 10 Sprinklers or Portion Over First 10	\$21.00	X		=	
Fire Stand Pipe	\$21.00	X		=	
Fire Hydrant	\$32.00 each	X		=	
Pumping Station other than for S.F.D.	\$32.00 each	X		=	
Lawn Service Stand Pipe (Not Part of Building Plumbing)	\$21.00	X		=	
Storm or Sanitary Lift Station	\$32.00 each	X		=	
Remove or Make Safe Private Sewage System	\$16.00	X		=	
Area Drains/Catch Basins/Sumps	\$21.00	X		=	
Manholes and Interceptors (All Kinds)	\$21.00	X		=	
Acid Neutralizers or Special Control Valve or Cap Off Sanitary, Storm, Water Connections	\$21.00	X		=	
TOTAL FEES					
PERMIT PROCESSING FEE (Demolition - Deconstruction)	Demolition Fee	Decon- struction Fee			Totals
Buildings up to 400 Square Feet in Area	\$42.00	\$21.00	=		
Buildings over 400 Square Feet in Area	\$95.00	\$47.00	=		

Rendering Private Sewage Disposal System Safe	\$21.00	\$21.00	=	
Cap Building Sewer	\$16.00	\$16.00	=	
	TOTAL PERMIT FEES			
PERMIT PROCESSING FEE (Mobile Home)				
\$75.00				
PERMIT PROCESSING FEE (Change of Occupancy Classification)				
\$75.00				
Other Fees and Charges				
Reinspection charge due to non-compliance (s. 11.9)	\$100 plus \$92 (ninety-two dollars) per hour; prorated in the case of a partial hour to the nearest quarter hour, for reinspection time that exceeds 1 hour			
Special inspection or consultation with a Building Official for work not addressed by valid permit (s. 11.10)	\$92 (ninety-two dollars) per hour; prorated in the case of a partial hour to the nearest quarter hour			
Letter Status Report (s. 11.11)	\$30			
Removal of notice registered against parcel of land (s. 11.12)	500			
Work without a permit where stop work order issued (s. 11.13)	100% of the amount of the permit fee that would have been payable at time of stop work order			
Equivalency report (s. 14.3)	\$100			
Permit Renewal Fee (15.6)	\$300			
Additional Fees or Charges	\$30 for additional letters \$92 (ninety-two dollars) per hour; prorated in the case of a partial hour to the nearest quarter hour, for additional time			
Fee Reductions				
Permit fee for standard or complex building reduced by 10% up to a maximum of \$1000 where notice is provided that the permit is issued in reliance upon the certification of Registered Professionals (s. 15.4)				
All fees under this law may be waived or reduced up to a maximum of \$1000 for members of the <i>Nation</i> (s. 11.14)				

Values for Letters of Credit	
Letter of Credit for building move (ss. 9.15(e))	125% of the value of the building to be moved determined in accordance with Schedule "B-2" which in any event is no less than \$5000 for moves off Nation land and \$15,000 for moves on Nation land.
Letter of Credit for Nation works (s. 23.1)	\$125% of the value of the building determined in accordance with Schedule "B-2" and in any event no less than \$10,000.

SCHEDULE "B-2"
SONGHEES NATION CONSTRUCTION VALUES FOR ALL BUILDINGS

The construction value for buildings shall be the contract price or, where there is no contract price, the value shall be calculated according to the following Schedule.

TYPE OF BUILDING	TYPE OF CONSTRUCTION	VALUE	
		PER SQ. FT.	PER METER SQ.
Hotel / Motel	Wood Frame	\$180.00	\$1,937.56
Hotel / Motel	Reinforced Masonry or Concrete	\$240.00	\$2,583.42
Hotel / Motel	Steel Frame	Contract	Value
Townhouse or Apartment	Wood Frame	\$180.00	\$1,937.56
Townhouse or Apartment	Reinforced Masonry or Concrete	\$240.00	\$2,583.42
Townhouse or Apartment	Steel Frame	Contract	Value
Commercial Building (shell only)	Wood Frame or Heavy Timber	\$120.00	\$1,291.70
Commercial Building (shell only)	Steel Frame	\$120.00	\$1,291.70
Commercial Building (shell only)	Reinforced Masonry or Concrete	\$180.00	\$1,937.56
Commercial Building Except Offices and Restaurants	Completion of Interior	\$60.00	\$645.85
Commercial Building Restaurants	Completion of Interior	\$90.00	\$968.78
Commercial Building Office Interiors	Completion of Interior	\$72.00	\$775.02
Industrial Building (shell only)	Wood Frame or Heavy Timber	\$90.00	\$968.78
Industrial Building (shell only)	Steel Frame	\$90.00	\$968.78
Industrial Building	Reinforced Masonry or Concrete	\$120.00	\$1,291.70
Industrial Building (interiors)	Completion of Interior	\$30.00	\$322.92
Temporary Building	Wood Frame	\$60.00	\$645.85
Finished Main Floor Areas		\$150.00	\$1614.64
Finished areas other than main floors		\$100.00	\$1076.42
Finishing previously unfinished Basement, attics or other floors		\$35.00	\$376.74

Garages and or workshops, barns, sheds(Semi-detached floor + wall		\$75.00	\$807.31
Carports (roofs) and sundecks (floors)		\$25.00	\$269.11
Additions where an existing wall forms part of the addition		\$150.00	\$1614.64
Finished floor areas of factory built homes, mobile homes or moved dwellings		\$100.00	\$1076.42

SCHEDULE "C" – SONGHEES NATION PERMIT APPLICATIONS

This Schedule is composed of:

Schedule "C-1" – Building Permit Application (General)

Schedule "C-2" – Chimney-Woodstove-Oil Furnace Application

Schedule "C-3" – Plumbing Permit Application (Residential)

Schedule "C-4" - Plumbing Permit Application (Commercial)

Schedule "C-5" – Demolition–Deconstruction Permit Application

Schedule "C-6" - Mobile Home Application

Schedule "C-7" – Change of Occupancy Classification



SCHEDULE "C-1"

SONGHEES NATION BUILDING PERMIT APPLICATION

1100 Admirals Road
Victoria, BC, V9A 2P6
Phone: 250-386-1043
Fax: 250-386-4161

Permit No.

PLEASE PRINT CLEARLY: Pursuant to the Songhees Nation Building Regulation and Inspection Law: I, _____, (Name)

of _____, being the Permanent Interest Holder or agent as the case may be hereby make application to: _____ (Address)

(Check one in Box 1 and one in Box 2 below)

1

- Reactivate
- Construct
- Alter
- Repair
- Deconstruct
- Add To
- Move
- Demolish
- Other _____

2

- Single Family Dwelling
- Garage
- Two Family Dwelling
- Carport
- Mobile (Complete Form 1A)
- Multi-Family Dwelling
- Other: _____
- Commercial

The above project is located at: _____

Complete Address

Legal Description:

PIN No. _____ Lot _____ Section _____ Block _____ Plan _____

Other Pertinent Information: _____ Contact Email: _____

PERMANENT INTEREST HOLDER: _____ ADDRESS: _____

ARCHITECT: _____ ADDRESS: _____

CONTRACTOR: _____ ADDRESS: _____

LIMITATION OF LIABILITY

Neither the issuance of a *permit* under this law nor the acceptance or review of plans, drawings or specifications or documents, nor any inspections or monitoring made by or on behalf of the Songhees Nation shall in any way relieve the *Permanent Interest Holder* or his or her representatives from full and sole responsibility to perform the work in full accordance with the Songhees Nation *Building Regulation and Inspection Law*, including the *British Columbia Building Code* with such modification as circumstances warrant, and all other applicable enactments, codes and standards.

FREEDOM OF INFORMATION WAIVER

Personal information contained on this form is subject to the *Freedom of Information and Protection of Privacy Act*. The personal information will be used for purposes of issuing this Permit. Enquiries about the collection or use of information on this form can be directed to the Songhees First Nation Lands Office.

NOTE: An occupancy permit will not be issued unless the requirements of Section 19 of the Songhees Nation Building Regulation and Inspection Law have been met.

Phone Number

Date

Signature of Applicant

Name of Applicant

THIS APPLICATION FORM MUST BE ACCOMPANIED BY THE FOLLOWING:

1. Permit Processing Fee
2. Copy of Assessment Notice (Tax Notice, if applicable)
3. Permanent Interest Holder's Acknowledgement of Responsibility and Undertakings Form
4. Copy of a current Parcel abstract report Search, including copies of all registered covenants, easement, rights of way and other registered charges
5. Site Plan drawn to scale showing: dimensions of Parcel of Land, location of septic tank and disposal field, location of proposed building, ground elevations, location of all existing buildings, details of site drainage
6. Grading plan
7. Copy of documents from relevant health and safety authorities regarding sewage and potable water approvals
8. Include specifications and scale of the building with respect to which the work is to be carried out showing: foundation plan (fully dimensioned), floor plan of each level (fully dimensioned), elevations of all sides of the building, proposed and/or existing uses of all rooms shown on floor plans
9. Reverse printed plans not acceptable

Date Received:

NOTE: Permit duration period is a maximum of two (2) years or a renewal permit to complete is required.



SCHEDULE "C-2" - SONGHEES NATION

Permit No. _____

FIREPLACE – CHIMNEY-WOOD STOVE-OIL FURNACE PERMIT APPLICATION

1100 Admirals Road
 Victoria, BC, V9A 2P6
 Phone: 250-386-1043
 Fax: 250-386-4161

PLEASE PRINT CLEARLY: Pursuant to the Songhees Nation Building Regulation and Inspection Law: I, _____ (Name)
 of _____ (Address), being the Permanent Interest Holder or agent as the case may be hereby make
 application for the proposed work noted below [check the options below] located at:

Site Address: _____
Complete Address

Legal Description:

PIN No. _____ Lot _____ Section _____ Block _____ Plan _____

Other Pertinent Information:

Location: SFD Garage Workshop Other: _____
 New Chimney Replace Existing Unit

PERMANENT INTEREST HOLDER: _____ ADDRESS: _____

CONTRACTOR: _____ ADDRESS: _____

FEE CALCULATIONS FOR PROPOSED WORK

<i>Check the appropriate options below</i>	Fees		Number		Totals
Oil Furnace	\$22.00	X		=	
Construct Chimney – one single flue (masonry or metal)	\$44.00	X		=	
Each additional flue in masonry chimney above	\$22.00	X		=	
Construct Fireplace – connected to single flue	\$22.00	X		=	

Solid Fuel Burning Appliance – connected at time of construction	\$22.00	X		=	
Solid Fuel Burning Appliance – connected to existing acceptable chimney	\$44.00	X		=	
Chimney – reline, repair or alter (masonry)	\$44.00	X		=	
	TOTAL PERMIT FEES				

***APPLIANCES CONNECTED TO CHIMNEYS MUST COMPLY WITH AND BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS (See Building Inspector)**

LIMITATION OF LIABILITY

Neither the issuance of a permit under this law nor the acceptance or review of plans, drawings or specifications or documents, nor any inspections or monitoring made by or on behalf of the Songhees Nation shall in any way relieve the *Permanent Interest Holder* or his or her representatives from full and sole responsibility to perform the work in full accordance with the *Songhees Nation Building Regulation and Inspection Law*, including the British Columbia *Building Code* with such modification as circumstances warrant, and all other applicable enactments, codes and standards.

FREEDOM OF INFORMATION WAIVER

Personal information contained on this form is subject to the *Freedom of Information and Protection of Privacy Act*. The personal information will be used for purposes of issuing this permit. Enquiries about the collection or use of information on this form can be directed to the Songhees First Nation Lands Office.

All buildings located on Songhees Nation lands are regulated by the *Building Regulation and Inspection Law*

Contact Email: _____

Phone Number

Date

Signature of Applicant

NOTE: Design details of the fireplace and/or chimney may be requested for approval by the Building Official. An inspection must be requested for the reinforcement of the hearth before the concrete is poured.



Permit No.

SCHEDULE "C-3"

SONGHEES NATION PLUMBING PERMIT APPLICATION (Residential)

1100 Admirals Road
 Victoria, BC, V9A 2P6
 Phone: 250-386-1043
 Fax: 250-386-4161

PLEASE PRINT CLEARLY: Pursuant to the Songhees First Nation Building Regulation and Inspection Law: I, _____ (Name)
 of _____ (Address), being the Permanent Interest Holder or agent as the case may be hereby make
 application TO INSTALL OR ALTER A PLUMBING SYSTEM OR SEWER located at:

Site Address: _____

Complete Address

Legal Description: PIN No. _____ Lot _____ Section _____ Block _____ Plan _____

Other Pertinent Information:

PERMANENT INTEREST HOLDER: _____ **ADDRESS:** _____

CONTRACTOR: _____ **ADDRESS:** _____

FEE SCHEDULE	Total No. of Fixtures: _____	Value	Units	=	Fee
Fee (First 10 Fixtures)		\$22.00 per fixture	X	=	
Fee (Additional Fixtures)		\$17.00 per fixture	X	=	
Hot Water Tank (Domestic)		\$22.00 per tank	X	=	
Lawn Sprinkler System		\$49.00	X	=	
Hot Water Heating Boiler Connection		\$17.00	X	=	
Connect to Existing Rough-In		\$12.00 per fixture	X	=	
Alter Waste Lines (No Additional Fixtures)		\$44.00	X	=	
Water Connection		\$22.00	X	1 =	
Alter Water Lines or Add Special Valve		\$22.00	X	=	

Sanitary Sewer Connection	\$22.00	X	1	=	
Storm or Sewer Lift Station	\$17.00	X		=	
Remove or Make Safe Private Sewage System	\$17.00	X		=	
Installation of Floor Drain	\$12.00 each	X		=	
Install or Alter Rain Water Leads or Roof Drain	\$12.00	X		=	
Install or Replace Cistern for Potable Water	\$34.00	X		=	
Lawn Service Stand Pipe (Not Part of Building Plumbing)	\$22.00	X		=	
Area Drains, Sumps, Catch Basins	\$22.00	X		=	
Fire Protection Sprinkler System	\$22.00 each of	X		=	
Each Group of 10 Sprinklers or Portion Over First 10	\$17.00	X		=	
	TOTAL FEES				

Payment received by way of:

Cash

LIMITATION OF LIABILITY

Neither the issuance of a *permit* under this law nor the acceptance or review of plans, drawings or specifications or documents, nor any inspections or monitoring made by or on behalf of the Songhees Nation shall in any way relieve the *Permanent Interest Holder* or his or her representatives from full and sole responsibility to perform the work in full accordance with the *Songhees Nation Building Regulation and Inspection Law*, including the British Columbia *Building Code* with such modification as circumstances warrant, and all other applicable enactments, codes and standards.

FREEDOM OF INFORMATION WAIVER

Personal information contained on this form is subject to the *Freedom of Information and Protection of Privacy Act*. The personal information will be used for purposes of issuing this Permit. Enquiries about the collection or use of information on this form can be directed to the Songhees First Nation Lands Office.

Phone Number

Date

Signature of Permanent interest holder



Permit No. _____

**SCHEDULE C-4
SONGHEES NATION PLUMBING PERMIT APPLICATION (Commercial)**

1100 Admirals Road
Victoria, BC, V9A 2P6
Phone: 250-386-1043
Fax: 250-386-4161

PLEASE PRINT CLEARLY: Pursuant to the Songhees Nation Building Regulation and Inspection Law: I, _____, (Name)
of _____, (Address) being the Permanent Interest Holder or agent as the case may be hereby make
application **TO INSTALL OR ALTER PLUMBING SYSTEM OR SEWERS** located at:

Site Address: _____

Complete Address

Legal Description: PIN No. _____ Lot _____ Section _____ Block _____ Plan _____

Other Pertinent Information:

PERMANENT INTEREST HOLDER: _____ **ADDRESS:** _____

CONTRACTOR: _____ **ADDRESS:** _____

FEE SCHEDULE	Total No. of Fixtures: _____	Value		Units		Fee
Fee (First 10 Fixtures)		\$22.00 per fixture	X		=	
Fee (Additional Fixtures)		\$17.00 per fixture	X		=	
Hot Water Tank (Domestic)		\$22.00 per tank	X		=	
Lawn Sprinkler System		\$49.00 per zone	X		=	
Hot Water Heating Boiler Connection		\$17.00	X		=	
Connect to Existing Rough-In		\$12.00 per fixture	X		=	
Alter Sanitary/Storm Drainage System (Existing)		\$42.00	X		=	
Water Connection		\$22.00	X	1	=	
Sanitary Sewer Connection		\$22.00	X	1	=	

Alter or Add to Water System	\$22.00	X		=	
Install Floor Drain or Funnel Drain	\$12.00 each	X		=	
Install or Alter Rain Water Leads or Roof Drain	\$12.00	X		=	
Install or Replace Cistern for Potable Water	\$34.00	X		=	
Installation of Building Sanitary Sewer	\$21.00 per 100	X		=	
Installation of Building Storm Sewer	\$21.00 per 100	X		=	
Fire Protection					
Fire Protection Sprinkler System	\$21.00 each 1 st 10 heads	X		=	
Each Group of 10 Sprinklers or Portion Over First 10	\$21.00	X		=	
Fire Stand Pipe	\$21.00	X		=	
Fire Hydrant	\$32.00 each	X		=	
Outside Services					
Pumping Station other than for S.F.D.	\$32.00 each	X		=	
Lawn Service Stand Pipe (Not Part of Building Plumbing)	\$21.00	X		=	
Storm or Sanitary Lift Station	\$32.00 each	X		=	
Remove or Make Safe Private Sewage System	\$16.00	X		=	
Area Drains/Catch Basins/Sumps	\$21.00	X		=	
Manholes and Interceptors (All Kinds)	\$21.00	X		=	
Acid Neutralizers or Special Control Valve or Cap Off	\$21.00	X		=	
Sanitary, Storm, Water Connections					
TOTAL FEES					

Payment received by way of:

Cash

LIMITATION OF LIABILITY

Neither the issuance of a permit under this law nor the acceptance or review of plans, drawings or specifications or documents, nor any inspections or monitoring made by or on behalf of the Songhees Nation shall in any way relieve the Permanent Interest Holder or his or her representatives from full and sole responsibility to perform the work in full accordance with the Songhees Nation Building Regulation and Inspection Law, including the British Columbia Building Code with such modification as circumstances warrant, and all other applicable enactments, codes and standards.

FREEDOM OF INFORMATION WAIVER

Personal information contained on this form is subject to the Freedom of Information and Protection of Privacy Act. The personal information will be used for purposes of issuing this Permit. Enquiries about the collection or use of information on this form can be directed to the Songhees First Nation Lands Office.

All buildings located on Songhees Nation lands are regulated by the Building Regulation and Inspection Law.

Phone Number

Date

Signature of Applicant



Permit No. _____

**SCHEDULE C-5
SONGHEES NATION DEMOLITION – DECONSTRUCTION PERMIT APPLICATION**

1100 Admirals Road
Victoria, BC, V9A 2P6
Phone: 250-386-1043
Fax: 250-386-4161

PLEASE PRINT CLEARLY: Pursuant to the Songhees Nation Building Regulation and Inspection Law: I, _____, (Name)
of _____, being the Permanent Interest Holder or agent as the case may be hereby make
application to **DEMOLISH** or **DECONSTRUCT** _____ (enter the type of building to be demolished or deconstructed, such as a
single family unit commercial unit, apartment building, industrial building)
located at:

Site Address: _____
Complete Address

Reason for Demolition: _____ Age of Building: _____

Legal Description: PIN No. _____ Lot _____ Section _____ Block _____ Plan _____

Other Pertinent Information:

PERMANENT INTEREST HOLDER: _____ **ADDRESS:** _____

CONTRACTOR: _____ **ADDRESS:** _____

FEE SCHEDULE

<i>Check the appropriate options below</i>	Demolition Fee	Deconstruction Fee		Totals	Payment received by way of: <input type="checkbox"/> Cash <input type="checkbox"/> _____
Buildings up to 400 Square Feet in Area	\$42.00	\$21.00	=		
Buildings over 400 Square Feet in Area	\$95.00	\$47.00	=		
Rendering Private Sewage Disposal System Safe	\$21.00	\$21.00	=		
Cap Building Sewer	\$16.00	\$16.00	=		
	TOTAL PERMIT FEES				

All work relating to this application, including rendering sewage disposal system safe, and providing a safe demolition site shall meet the requirements of the *Songhees Nation Building Regulation and Inspection Law*, including the British Columbia *Building Code, 2012* and be completed by _____.

LIMITATION OF LIABILITY

Neither the issuance of a *permit* under this law nor the acceptance or review of plans, drawings or specifications or documents, nor any inspections or monitoring made by or on behalf of the Songhees Nation shall in any way relieve the *Permanent Interest Holder* or his or her representatives from full and sole responsibility to perform the work in full accordance with the *Songhees Nation Building Regulation and Inspection Law*, including the British Columbia *Building Code* with such modification as circumstances warrant, and all other applicable enactments, codes and standards.

FREEDOM OF INFORMATION WAIVER

Personal information contained on this form is subject to the *Freedom of Information and Protection of Privacy Act*. The personal information will be used for purposes of issuing this Permit. Enquiries about the collection or use of information on this form can be directed to the Songhees First Nation Lands Office.

All buildings located on Songhees Nation lands are regulated by the *Songhees Nation Building Regulation and Inspection Law*.

Phone Number

Date

Signature of Applicant



SCHEDULE "C-6"
SONGHEES NATION MOBILE HOME APPLICATION

To be used in conjunction with BUILDING PERMIT APPLICATION (Schedule C-1)

Permit No.

PERMANENT INTEREST HOLDER: _____ ADDRESS: _____

Details of Mobile Home

Name and address of Manufacturer:

NAME

ADDRESS

Model No. _____

Serial No. _____

Oil Approval No. _____

Gas Approval No. _____

Electrical Approval No. _____

Z240 Series No. _____

Note:

1. An approved mobile home may be permanently installed on a Parcel of Land zoned for a mobile home, as per the Songhees Nation Zoning Bylaw or zoning law, as amended from time to time.
2. Factory built "Mobile Homes" must be certified as complying with Canadian Standards Association Standard ("CAN/CSA-Z240 MH Series Mobile Homes"). This standard does not apply to site preparations (foundations, basements, mountings), interconnection of modules, connection to services and installation of appliances. Mobile homes that do not meet the above standard will require the inspection and approval from a British Columbia registered professional engineer. It may be necessary for a Building Official to inspect the Mobile Home as well.
3. A completed Building Permit Application (Schedule C-1) must accompany this Information Sheet.
4. Include with the application a letter from the owner of the Mobile Home Park, the Tenant's Association or other relevant group or individual, confirming that there are no objections to the establishment of the mobile home, including any addition, on the proposed site.
5. The applicant must pay the applicable permit fee.

For inspection purposes where is the mobile home now located: _____

Complete Address

 Phone Number

 Date

 Signature of Owner

Legal Description: please use either the specific site of the mobile home or the mobile home park in which the home will be placed:

PIN No. _____ Lot _____ Section _____ Block _____ Plan _____



Permit No. _____

SCHEDULE "C-7"
SONGHEES NATION CHANGE OF OCCUPANCY CLASSIFICATION

1100 Admirals Road
 Victoria, BC, V9A 2P6
 Phone: 250-386-1043
 Fax: 250-386-4161

PLEASE PRINT CLEARLY: Pursuant to the *Songhees Nation Building Regulation and Inspection Law*: I, _____, (Name)
 of _____, being the Permanent Interest Holder or agent as the case may be hereby make
 application to **CHANGE THE OCCUPANCY CLASSIFICATION** of the building or a portion of the building located at:

Site Address: _____
 Complete Address

Legal Description: PIN No. _____ Lot _____ Section _____ Block _____ Plan _____

Present use of Building or Part of Building: _____

Proposed Change: _____

 Phone Number Date Signature of Applicant Signature of Permanent interest holder

Office Use Only

FROM	<input type="checkbox"/> Group A, Division 1	<input type="checkbox"/> Group A, Division 2	<input type="checkbox"/> Group A, Division 3	<input type="checkbox"/> Group A, Division 4
	<input type="checkbox"/> Group B, Division 1	<input type="checkbox"/> Group B, Division 2	<input type="checkbox"/> Group C	<input type="checkbox"/> Group D
	<input type="checkbox"/> Group E	<input type="checkbox"/> Group F, Division 1	<input type="checkbox"/> Group F, Division 2	<input type="checkbox"/> Group F, Division 3
	<input type="checkbox"/> Group A, Division 1	<input type="checkbox"/> Group A, Division 2	<input type="checkbox"/> Group A, Division 3	<input type="checkbox"/> Group A, Division 4

TO	<input type="checkbox"/> Group B, Division 1	<input type="checkbox"/> Group B, Division 2	<input type="checkbox"/> Group C	<input type="checkbox"/> Group D
	<input type="checkbox"/> Group E	<input type="checkbox"/> Group F, Division 1	<input type="checkbox"/> Group F, Division 2	<input type="checkbox"/> Group F, Division 3

Authority	Rejected	Approved	Conditional Approval Requirements, if any	Signature	Date	Additional Comments or Concerns
Building Inspection						
Lands-Zoning						
Health						
Fire Department						
Property Taxation						

SCHEDULE "D" - SONGHEES NATION FORMS

This Schedule is composed of:

SCHEDULE "D-1" – Acknowledgement of Permanent Interest Holder

SCHEDULE "D-2" – Registered Professional's Proof of Insurance



SCHEDULE "D-1"

SONGHEES NATION ACKNOWLEDGEMENT OF PERMANENT INTEREST HOLDER

I acknowledge that the *permanent interest holder* of the land for which this *permit* is issued is solely responsible for carrying out the work authorized by this *permit* in accordance with the *Songhees Nation Building Regulation and Inspection Law* and other applicable laws respecting safety, including the requirements of the *Building Code* in relation to soil conditions for building foundations.

I acknowledge that the *permanent interest holder* of the land is also solely responsible for determining whether the work authorized by this *permit* contravenes any covenant, easement, right of way, building scheme or other restriction affecting the building site, and whether the work requires the involvement of an architect under the *Architects Act* or an engineer or geoscientists under the *Engineers and Geoscientists Act*.

I acknowledge that the Songhees Nation provides a limited monitoring service in relation to building construction and does not, by accepting or reviewing plans or specifications, inspecting construction, monitoring the inspection of construction by others, or issuing building or *occupancy permits*, make any representation or give any assurance that the construction authorized by this *permit* complies in every or any respect with the *Songhees Nation Building Regulation and Inspection Law*, including the *BC Building Code* with such modification as circumstances warrant, or any other applicable law respecting safety.

If the Songhees Nation has so indicated on this *permit* I acknowledge that the Songhees Nation has issued the *permit* in reliance on the certification of a *registered professional*, engaged by me to provide such certification, and that the plans for the work authorized by the *permit* have been accordingly reduced. I acknowledge that the Songhees Nation, by issuing this *permit* or any *occupancy permit*, relies solely on the certification and makes no representation to me or any other person that the plans comply with the *Songhees Nation Building Regulation and Inspection Law*, including the *BC Building Code* with such modification as circumstances warrant, or any other applicable law.

Name of *permanent interest holder*

Signature of *permanent interest holder* (*I have the authority to bind the permanent interest holder*)

Date of Acknowledgement



SCHEDULE "D-2"

SONGHEES NATION REGISTERED PROFESSIONAL'S PROOF OF INSURANCE

Songhees Nation
1100 Admirals Road
Victoria, BC, V9A 2P6

ATTENTION: SONGHEES NATION LANDS MANAGER

RE: _____

(Civic Address of Project)

This is to confirm that the undersigned registered professional is insured by a policy of insurance which includes coverage, in the amount of at least one million dollars (\$1,000,000.00), for liability to third parties for errors and omissions that may occur in the provision of professional services in respect of the above-captioned project, a certificate of which insurance is attached.

The undersigned will notify both the *Lands Manager* and the *permanent interest holder* who has engaged the undersigned to provide professional services in respect of the above-captioned project, in writing, of any termination or change in the terms of the coverage provided by the policy of insurance, immediately upon being informed, or becoming aware, of such termination or change.

Signature of Registered Professional (I have the authority to bind the Registered Professional)

Name of Firm

Date



Permit No. _____

SCHEDULE "E" - SONGHEES NATION BUILDING PERMIT

1100 Admirals Road
Victoria, BC, V9A 2P6
Phone: 250-386-1043
Fax: 250-386-4161

Pursuant to the *Songhees Nation Building Regulation and Inspection Law*:

Mr. / Mrs. / Ms. _____, of _____, being the
(Name) (Address)

Permanent Interest Holder is hereby granted a PERMIT to: _____

Legal Description: PIN No. _____ Lot _____ Section _____ Block _____ Plan _____

PERMANENT INTEREST HOLDER: _____ **ADDRESS:** _____

CONTRACTOR: _____ **ADDRESS:** _____

THIS PERMIT IS ISSUED SUBJECT TO THE FOLLOWING SPECIAL REQUIREMENTS:

Notes:

1. Permit issued according to the above SPECIAL REQUIREMENTS, the accompanying plans and applicable laws.
2. Inspections must be requested in accordance with the *Building Regulation and Inspection Law* requirements. At least 24 hours' notice is required.
3. A re-inspection fee will be charged in accordance with the *Building Regulation and Inspection Law*.
4. Work related to this *permit* must be started within 6 months of the date of issue, must not be discontinued or suspended for more than one year, and completed within two years. Separate *permits* are required for plumbing installations and fireplace/chimney construction.
5. **AN OCCUPANCY PERMIT MUST BE APPLIED FOR AND OBTAINED PRIOR TO THE USE AND OCCUPANCY OF ANY BUILDING OR STRUCTURE.**

<i>FEE SUMMARY</i>	<i>FEE</i>
Area of Building	
Estimated Cost	
Plumbing Permit (residential)	
Plumbing Permit (commercial)	
Chimney/Appliance Permit	
Demolition/Deconstruction Permit	
Other	
TOTAL PERMIT FEE	

LIMITATION OF LIABILITY

Neither the issuance of a *permit* under this law nor the acceptance or review of plans, drawings or specifications or documents, nor any inspections or monitoring made by or on behalf of the Songhees Nation shall in any way relieve the *Permanent Interest Holder* or his or her representatives from full and sole responsibility to perform the work in full accordance with the *Songhees Nation Building Regulation and Inspection Law*, including the British Columbia *Building Code* with such modification as circumstances warrant, and all other applicable enactments, codes and standards.

FREEDOM OF INFORMATION WAIVER

Personal information contained on this form is subject to the *Freedom of Information and Protection of Privacy Act*. The personal information will be used for purposes of issuing this Permit. Enquiries about the collection or use of information on this form can be directed to the Songhees First Nation Lands Office.

All buildings located on Songhees Nation lands are regulated by the *Building Regulation and Inspection Law*.

Payment by:

Cash

Building Inspector

Songhees Nation

Permit No.



SCHEDULE "F" -SONGHEES NATION OCCUPANCY PERMIT

1100 Admirals Road
Victoria, BC, V9A 2P6
Phone: 250-386-1043
Fax: 250-386-4161

This is to certify that the premises named herein have been constructed under the authority of a valid *permit* and have received a final inspection.

**THIS BUILDING OR STRUCTURE IS NOW COMPLETED AND
READY FOR USE AND OCCUPANCY**

PERMANENT INTEREST HOLDER: _____

ADDRESS: _____

Legal Description: PIN No. _____ Lot _____ Section _____ Block _____ Plan _____

No action may be brought against the Songhees Nation or its employees, contractors or representatives for anything done or not done in good faith in the performance, or intended performance, of any authority conferred or duty imposed under the *Songhees Nation Building Regulation and Inspection Law* or any other law adopted by the Songhees Nation.

NO REPRESENTATION BY SONGHEES NATION

Neither the issuance of a permit, including an Occupancy Permit or Conditional Occupancy Permit, under the *Songhees Nation Building Regulation and Inspection Law* nor the acceptance or review of plans, drawings or specifications or documents, nor any inspections or monitoring made by or on behalf of the Songhees Nation constitute in any way a representation, warranty, assurance or statement that the *Songhees Nation Building Regulation and Inspection Law*, including the *BC Building Code* with such modification as circumstances warrant, or any other applicable enactment, code and standard have been complied with.

Date

Signature of *Permanent interest holder*

Date

Signature of *Building Inspector*



SCHEDULE "G" - SONGHEES NATION CONDITIONAL OCCUPANCY PERMIT

1100 Admirals Road
Victoria, BC, V9A 2P6
Phone: 250-386-1043
Fax: 250-386-4161

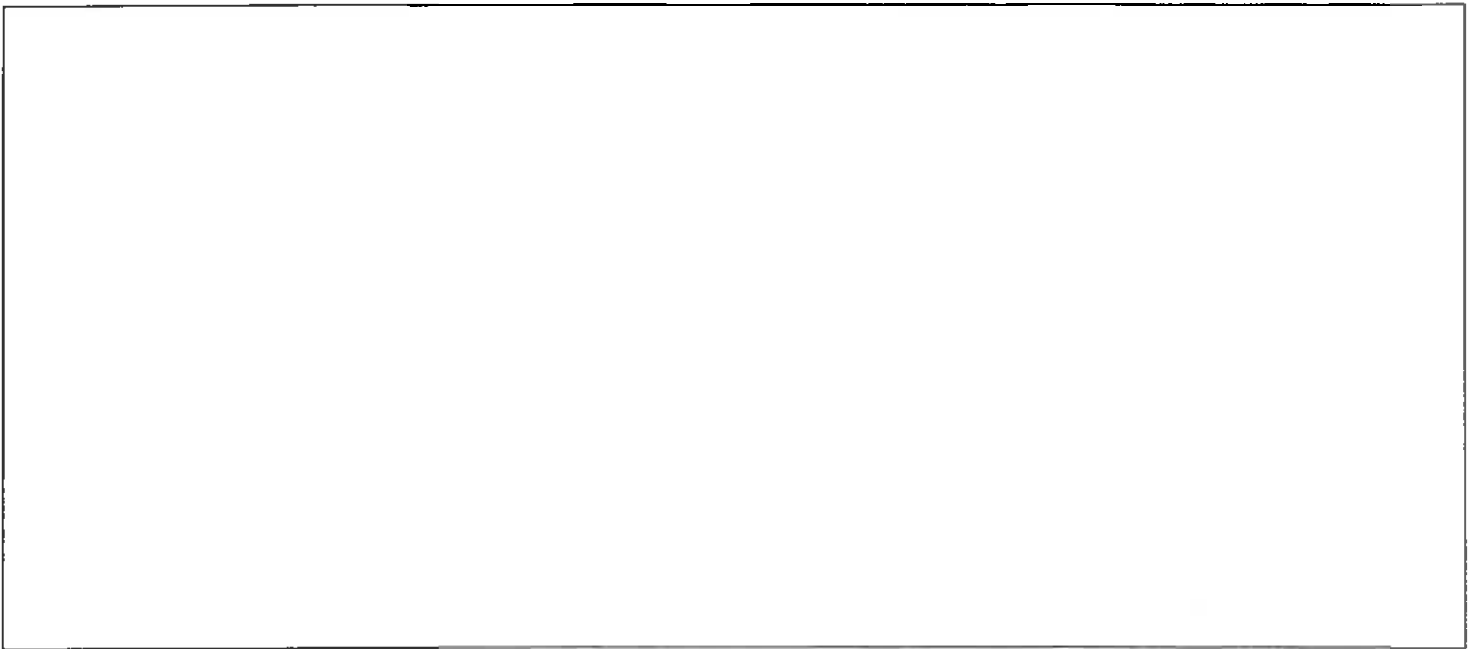
PERMANENT INTEREST HOLDER: _____ **ADDRESS:** _____

Legal Description: PIN No. _____ Lot _____ Section _____ Block _____ Plan _____

THE CONDITIONAL OCCUPANCY PERMIT IS ISSUED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The deficiencies listed below shall be rectified to the satisfaction of the *Building Official*.
2. Upon satisfactory completion of all deficiencies the *Building Official* shall issue an OCCUPANCY PERMIT for the *building*.
3. If all deficiencies listed below are not addressed to the satisfaction of the *Building Official* within 12 calendar months from the date of issue of this CONDITIONAL OCCUPANCY PERMIT, the *permanent interest holder* must renew the *permit* for an additional one year period and pay the applicable renewal fee. The *permit* may be renewed for a maximum of three years total after which the *permit* will expire and the Songhees Nation may register a notice against the land for the outstanding deficiencies. The notice will remain in place until the deficiencies have been rectified to the satisfaction of the *Building Official*. Upon expiry of a *permit* and in order for the *Building Official* to conduct the required final inspection and issue the OCCUPANCY PERMIT it will be necessary for the *permanent interest holder* to apply for a *permit* to complete the outstanding work. Upon completion of all deficiencies the notice will be removed and the *Building Official* may issue a permanent OCCUPANCY PERMIT for the *building*.
4. The CONDITIONAL OCCUPANCY PERMIT confirms only that the *building* is believed to meet the minimum level of health and safety requirements and is not a representation, warranty, assurance or statement that the *building* complies with the *Songhees Nation Building Regulation and Inspection Law*, including the *BC Building Code* with such modification as circumstances warrant, or any other applicable enactment, code or standard.

THE FOLLOWING LIST OF DEFICIENCIES SHOULD NOT BE CONSTRUED AS A DEFINITIVE LIST OF ALL REQUIREMENTS. KNOWN DEFICIENCIES OUTSTANDING AT DATE OF ISSUE OF CONDITIONAL CERTIFICATE OF OCCUPANCY ARE:



NO REPRESENTATION BY SONGHEES NATION

Neither the issuance of a permit, including an Occupancy Permit or Conditional Occupancy Permit, under the *Songhees Nation Building Regulation and Inspection Law* nor the acceptance or review of plans, drawings or specifications or documents, nor any inspections or monitoring made by or on behalf of the Songhees Nation constitute in any way a representation, warranty, assurance or statement that the *Songhees Nation Building Regulation and Inspection Law*, including the *BC Building Code* with such modification as circumstances warrant, or any other applicable enactment, code and standard have been complied with.

Date of Sewerage System Certification _____

Authorized Use SFD Other _____

APPROVED FOR OCCUPANCY _____

DATE: _____

Building Official

Permit No.

SCHEDULE "H" -SONGHEES NATION STOP WORK NOTICE (Form SFN-08)



TO: _____

FROM: SONGHEES NATION LANDS OFFICE, 1100 Admirals Road, Victoria, BC, V9A 2P6

In accordance with the *Building Regulation and Inspection Law* of the Songhees Nation **NOTICE IS HEREBY GIVEN THAT ALL WORK AT**

_____ (address)

MUST IMMEDIATELY STOP. It has been reported that:

contrary to the *Songhees Nation Building Regulation and Inspection Law*.

Contact the Songhees Nation Building Inspector or Lands Manager to remedy this situation before you recommence or continue work. Hours: Monday to Friday 8:30 am to 4:30 pm.

Name: _____

Position: _____

Signature: _____

Date: _____

This Stop Work Notice is issued by the Songhees Nation Building Inspector, Bylaw Enforcement Officer or the Lands Manager.

This Notice must not be removed unless first authorized by the Songhees Nation.

SCHEDULE "I" -SONGHEES NATION DO NOT OCCUPY NOTICE (Form SFN-10)



TO: _____

FROM: SONGHEES NATION LANDS OFFICE, 1100 Admirals Road, Victoria, BC, V9A 2P6

In accordance with the *Songhees Nation Building Regulation and Inspection Law*, **DO NOT OCCUPY:**

_____ (address)

as work is in violation of the *Building Regulation and Inspection Law* of the Songhees Nation.

Contact the Songhees Nation Building Inspector or Lands Manager to obtain further information. Hours: Monday to Friday 8:30 am to 4:30 pm.

Name: _____

Position: _____

Signature: _____

Date: _____

This Stop Work Notice is issued by either the Songhees Nation Building Inspector, Bylaw Enforcement Officer or the Lands Manager.

This Notice must not be removed unless first authorized by the Songhees Nation.

SCHEDULE "J" -SONGHEES NATION TICKET INFRACTIONS

Offence	Law Section Number	Fine
Constructing Building without Permit	9.2	\$500.00
Installing Plumbing System without Permit	9.2	\$500.00
Occupying Building without Report or Contrary to Permit or Notice	24.7	\$500.00
Submitting False or Misleading Information to Building Official	7.4	\$500.00
Tampering with Notice, Permit or Certificate	7.5	\$500.00
Working at Variance with Permit	7.6	\$300.00
Obstructing Entry of Building Official	7.7, 8.1	\$500.00
Failure to Obtain Permit for Construction of <i>Building</i>	9.2	\$500.00
Failure to Obtain Permit for Construction of Plumbing System	9.2	\$500.00
Failure to Obtain Permit for Construction of Fireplace	9.2	\$500.00
Failure to Obtain Permit for Construction of Temporary Building	9.2	\$500.00
Failure to Obtain Permit for Moving Building	9.2	\$500.00
Failure to Obtain Permit for Demolishing Building	9.2	\$300.00
Failure to Obtain Permit for Installing Solid Fuel Burning Appliance	9.2	\$300.00
Failure to Post Permit on Parcel of Land	16.2	\$100.00
Failure to Keep Approved Plans on Parcel of Land	16.2	\$100.00
Failure to Keep Address on Parcel of Land	16.2	\$100.00
Failure to Ensure Site Safety	16.2	\$1,000.00
Occupying Building without Authorization	19.1	\$300.00
Failure to Enclose Pool within a Building or Fence	21.1	\$500.00

Failure to Maintain or Repair Pool Enclosure	21.2	\$500.00
Failure to Install <i>Fire suppression system</i> in Two-Family Dwelling	22.1	\$500.00
Failure to Install <i>Fire suppression system</i> in Repair of Two-Family Dwelling	22.1(b)	\$500.00
Failure to Install <i>Fire suppression system</i> in Portable Classroom or Auto Body Shop	22.1	\$500.00
Failure to Install <i>Fire suppression system</i> in Single Family Dwelling	22.1	\$500.00
Failure to Leave Site in Safe and Sanitary Condition Prior to Removing Equipment	16.3	\$1,000.00
Failure to comply with Stop Work Notice	24.4	\$1,000.00
Failure to Cease Occupancy of Building after Notice Posted	24.7	\$1,000.00

