



TSAWOUT FIRST NATION BUILDING LAW

No. 2020-0x

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A Law to Regulate the Construction, Alteration, Repair or Demolition of Buildings and Structures in the Tsawout First Nation

WHEREAS Council of Tsawout First Nation deems it advisable and in the best interests of Tsawout First Nation to enact a Law to regulate the construction, repair, demolition or removal of buildings and structures within Tsawout Lands;

NOW THEREFORE Council of Tsawout First Nation enacts the following Law:

PART 1 SCOPE AND DEFINITIONS

1.1 Scope

1.1.1 Tsawout First Nation

This Law shall apply to all lands as outlined through the *Tsawout First Nation Land Code*.

1.1.2 Other Legislation

Nothing contained in this Law relieves any person from complying with all other applicable legislation or enactments respecting health, safety and the protection of persons and property.

1.1.3 Application

The provisions of this Law shall apply to the:

- (1) design, construction and occupancy of new buildings and structures, and
- (2) alteration, reconstruction, demolition, deconstruction, removal, relocation and change in class of occupancy of existing buildings and structures.

1.2 Definitions

1.2.1 Non-defined Terms

In this Law, the following words and terms have the meanings set out in Section 1.4.1.2 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, registered professional, and residential occupancy.

1.2.2 Definitions

"Band Land" means reserve lands of the Tsawout First Nation that are not held under Certificate of Possession.

"Building Code" means the *British Columbia Building Code 2006* as amended or re-enacted from time to time.

"Building Official" means:

- (a) An Architect who has passed an accredited education program and holds a membership in good standing with the Architectural Institute of British Columbia;

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- (b) An engineer who has passed an accredited education program and holds a membership in good standing with the Engineers and Geoscientists of British Columbia;
- (c) A person who is a member in good standing with the Building Officials Association of British Columbia.

"Complex Building" means:

- (a) a building classified as a post-disaster building;
- (b) a building used for major occupancies classified as:
 - (i) assembly occupancies,
 - (ii) care or detention occupancies,
 - (iii) high hazard industrial occupancies; and
- (c) a building exceeding 600 m² (6,459 ft²) in building area or exceeding three storeys in building height used for major occupancies classified as:
 - (i) residential occupancies,
 - (ii) business and personal services occupancies,
 - (iii) mercantile occupancies,
 - (iv) medium and low hazard industrial occupancies.

"Council" means the lawfully elected Chief and Councillors of the Tsawout First Nation.

"Designated Flood" means a flood, which may occur in any given year, of such magnitude as to equal a flood having a 200-year recurrence interval, based on a frequency analysis of unrelated history flood records or by regional analysis where there is inadequate streamflow data available; where the flow of a large watercourse is controlled by a major dam, the designated shall be set a site specific basis.

"Designated Flood Level" means the observed or calculated flood elevation for the designated flood, which is used in the calculation of the flood construction level.

"Excavation" means as the space created by the removal of soil, rock or fill for the purpose of construction requiring a permit.

"Fire Safety System" includes fire sprinkler systems, foam systems, wet and/or dry chemical fire suppression equipment, non-residential fire alarm systems, and any other suppression or extinguishing system, but does include smoke alarms as defined in the *Building Code*.

"Flood Construction Level" means a Designated Flood Level plus Freeboard, or where a Designated Flood Level cannot be determined, a specified height above a Natural Boundary, Natural Ground Elevation, or any obstruction that could cause ponding.

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

"Flood Plain Setback" means the required minimum distance from the Natural Boundary of a watercourse, lake, or other body of water to any landfill or structural support required to elevate a floor system or pad above the Flood Construction Level, so as to maintain a floodway and allow for potential land erosion.

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"Freeboard" means a vertical distance added to a Designated Flood Level, used to establish a Flood Construction Level.

"Grade" means the lowest of the average levels of finished ground adjoining each exterior wall of a building, except that localized depressions need not be considered in the determination of average levels of finished ground.

"Health and Safety Aspects of the Work" means design and construction regulated by Part 3, Part 4, Part 7, Part 8 and Part 9 of the *Building Code*.

"Permanent Interest Holder" means a member having a Certificate of Possession issued under section 20(2) of the *Indian Act* or equivalent tenure issued under the Tsawout First Nation *Land Code*.

"Permit" means a permit as required in Part 2 and may include a building permit, a plumbing permit, a demolition permit or a deconstruction permit, a permit for a change of occupancy, and a fireplace/chimney/woodstove/oil furnace/oil tank permit.

"Registered Holder" means a person who is registered in the Tsawout Lands register as holder of an interest in Tsawout Lands and, where applicable, includes the occupant.

"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 m² (6,459 ft²) and used for major occupancies classified as:

- (a) residential occupancies,
- (b) business and personal services occupancies,
- (c) mercantile occupancies, or
- (d) medium and low hazard industrial occupancies.

"Structure" means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and retaining structures equal to or less than 1.2 m (4 ft) in height.

"Tsawout" means the Tsawout First Nation.

"Tsawout First Nation" means the Tsawout First Nation as named in the Schedule to the *First Nations Land Management Act*.

"Tsawout Member" means a Tsawout Individual who is enrolled as a member of Tsawout First Nation in accordance with the *Tsawout Membership Law*.

"Tsawout Lands" means the East Saanich Indian Reserve #2 and Fulford Harbour Indian Reserve #5, which are reserves as defined in the *Indian Act* set aside for the use and benefit of Tsawout First Nation.

"Wetland" means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions supports vegetation typically adapted for life in saturated soil conditions, including marshes, swamps and bogs.

1.3 Purpose of Law

1.3.1 Interpretation

The Law, shall, notwithstanding any other provision herein, be interpreted in accordance with this subsection.

1.3.2 General

- (1) This Law has been enacted for the purpose of regulating construction within the Tsawout Lands in the general public interest. The activities undertaken by or on behalf of the Tsawout First Nation pursuant to this Law are for the sole purpose of providing a limited spot check for health, safety and the protection of persons and property.
- (2) The purpose of this Law does not extend:
 - (a) to the protection of registered holders, registered holder/builders or constructors from economic loss;
 - (b) to the assumption by the Tsawout First Nation or any building official of any responsibility for ensuring the compliance by any registered holder, his or her representatives or any employees, constructors or designers retained by him or her, with the *Building Code*, the requirements of this Law or other applicable enactments respecting safety;
 - (c) to providing to any person a warranty of design or workmanship with respect to any building or structure for which a permit or certificate of occupancy permit is issued under this Law; or
 - (d) to providing a warranty or assurance that construction undertaken pursuant to a permit issued by the Tsawout First Nation is free from latent, or any, defects.
- (3) This Law does not apply to buildings or structures exempted by Part 1 of the *Building Code* except as expressly provided herein, nor to retaining structures less than 1.2 m (4 ft) in height

PART 2 PERMITS AND PERMIT FEES

2.1 Permits General

2.1.1 Requirement

A permit is required whenever work regulated under this Law is to be undertaken.

2.1.2 Permits Required

Every person shall apply for and obtain

- (1) a building permit before commencing:
 - (a) Site excavation or blasting;
 - (b) constructing, repairing or altering a building or structure;
 - (c) moving a building or structure; or
 - (d) changing an occupancy;

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- (2) a plumbing permit before installing any plumbing installations occur; and
- (3) a fireplace and chimney permit prior to the construction of a masonry fireplace or the installation of a wood burning appliance or chimney unless the works are encompassed by a valid building permit;
- (4) an oil burning appliance or oil tank permit prior to installation;
- (5) a demolition permit before demolishing a building or structure;
- (6) a deconstruction permit prior to commencing the deconstruction or removal of a building.

2.1.3 Permits Not Required

A permit is not required in the following circumstances:

- (1) for minor repairs or alterations to non-structural components of the building;
- (2) when a valve, faucet, fixture or service water heater is repaired or replaced, a stoppage cleared, or a leak repaired if no change to the piping is required;
- (3) for an accessory building less than 10 m² that is used for utility purposes that do not create a hazard; or
- (4) retaining structures less than 1.2 m (4 ft) in height.

2.1.4 Disclaimer of Warranty or Representation

- (1) Neither the issuance of a permit under this Law nor the acceptance or review of plans, drawings or supporting documents, nor any inspections made by or on behalf of the Tsawout First Nation, shall in any way relieve the registered holder or his or her representatives from full and sole responsibility to perform the work in strict accordance with this Law, the *Building Code* and or other applicable enactments respecting safety.
- (2) It shall be the full and sole responsibility of the registered holder (and where the registered holder is acting through a representative, the representative) to carry out the work in respect of which the permit was issued in compliance with the *Building Code* and this Law or other applicable enactments respecting safety.
- (3) No person shall rely upon any permit as establishing compliance with this Law or assume or conclude that this Law has been administered or enforced according to its terms. The person to whom the building permit is issued and his or her representatives are responsible for making such determination.

2.1.5 Essential Services

No permit shall be issued for the construction of any residential, commercial, institutional or industrial buildings until the following essential services are provided for:

- (1) **Water (Potable)** - A community water service connection approved by Tsawout, shall be provided;
- (2) **Sanitary Sewer** - A community sewer connection approved by Tsawout, shall be provided;
- (3) **Storm Drainage** - An approved method of storm drainage disposal shall be available to service the building or structure;

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- (4) **Access to Property** - A driveway of sufficient strength, grade and width for access and egress to all principal buildings by fire and emergency vehicles within 30 meters of a building;
- (5) **Fire Water Supply** - as per NFPA 1142 "standard for Water Supply for Suburban and Rural Fire Fighting" or equivalent documents for adequate water supply for fire fighting; and
- (6) **Site visit** - to be completed by a registered professional or building official to determine if land is subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock-fall, subsidence or avalanche

2.2 Compliance

2.2.1 Overview

No person shall rely upon any permit as establishing compliance with this Law or assume or conclude that this Law has been administered or enforced according to its terms.

2.3 Permit Applications

2.3.1 General

- (1) An application for a permit shall be made on the appropriate form attached as Schedule A to this Law.
- (2) All plans submitted with permit applications shall bear the name and address of the designer of the building or structure.
- (3) Each building or structure to be constructed on a site requires a separate building permit and shall be assessed a separate building permit fee based on the value of the building or structure. The value of construction shall be the total contract price of work including all subcontractors, or the value of construction as determined by the building official on the basis of plans, specifications and information available to him or her, whichever value is greater.

2.3.2 Applications for Standard Buildings

- (1) An application for a building permit (Schedule A) with respect to a standard building shall:
 - (a) be signed by the registered holder, or a signing officer if the registered holder is a corporation;
 - (b) be accompanied by the registered holder's acknowledgement of responsibility made in Form 1, signed by the registered holder, or a signing officer if the registered holder is a corporation;
 - (c) include a copy of a Land Status Report made within 30 days of the date of the application;
 - (d) include a site plan prepared by a British Columbia Land Surveyor showing:
 - (i) the bearing and dimension of the parcel taken from the registered subdivision plan;

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- (ii) the legal description and civic address of the parcel;
 - (iii) the location and dimensions of all statutory rights of way, easements and setback requirements;
 - (iv) the location and dimensions of all existing and proposed buildings or structures on the parcel;
 - (v) setbacks to the natural boundary of any sea, lake, wetland, pond or watercourse where the Tsawout First Nation's land use regulations establish siting;
 - (vi) the existing and finished ground levels to an established datum at or adjacent to the site; and
 - (vii) the location, dimension and gradient of parking and driveway access.
- (e) include floor plans showing the dimensions and uses of all areas: the dimensions and height of crawls 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;
 - (f) include a cross section through the building or structure illustrating foundations, drainage, ceiling heights and construction systems;
 - (g) include elevations of all sides of the building or structure showing finish details, roof slopes, windows, doors, and finished grade;
 - (h) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the building or structure substantially conforms to the *Building Code*;
 - (i) include copies of approvals required under any enactment relating to health or safety, including, without limitation, District of Central Saanich or the Ministry of Transportation and Infrastructure highway access permits;
 - (j) include two copies of specifications and two sets of drawings at a scale of $\frac{1}{4}$ inch = 1 foot or 1:50 (or other appropriate scale) of the design including the information set out in paragraphs 2.3.2(e)-(h) of this Law; and
 - (k) any other information required by the building official or the *Building Code* to establish substantial compliance with this Law, the *Building Code* and other laws and enactments relating to the building or structure.

2.3.3 Applications for Complex Buildings

- (1) An application for a building permit (Schedule A) with respect to a complex building shall all of the requirements under paragraphs 2.3.2 (a) to (j) as well as the follows:
 - (a) include a letter of assurance in the form of Schedule A, as referred to in Division C of Part 2 of the *Building Code*, signed by the registered holder, or a signing officer of the registered holder if the registered holder is a corporation, and the coordinating registered professional;
 - (b) include letters of assurance in the form of Schedule B as referred to in Division C of Part 2 of the *Building Code*, each signed by such registered

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professionals as the building official or *Building Code* may require to prepare the design for and conduct field reviews of the construction of the building or structure; and

- (2) The building official may waive the requirements for a site plan, in whole or in part, where the permit is sought for the repair or alteration of an existing building or structure.
- (3) In addition to the requirements of paragraph 2.3.3(1) the following may be required by a building official to be submitted with a building permit application of the construction of a complex building where the complexity of the proposed building or structure or siting circumstances warrant:
 - (a) site service 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 Tsawout First Nation's *Subdivision, Development and Servicing Law*;
 - (b) a section through the site showing grades, buildings, structures, parking areas and driveways; and
 - (c) any other information required by the building official or the *Building Code* to establish substantial compliance with this Law, the *Building Code* and other Laws and enactments relating to the building or structure.

2.3.4 Applications for Moved Buildings or Structures

- (1) A permit is required for the rehabilitation of a moved building or structure on the property to which it is to be moved.
- (2) Before issuing a Permit under paragraph 2.3.4(1), the building official may require certification from a registered professional that the building meets the requirements of this Law, the *Building Code* and any other applicable enactment.

2.3.5 Applications for Installation, Alteration and Additions to Manufactured Homes

- (1) All manufactured homes must be installed in accordance with CSA Standards Z240.10.1-94, "Site Preparation, foundation, and Anchorage of manufactured Homes".
- (2) All building permits issued for manufactured home alteration or addition must conform to the following terms and conditions:
 - (a) additions to manufactured homes must be set on a temporary foundation which allows for removal of the addition without affecting the original manufactured home;
 - (b) no part of the addition may be attached to the manufactured home or depend on the structure of the manufactured home for support;
 - (c) additions must not affect the structural integrity of the manufactured home;
 - (d) no plumbing may be installed in any additions to a manufactured home;
 - (e) all additions must have their own heating system and must not depend on the manufactured home heating system; and
 - (f) all electrical connections must be made to allow for easy disconnection of

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the addition from the original manufactured home.

2.3.6 Retaining Structures

A registered professional shall undertake the design and conduct field reviews of the construction of a retaining structure 1.2 m (4 ft) or more in height. Sealed copies of the design plan and field review reports prepared by the registered professional for all retaining structures 1.2 m (4 ft) or more in height shall be submitted to a building official prior to acceptance of the works.

2.3.7 Flood Plain

- (1) All buildings should comply with the Flood Hazard Area Land Management Guidelines from the Ministry of Environment. The flood construction level and setback requirements for properties adjacent to the sea are to be determined by a suitably qualified professional engineer experienced in coastal engineering.
- (2) Compliance with the recommendations in the engineering report shall be required in a permit.
- (3) Prior to issuance of a permit for work within a flood plain where:
 - (a) the work to be carried out constitutes a new building or an addition to an existing building which will be a finished floor area twenty-five (25) per cent or larger than the existing floor area; and
 - (b) No other flood plain covenant is registered on the title of the subject property
the Registered Holder must enter into a covenant which must be registered in the Tsawout Land Register and must run with the land.
- (4) Proof of registration of the following language must be provided to the Lands Department prior to issuance of a building permit.
 - (a) “The Registered Holder agrees to save harmless Tsawout First Nation in the event of any damage being caused by flooding to any building, improvement, or other structure built, constructed or placed upon the said lands, and to any contents thereof.”
- (5) Notwithstanding the provisions of subsection 2.3.7 it is the responsibility of the registered holder to ensure that the building will be safe from water action, whether caused by surface runoff or not.

2.3.8 Site Drainage and Grading

- (1) The registered holder of land on which a building or structure is being constructed must control site drainage such that other sites are not affected and in particular:
 - (a) each lot must be graded to drain into a Tsawout First Nation drainage system or a natural watercourse without draining onto adjacent lots;
 - (b) areas adjacent to buildings shall be graded away from the foundations to prevent flooding;
 - (c) lots lower than adjacent roadways shall have storm water management facilities to direct storm runoff to a drainage system approved by a building official; and

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- (d) in the case of storm water runoff not directed to a Tsawout drainage system, storm runoff shall occur to a natural watercourse by means of sheet flow only, and
 - (e) to minimize the off-site impacts of storm water drainage, on-site management to reduce flows is required.
- (2) Slopes must not exceed the natural angle of repose of the soil and all transitions of slope must be gradual.

2.3.9 Roof Drainage

On any building which is the subject of a permit, the building official may direct perimeter drains, rainwater leaders, gutters and downspouts or other drainage appurtenances be installed where, in his or her opinion, they are necessary for proper drainage and may further direct that they be connected to storm drains.

2.3.10 Fire Safety Systems

- (1) The design of every fire safety system, including modifications to existing systems, shall be prepared by a registered professional in the form prescribed by the *Building Code*.
- (2) All fire safety systems shall be installed in accordance with the *National Fire Protection Association Standards*, the *Building Code*, and any other applicable enactment by a person who possesses a British Columbia trades' qualification as a certified sprinkler installer.

2.3.11 Alternate Solutions

- (1) This regulation is not intended to limit the appropriate use of materials, equipment or methods of construction. An occupier may use an alternative solution not specifically described in this regulation or the *Building Code* provided the occupier supplies the building official with evidence that, in the building official's sole opinion, is sufficient to demonstrate the proposed alternative solution will provide the level of performance required by this regulation and the *Building Code*.
- (2) The evidence required by paragraph (1) shall be in the form of a report from an engineer, architect, or other *Building Code* specialist, and in addition to the information and arguments presented to support the alternative solution, shall state:
 - (a) the name of the occupier, and the name and address of the construction project;
 - (b) the background of the individual or firm proposing the alternative solution including their qualifications and experience in the field;
 - (c) the sections of this Law or the *Building Code* for which the alternative solution is proposed; and
 - (d) the author of the report is a registered professional, and is providing professional assurances in a form acceptable to the building official in respect of the design of the building or structure, and will provide Schedule C-B of the *Building Code* on completion of the work.
- (3) Alternative solution reports shall be accompanied by the fee for their review as

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set out in *Tsawout First Nation Fees and Charges Law*.

- (4) Where alternative solutions are relied upon, the occupier must provide Tsawout First Nation with a covenant, registrable in the Tsawout Land Registry that, without limitation, includes a promise by the occupier not to build, use, alter, modify, maintain or repair except in accordance with conditions established in a report prepared by a registered professional and to reimburse Tsawout First Nation for any expenses it may incur as a result of a breach of the covenant.

2.3.12 Professional Plan Certification

- (1) The letters of assurance in the form of Schedules A, B and C-A and C-B referred to in Division C of Part 2 - Administrative Provisions of the *Building Code* and provided pursuant to this Law are relied upon by the Tsawout First Nation and its building officials as certification that the design and plans to which the letters of assurance relate comply with the *Building Code* and other applicable enactments.
- (2) A permit issued pursuant to subsection 2.3.3 or paragraph 2.3.12(1) of this Law shall include a notice to the registered holder that the permit is issued in reliance upon the certification of the registered professionals that the building complies with the *Building Code* and other applicable enactments relating to safety.
- (3) When a permit is issued in accordance with subsection 2.3.3 or paragraph 2.3.12(1) of this Law the permit fee shall be reduced by 10% of the fees payable pursuant to the *Tsawout First Nation Fees and Charges Law*, up to a maximum reduction of \$1,000.00 (one thousand dollars).

2.4 Permit Fees and Plan Processing Fees

2.4.1 Fee Calculation

- (1) In addition to applicable fees and charges required under other laws, a permit fee, calculated in accordance with the *Tsawout First Nation Fees and Charges Law* to this Law, shall be paid in full prior to issuance of any permit under this Law.
- (2) An application made for a building permit shall be accompanied by the appropriate plan- processing fee as set out in the *Tsawout First Nation Fees and Charges Law* to this Law.
 - (a) The plan-processing fee is non-refundable and shall be credited against the building permit fee when the permit is issued.
 - (b) An application shall be cancelled and the plan-processing fee forfeited if the building permit has not been issued and the permit fee paid within six months of the date of application.
 - (c) When an application is cancelled the plans and related documents submitted with the application may be destroyed.

2.4.2 Cancellations and Refunds

- (1) The owner may obtain a refund of the permit fee set out in paragraph 2.4.1(1) of this Law, by way of a written request, when a permit is surrendered and cancelled within six months of the permit being issued and before any excavation or construction begins.

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- (2) At the written request of the owner, after six months from the date of issuing the permit and if the work has not commenced, including excavation, the permit shall be cancelled and a refund to the permit holder of 60% of the fees paid for the permit.

2.4.3 Additional Inspections

- (1) 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 as set out in the *Tsawout First Nation Fees and Charges Law* shall be paid prior to additional inspections being performed.
- (2) An inspection charge, as set out in the *Tsawout First Nation Fees and Charges Law*, shall be payable in advance for a voluntary inspection to establish compliance of or to obtain a report on the status of an existing building or structure for which a permit is sought under this Law.

2.4.4 Fee Exemption

All building projects undertaken by the Tsawout First Nation shall be exempt from the building permit application fee, permit fees and any other fees set out in this Law.

2.5 Conditions of a Permit

2.5.1 Requirement

- (1) A building official shall issue the permit (Schedule B) for which the application is made when:
 - (a) a completed application including all required supporting documentation has been submitted and the review of the application has been completed;
 - (b) the registered holder has paid all applicable fees set out in subsection 2.4.1 of this Law;
 - (c) the registered holder or his or her representative has paid all charges and met all requirements imposed by this and any other applicable law;
 - (d) the proposed work set out in the application substantially conforms with the *Building Code*, this Law and all other applicable laws;
 - (e) the proposed construction does not contravene any covenant registered in the Tsawout Land Registry; and
 - (f) no enactment authorizes the permit to be withheld.

2.5.2 Expiry

Every permit is issued upon the condition that the permit shall expire and the rights of the registered holder under the permit shall terminate if:

- (a) work authorized by the permit is not commenced within six months from the date of issuance of the permit;
- (b) work is discontinued for a period of 12 months or no inspection as listed in paragraph 3.5.1(4) has been requested during that period;

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- (c) work has not been completed within 24 months from the date of issuance of the permit; or
- (d) there is a proposed sale or transfer of the property in respect of which the permit is issued, in which case subsection 2.5.8 will apply.

2.5.3 Re-Application

Where a permit expires under subsection 2.5.2, a registered holder may reapply for a permit and the permit fee for work that was the subject of a previous permit, which has been expired, will be based upon the value of the work that remains to be completed.

2.5.4 Extension

A building official may extend the period of time set out under subsection 2.5.2 where construction has not been commenced or where construction has been discontinued due to adverse weather, strikes, material or labour shortages, or similar hardship beyond the registered holder's control. The maximum period of extension is 12 months.

2.5.5 Partial Permit

A building official may issue a building 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 sufficient information has been provided to Tsawout to demonstrate to the building official that the portion authorized to be constructed substantially complies with this Law and other applicable laws and the permit fee applicable to that portion of the building or structure has been paid. The issuance of the permit, notwithstanding the requirements of this Law, applies to the remainder of the building or structure as if the permit for the portion of the building or structure had not been issued. This subsection does not apply to single family dwellings and accessory buildings.

2.5.6 Revocation

- (1) The building official may revoke a permit where there is a violation of:
 - (a) a condition under which the permit was issued; or
 - (b) a provision of the *Building Code*, this Law or other applicable laws or enactments respecting the health, safety or protection of persons or property.
- (2) The revocation of the permit shall be in writing and transmitted to the registered holder by registered mail, and deemed delivered at the expiration of three days after the date of mailing.

2.5.7 Denial

Any person who has been notified in writing that work done by him or her or on his or her behalf is a violation referred to in subsection 2.5.6, shall have no permit issued to him or her in respect of the same property, until he or she has complied, corrected the violation or satisfied the building official of his or her ability to do so.

2.5.8 Renewal

Where the rights of a registered holder under a Permit terminate under subsection 2.5.2, and the permit is expired because of the sale or transfer of the property in respect of which the permit is issued or where all of the deficiencies listed on the Conditional

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Certificate of Occupancy have not been addressed to the satisfaction of the building official, the registered holder may apply to renew the permit and pay a renewal fee as noted in the *Tsawout First Nation Fees and Charges Law*.

2.6 Appeal

2.6.1 Process

- (1) A decision of the building official, subject to paragraph 2.6.1(2), may be appealed to the Director of Lands.
- (2) An appeal against a decision of the building official may be submitted to the Director of Lands by any person who:
 - (a) has applied under the provisions of this Law for a permit which has not been granted;
 - (b) has had a permit revoked; or
 - (c) feels adversely affected by a decision of the building official.
- (3) The appellant must file with the Director of Lands a statement in writing in such detail as will enable the Director of Lands to properly consider the appeal, setting out:
 - (a) the address of the building affected by the appeal;
 - (b) the sections of this Law affected by the appeal, and
 - (c) the grounds for appeal.
- (4) The Director of Lands may either concur with, reverse or modify the decision of the building official and must render his or her decision within ten (10) days of receipt of the written appeal.
- (5) If the appellant or the building official is dissatisfied with the decision of the Director of Lands, either may appeal further to Council whose decision will be final and not subject to further appeal.
- (6) An appeal to Council must be in writing and Council must consider the appeal at a regular Council meeting within a reasonable time after the receipt of the further written appeal. The appellant and building official have the right to be heard when the appeal is being considered by Council.

2.7 Certificate of Occupancy

2.6.1 Requirement

- (1) A registered holder must obtain a Certificate of Occupancy, Schedule C attached to this Law, prior to occupying a building or structure or part of a building or structure. Certificates of Occupancy are not required for accessory buildings.
- (2) A building official shall not issue a Certificate of Occupancy unless:
 - (a) all letters of assurance have been submitted when required in accordance with subsection 2.3.3 and paragraph 2.3.12(1) of this Law; and
 - (b) all aspects of the work requiring inspection and acceptance pursuant to paragraph 3.5.1(4) of this Law have both been inspected and accepted.

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- (3) Notwithstanding paragraphs 2.6.1 (2), where owing to strikes, lock-outs or other emergencies, one or more of the inspections of buildings or structures required by this Law have not been carried out, the building official may issue a Certificate of Occupancy stating the building or structure is substantially complete and suitable for occupancy if satisfied, after a final inspection, that the building is fit for occupancy, but the certificate shall list those inspections which were not carried out and shall state that the Certificate does not imply approval of such stages of construction.

2.6.2 Conditional Certificate of Occupancy

- (1) A building official may issue a Conditional Certificate of Occupancy, Schedule D attached to this Law, for part of a building or structure when the part of the building or structure is self-contained, provided with essential services and the requirements set out in paragraph 2.6.1(2) of this Law have been met with respect to it.
- (2) A Conditional Certificate of Occupancy may be issued for a single family dwelling and is valid for a period of 12 months from date of issue.
- (3) If at a date 12 calendar months from the date a Conditional Certificate of Occupancy is issued, all of the deficiencies listed on the Certificate have not been addressed to the satisfaction of the building inspector, subsection 2.5.8 renewal shall apply.
- (4) A renewal fee as noted in the *Tsawout First Nation Fees and Charges Law* shall be charged for each renewal, to a maximum of three renewals, after which the permit will expire and Tsawout may register a notice in the Tsawout Land Registry, referring to the outstanding deficiencies.
- (5) If upon expiry of a permit, an owner desires to obtain a Certificate of Occupancy for a single family dwelling, he or she may apply for a new permit under subsection 2.5.3.

PART 3 PROHIBITIONS AND OBLIGATIONS

3.1 General

3.1.1 Work Without Permits

No person shall commence or continue any construction, alteration, reconstruction, demolition, 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 permit for the work.

3.1.2 Demolish or Deconstruct

No person shall demolish or deconstruct a building or structure unless a building official has issued a valid and subsisting demolition or deconstruction permit for the work.

3.1.3 Occupancy

No person shall occupy or use any building or structure unless an occupancy permit has been issued by a building official for the building or structure, or contrary to the terms of any permit issued or any notice given by a building official.

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3.1.4 Tampering with Notices

No person shall, unless authorized in writing by a building official, reverse, alter, deface, cover, remove or in any way tamper with any notice, permit or certificate posted upon or affixed to a building or structure pursuant to this Law.

3.1.5 Approved Plans

No person shall do any work that is substantially at variance with the accepted design or plans of a building, structure or other works for which a permit has been issued, unless that variance has been accepted in writing by a building official.

3.1.6 Obstruct Entry

No person shall obstruct the entry of a building official or other authorized official of the Tsawout First Nation on property in the administration of this Law.

3.1.7 Cessation of Work

No person shall continue to do any work upon a building or structure or any portion of it after the building official has ordered cessation or suspension of work on it.

3.1.8 Contrary

No person shall do any work or carry out any construction contrary to a provision or requirement of this Law, the *Building Code* or any other applicable enactment.

3.1.9 Excavation

- (1) No person shall excavate or undertake work on, over, or under Band Lands or erect or place any construction or work or store any materials thereon, without the approval first been obtained from the Lands Department.
- (2) No person shall excavate, or fill any building site in the absence of a valid building permit.

3.1.10 Accurate Information

No person shall knowingly submit false or misleading information to a building official in relation to any permit application or construction undertaken pursuant to this Law.

3.1.11 Beyond Foundation

No person shall continue construction beyond the foundations stage until:

- (a) In the opinion of the building official an acceptable level of fire protection has been provided; and
- (b) A certificate of location by a registered British Columbia Land Surveyor has been received and approved by the building official.

3.2 Building Officials

3.2.1 Duties

Each building official shall:

- (a) administer this Law and prescribe the form of permits, permit applications, orders and notices except to the extent that they are specifically prescribed by this Law;

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- (b) provide the Lands Department with records of permit applications, permits, notices and orders issued, inspections and tests made, and the lands Department shall retain copies of all documents related to the administration of this Law or microfilm or digital copies of such documents;
- (c) advise the Tsawout First Nation, if requested to do so, whether the methods or types of construction and types of materials used in the construction of a building or structure for which a permit is sought under this Law substantially conform to the requirements of the *Building Code*; and
- (d) carry proper credentials confirming his or her status as a building official.

3.2.2 Authority

A building official:

- (a) is hereby authorized to enter any land, building, structure, or premises, at all reasonable times, in order to ascertain whether the terms of this Law are being observed;
- (b) is directed, where any residence is occupied, to obtain the consent of the occupant or provide written notice to the occupant 24 hours in advance of entry;
- (c) except for standard design aids, is not authorized to assist in the laying out of any work or to act in the capacity of a design consultant;
- (d) may order the correction of any work that is being or has been done in contravention of this Law;
- (e) may order the cessation of work that is proceeding in contravention of this Law, the *Building Code* or any other applicable law by advising the permit holder by letter or by a written notice on a card posted adjacent to the work; and
- (f) may direct that tests of materials, devices, construction materials, structural assemblies, or foundation conditions be undertaken, or sufficient evidence be submitted, at the expense of the owner, where such evidence is necessary to determine whether the materials, devices, construction or foundation meet the requirements of this Law, the *Building Code*, or any other applicable enactment. The records of such tests shall be kept available for inspection during the construction of the building as required by the building official.

3.3 Responsibilities of the Registered Holder

3.3.1 Expectations

- (1) It is the Registered holder's responsibility, prior to commencing construction to:
 - (a) Investigate the status of the construction site and ensure that any concerns relating to flooding, drainage, soil stability or other potential hazards are addressed;
 - (b) Obtain a current Land Status Report from the Land's Department to determine whether there are encumbrances, which may affect the proposed construction (A fee as set out in the *Tsawout First Nation Fees*

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and Charges Law applies); and

- (c) Investigate the availability, location and capacity of utility services to determine whether the proposed construction can be accommodated and arrange the plumbing to suit the location of the connections provided for the site in a manner satisfactory to the building official.
- (2) Every registered holder shall ensure that all construction complies with the *Building Code*, this Law and other applicable enactments respecting safety.
- (3) Every registered holder to whom a permit is issued shall be responsible for the cost of repairing damage to any Tsawout First Nation works that occurs in the course of the work authorized by the permit.
- (4) Every registered holder must make or have made at its expense tests or inspections necessary to prove compliance with this Law and must file copies of test results and inspection reports with the Lands Department.
- (5) Every registered holder to whom a permit is issued shall during construction:
 - (a) post and maintain the permit in a conspicuous place on the property in respect of which the permit was issued;
 - (b) keep a copy of the accepted designs, plans and specifications on the property; and
 - (c) post the civic address of the property in a location visible from any adjoining streets.
- (6) Every registered holder shall, when notified of deficiencies by the building official, perform such alterations, corrections or replacements as may be necessary to ensure the work complies with this Law, the *Building Code*, or any other applicable enactment or regulation, and advise the building official when the work is ready for re-inspection.

3.4 Professional Design and Field Review

3.4.1 General

- (1) When a building official considers that the site conditions, size or complexity of a development or an aspect of a development warrant, he or she may require a registered professional to provide design and plan certification and field review by letters of assurance in the form of Schedule B referred to in Part 2 – Administrative Provisions of the *Building Code*.
- (2) Prior to the issuance of an occupancy permit for a complex building, or standard building in circumstances where letters of assurance have been required in accordance with subsection 2.3.3 or paragraph 3.4.1(1) of this Law, the registered holder shall provide the Tsawout First Nation with letters of assurance in the form of Schedules C-A and C-B, as is appropriate, referred to in Part 2 – Administrative Provisions of the *Building Code*.
- (3) When a registered professional provides letters of assurance in accordance with subsection 2.3.3 or paragraph 3.4.1(1) of this Law, he or she shall also provide proof of professional liability or errors and omissions insurance to the building official in Form 2.

3.5 Inspections

3.5.1 General

- (1) When a registered professional provides letters of assurance in accordance with subsection 2.3.3 or paragraph 3.4.1(1) of this Law, the Tsawout First Nation will rely solely on field reviews undertaken by the registered professional and the letters of assurance submitted pursuant to paragraph 3.4.1(2) of this Law as assurance that the construction substantially conforms to the design and that the construction substantially complies with the *Building Code*, this Law and other applicable enactments.
- (2) Notwithstanding paragraph 3.5.1(1), a building official may attend the site from time to time during the course of construction to ascertain that the field reviews are taking place and to monitor the field reviews undertaken by the registered professionals.
- (3) A building official may attend periodically at the site of the construction of standard buildings or structures to ascertain whether the health and safety aspects of the work are being carried out in substantial conformance with those portions of the *Building Code*, this Law and any other applicable enactment.
- (4) The registered holder or his or her representative shall give at least 24 hours notice to the Tsawout First Nation when requesting an inspection of the construction of a standard building 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) The foundation and footing forms, after concrete is poured; location to be verified by legal survey;
 - (b) installation of perimeter drain tiles and damp-proofing, prior to backfilling;
 - (c) the preparation of ground, including ground cover, when required, prior to the placing of a concrete slab (as applicable);
 - (d) installation of all water service, sewer service and drainage piping, after testing and prior to backfilling;
 - (e) rough-in of all chimneys and fireplaces and solid fuel and oil burning appliances;
 - (f) framing inspection, after the roof, all framing, fire blocking and bracing is in place, and all pipes, vents, chimneys, electrical wiring, roof space and crawl space vents are completed;;
 - (g) water and sewer connections;
 - (h) rough-in plumbing;
 - (i) Ventilation;
 - (j) Building envelope;
 - (k) Lath;
 - (l) Stucco (1st, 2nd, final)(as applicable);
 - (m) insulation and vapour barrier;

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- (n) chimney (as applicable);
 - (o) solid fuel burning appliances, fireplaces (as applicable);
 - (p) health and safety aspects of the work when the building or structure is substantially complete and ready for a Conditional Certificate of Occupancy;
 - (q) final inspection/Certificate of Occupancy.
- (5) The requirements of paragraph 3.5.1(4) of this Law do not apply to any aspect of the work that is the subject of a registered professional's letter of assurance provided in accordance with subsection 2.3.3 or paragraphs 3.4.1(1) or 3.4.1(2) of this Law.

PART 4 ADMINISTRATIVE PROVISIONS

4.1 Penalties and Enforcement

4.1.1 Stop Work Notice

- (1) A building official may order the cessation of any work that is proceeding in contravention of the *Building Code* or this Law by posting a Stop Work notice.
- (2) The registered holder of property on which a Stop Work notice has been posted, and every other person, shall cease all construction work immediately and shall not do any work until all applicable provisions of this Law have been substantially complied with and the Stop Work notice has been rescinded in writing by a building official.
- (3) Every person who commences work requiring a building permit without first obtaining such a permit shall, if a Stop Work notice is issued, pay an additional charge equal to 100% of the building permit fee prior to obtaining the required building permit.

4.1.2 Do Not Occupy

- (1) Where a person occupies a building or structure or part of a building or structure in contravention of subsection 3.1.3 of this Law a building official may post a Do Not Occupy notice on the affected part of the building or structure.
- (2) The registered holder of property on which a Do Not Occupy notice has been posted, and every person, shall cease occupancy of the building or structure immediately and shall refrain from further occupancy until all applicable provisions of the *Building Code* and this Law have been substantially complied with and the Do Not Occupy notice has been rescinded in writing by a building official.

4.1.3 Penalty

- (1) Every person who contravenes any 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 (ten thousand dollars).
- (2) Every person who fails to comply with any order or notice issued by a building official, or who allows a violation of this Law to continue, contravenes this Law.

PART 5 GENERAL

5.1 Immunity

- (1) No action for damages lies or may be instituted against present or past Council, building officials, or members, employees, servants or agents of either Tsawout First Nation or Council:
 - (a) for anything said or done or omitted to be said or done by that person in the performance or intended performance of the person's duty or the exercise of the person's authority; or
 - (b) for any alleged neglect or default in the performance or intended performance of the person's duty or the exercise of the person's authority.
- (2) Section 5.1 does not provide a defense if:
 - (a) Council, building official, members, employees, servants or agents have, in relation to the conduct that is the subject matter of the action, been guilty of dishonesty, gross negligence or malicious or willful misconduct; or
 - (b) the cause of action is libel or slander.
- (3) Tsawout First Nation, present or past Council, or members, employees, servants or agents of any of Tsawout First Nation or Council is not liable for any damages or other loss, including economic loss, sustained by any person, or to the property of any person, as a result of neglect or failure, for any reason, to discover or detect any contravention of this Law or any other Tsawout First Nation Law, or from the neglect or failure, for any reason or in any manner, to enforce this Law or any other Tsawout First Nation Law.
- (4) All actions against Tsawout First Nation for the unlawful doing of anything that:
 - (a) is purported to have been done by Tsawout First Nation under the powers conferred by this Law or any Tsawout First Nation Law; and
 - (b) might have been lawfully done by Tsawout First Nation if acting in the manner established by law,must be commenced within six (6) months after the cause of action first arose, or within a further period designated by Council in a particular case, but not afterwards.
- (5) Tsawout First Nation is in no case liable for damages unless notice in writing, setting out the time, place and manner in which the damage has been sustained, is delivered to Tsawout, within two (2) months from the date on which the damage was sustained. In case of the death of a person injured, the failure to give notice required by this subsection is not a bar to the maintenance of the action. Failure to give the notice or its insufficiency is not a bar to the maintenance of an action if the court before whom it is tried, or, in case of appeal, the Court of Appeal, believes:
 - (a) there was reasonable excuse, and
 - (b) Tsawout First Nation has not been prejudiced in its defense by the failure or insufficiency.

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5.2 Severability

The provisions of this Law are severable and the invalidity of any part of this Law shall not affect the validity of the remainder of this Law.

5.3 Forms and Schedules

Forms 1 and 2 Schedules A, B, C and D to this Law form a part of this Law.

5.4 Repeal

Tsawout First Nation Building Inspection Law No. 02-2011 is repealed.

5.5 Citation

- (1) This Law may be cited for all purposes as “Tsawout First Nation Building Law No. 2020-0x”.

TSAWOUT FIRST NATION BUILDING LAW No. 2020-0x

FORM 1 -REGISTERED HOLDER'S ACKNOWLEDGEMENTS

I acknowledge that the registered holder of the land in respect of which this permit is issued is solely responsible for carrying out the work authorized by this permit in accordance with the *Building Code* 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 registered 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 *Architect's Act* or an engineer or geoscientist under the *Engineers and Geoscientists Act*.

I acknowledge that Tsawout First Nation provides a limited monitoring service in relation to building construction and does not, by accepting or reviewing plans, 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 any respect with the *Building Code* or any other applicable laws respecting safety.

If the Tsawout First Nation has so indicated on this permit application, I acknowledge that the Tsawout First Nation will issue the permit in reliance on the certification of a registered professional, engaged by me to provide such a certification, that the plans for the work authorized by the permit comply with the *Building Code* and other applicable enactments, and that the fee for the permit has been accordingly reduced. I acknowledge that the Tsawout First Nation, by issuing this permit or any occupancy permit, makes no representations to me or any other person as to any such compliance.

Name of Registered holder (please print)

Signature of Registered holder or
Authorized Signatory of Corporate Owner

Date of Acknowledgement

Name of Authorized Signatory

Project Address

Building Permit Number

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FORM 2 - REGISTERED PROFESSIONAL'S PROOF OF INSURANCE COVERAGE

(This document requires the attachment of a current certificate of insurance coverage and may not be altered in any way)

Tsawout First Nation

Attention: Director of Lands

Address of Project: _____

Legal Description of Project: _____

The undersigned hereby gives assurance that:

- (1) I have fulfilled my obligation to obtain a policy of professional liability or errors and omissions insurance as required by paragraph 3.4.1(3) of Tsawout First Nation Building Law No. 2020-0x;
- (2) I have enclosed a copy of my certificate of insurance indicating the particulars of such coverage;
- (3) I am a registered professional as defined by section 1.1.3.2 of the British Columbia *Building Code*; and
- (4) I will notify the Director of Lands immediately if this insurance coverage is reduced or terminated at any time during construction.

Signature

Print Name

Name of Firm

Date

Attachment: Certificate of Insurance

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SCHEDULE A – PERMIT APPLICATION – Page 1 of 2

TFN Permit Number: _____

Location of Work	Civic Address	
Legal Description	Lot	Plan
Registered Holder	Name	Phone
	Address	Email
	City	Postal Code
Band Member	Yes	No
General Contractor	Name	Phone
	Address	Email
	City	Postal Code
	Business Licence No.	

Number of Dwelling Units Created:		Construction Value \$		
<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Institutional	<input type="checkbox"/> Industrial	
<input type="checkbox"/> New	<input type="checkbox"/> Addition	<input type="checkbox"/> Alteration	<input type="checkbox"/> Secondary suite	<input type="checkbox"/> Temporary
<input type="checkbox"/> Foundation	<input type="checkbox"/> Demolition	<input type="checkbox"/> Fire Repair	<input type="checkbox"/> Site Servicing	<input type="checkbox"/> Retaining Wall
<input type="checkbox"/> Swimming pool	<input type="checkbox"/> Solid Fuel Appliance	<input type="checkbox"/> Accessory	<input type="checkbox"/> Siting Permit	
Description of work:				
Building Area	M ²	Lot Area	M ²	
Type of Heating system				
<input type="checkbox"/> Gas Forced	<input type="checkbox"/> Electric	<input type="checkbox"/> Radiant	<input type="checkbox"/> Geothermal	<input type="checkbox"/> Other
If other describe:				

I agree to conform to all the Laws of the Tsawout First Nation and all the statutes and regulations in force on the Tsawout First Nation lands and to save Tsawout First Nation harmless from any action or cost whatsoever arising out of or incidental to the granting of this permit, if issued. I affirm that it is my responsibility as registered holder to identify foundation conditions generally on which the intended construction is to be placed and take all action required to ensure the adequacy of foundation.

I HAVE READ AND UNDERSTAND ALL REQUIREMENTS OF THIS APPLICATION

SIGNATURE: _____

DATE: _____

PRINT NAME: _____

PHONE: _____

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SCHEDULE A – PERMIT APPLICATION – Page 2 of 2

FOR OFFICE USE ONLY	Required		Received		Required		Received
	YES	NO			YES	NO	
Certificate of Possession				Health Approval			
Letter of Authorization				Residential Plans x 2			
Encumbrances				Commercial Plans X 2			
Letters of Assurance				Truss & Floor Layout			
Landscape Plan & Estimate				Grading Plan			
Water Meter Information							
Revised Construction value	Value \$			Permit fee: \$			

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SCHEDULE B - BUILDING PERMIT – Page 1 of 2

PURSUANT TO THE TSAWOUT FIRST NATION LAWS:
Mr. / Mrs. /Ms. _____ of _____
Address _____
Being the registered holder is hereby granted a PERMIT to _____
Located at _____ and as shown by the accompanying plan.
Telephone No.: _____ Email: _____

Folio No. _____
LEGAL DESCRIPTION
LOT PLAN NUMBER PID

Registered Holder: _____ Address: _____
Builder: _____ Address: _____

THIS PERMIT IS ISSUED SUBJECT TO THE FOLLOWING SPECIAL REQUIREMENTS:

<p>Notes:</p> <ol style="list-style-type: none">1. Permit issued according to the above SPECIAL REQUIREMENTS, the accompanying plans and the applicable regulations.2. Inspections must be requested in accordance with the <i>Tsawout First Nation Building Law</i> requirements. At least 24 hours notice is required.3. A re-inspection fee will be charged in accordance with the <i>Tsawout First Nation Building Law</i>.4. Work related to this permit must be started within 6 months of the date of issue and must not be discontinued or suspended for more than one year. Separate permits are required for plumbing installations, and fireplace/chimney construction.5. A CERTIFICATE OF OCCUPANCY MUST BE APPLIED FOR AND OBTAINED PRIOR TO THE OCCUPANCY OF ANY BUILDING.	<p>LIMITATION OF LIABILITY</p> <p>Neither the issuance of a permit under this Law nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the Tsawout First Nation shall, in any way relieve the registered holder of his or her representatives from full and sole responsibility to perform the work in full accordance with the <i>British Columbia Building Code</i>, the <i>Tsawout First Nation Building Law</i> and all other applicable enactments, codes and standards.</p> <p>All building on the Tsawout First Nation Lands is regulated by the <i>Tsawout First Nation Building Law No. 2020-0X</i>.</p>
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SCHEDULE B - BUILDING PERMIT – Page 2 of 2

FEE SUMMARY		FEE
Area of Building		
Estimated Cost		
Plumbing Permit (residential)		
Plumbing Permit (commercial)		
Chimney/Appliance Permit		
Demolition/Deconstruction Permit		
Other		
TOTAL PERMIT FEE		
Payment date	Cheque	Cash

Permit Issued:

Date: _____

Issued by Building Official

Date: _____

Received by Director of Lands

TSAWOUT FIRST NATION BUILDING LAW No. 2020-0x

SCHEDULE C – CERTIFICATE OF OCCUPANCY

<p>CERTIFICATE OF OCCUPANCY</p> <p>ISSUED BY THE LANDS DEPARTMENT OF THE TSAWOUT FIRST NATION PURSUANT TO THE TSAWOUT LAND CODE AND BUILDING LAW</p> <p style="text-align: right;">Permit No. _____</p>
--

<p>THIS IS TO CERTIFY that the premises named herein have been constructed under the authority of a valid building permit and have received the final inspection.</p> <p>THIS BUILDING IS NOW COMPLETED AND READY FOR OCCUPANCY</p>

Folio No. _____		
Registered Holder: _____		Address: _____
LEGAL DESCRIPTION		
LOT	PLAN NUMBER	PID

<p>No action may be brought against the Tsawout First Nation or its officials or servants for anything done or left undone in good faith in the performance or intended performance of any authority conferred or duly imposed under this or any other Law adopted by the Tsawout First Nation pursuant to the <i>Tsawout Land Code</i> or <i>Tsawout Building Law</i>.</p> <p>NO REPRESENTATION BY TSAWOUT FIRST NATION</p> <p>Nether the issuance of a permit, Certificate of Occupancy or Conditional Certificate of Occupancy under this Law nor the acceptance or review of plans, drawings or specifications or supporting documents, nor any inspections made by or on behalf of the Tsawout First Nation constitute in any way a representation, warranty, assurance or statement that the <i>Building Code</i>, this Law or any other applicable enactments, codes, and standards have been complied with.</p> <p>All building in the Tsawout First Nation is regulated under <i>Tsawout Building Law</i> No. 2020-0X.</p> <table style="width: 100%;"><tr><td style="width: 50%; text-align: center;">_____</td><td style="width: 50%; text-align: center;">_____</td></tr><tr><td style="text-align: center;">Date</td><td style="text-align: center;">Signature of Registered Holder</td></tr></table>		_____	_____	Date	Signature of Registered Holder
_____	_____				
Date	Signature of Registered Holder				

_____	_____
Date Issued	Signature of Building Official
_____	_____
Date Received	Signature of Director of Lands

