

VILLAGE OF MIDWAY

BYLAW NO. 290

A Bylaw for the administration and enforcement of the "Building Code" as established by the Lieutenant Governor in Council pursuant to Section 693 of the "Municipal Act", R.S.B.C. 1996, being Chapter 323.

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- A. WHEREAS The Municipal Act authorizes the Village, for the health, safety and protection of persons and property to regulate the construction, alteration, repair or demolition of buildings and structures by bylaw;
B. AND WHEREAS the Province of British Columbia has adopted a building code to govern standards in respect of the construction, alteration, repair and demolition of buildings in municipalities and regional districts in the Province;
C. AND WHEREAS it is deemed necessary to provide for the administration of the building code;

NOW THEREFORE the Council of the Village of Midway, in open meeting assembled, enacts as follows:

SECTION 1 TITLE

- 1.1 This bylaw may be cited for all purposes as the "Village of Midway Building and Plumbing Bylaw No. 290, 1997."
1.2 This bylaw is enacted under the authority of Section 694 of the "Municipal Act" for the purpose of enforcing the subjects contained in subsections (a)(b)(c)(d)(e) (h) and (k) along with regulations as established by the Lieutenant Governor in Council pursuant to Section 693 of the "Municipal Act" R.S.B.C., 1996 being Chapter 323 of the Revised Statutes of British Columbia, 1996.

SECTION 2 PURPOSE OF BYLAW

- 2.1 This bylaw, shall, notwithstanding any other provision herein, be interpreted in accordance with this subsection.
2.2 This bylaw is enacted and retained for the purpose of regulating construction within the Village in the general public interest. The activities undertaken by or on behalf of the Village pursuant to this bylaw are for the sole purpose of providing a limited and interim spot checking function for reasons of public health and safety. It is not contemplated nor intended, nor does the purpose of this bylaw extend;

- 2.2.1 to the protection of owners, owner/builders or builders from economic loss;
- 2.2.2 to the assumption by the Village of any responsibility for ensuring the compliance by any Owner, his representatives or any employees, contractors or design professionals retained by him, with the current edition of the British Columbia Building Code, the requirements of this bylaw or any other applicable codes or standards;

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**SECTION 2 PURPOSE OF BYLAW**

- 2.2.3 to providing to any person a warranty of design or workmanship with respect to any building or structure for which a building permit is issued under this bylaw;
- 2.2.4 to providing a warranty or assurance that construction undertaken pursuant to building permits issued by the Village is free from latent, or any defects.

**SECTION 3 PERMIT CONDITIONS**

- 3.1 A permit is required whenever work regulated by this bylaw is to be undertaken.
- 3.2 Neither the issuance of a permit under this bylaw nor the acceptance and/or review of plans, drawings or specifications and/or supporting documents, nor any inspections made by or on behalf of the Village shall in any way relieve the Owner and/or his Agents from full and sole responsibility to perform the work in strict accordance with this bylaw, the current edition of the British Columbia Building Code and all other codes, standards and applicable enactments.
- 3.3 It shall be the full and sole responsibility of the Owner (and where the Owner is acting through an agent, the Agent) to carry out the work in respect of which the permit was issued in compliance with the current edition of the British Columbia Building Code and this bylaw and all other applicable codes and standards and enactments.
- 3.4 Neither the issuance of a permit under this bylaw nor the acceptance and/or review of plans, drawings or specifications and/or supporting documents, nor any inspections made by or on behalf of the Village constitute in any way a representation, warranty, assurance, or statement that the current edition of the British Columbia Building Code, this bylaw or any other applicable codes, standards or enactments have been complied with.
- 3.5 No person shall rely upon any permit as establishing compliance with the bylaw or assume or conclude that the bylaw has been administered or enforced according

to its terms. The person to whom the building permit is issued and his or her agents are responsible for making such determinations.

**SECTION 4 THE APPLICATION**

4.1 To obtain a permit the owner shall file an application in writing with the building inspector in the prescribed form as set out in Schedule A.

**SECTION 5 DEFINITIONS**

5.1 **"ACCESSORY"** means customarily incidental the permitted use of land, buildings, or structures located on the same lot;

**"AGENT"** includes a person, firm or corporation representing the owner, by designation or contract; and interalia includes a hired tradesman and contractor who may be granted permits for work within the limitation of his licence.

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**SECTION 5 DEFINITIONS**

**"A.C.N.B.C."** means the Associate Committee on the National Building Code.

**"AUTHORITY HAVING JURISDICTION"** means the Council of the Village of Midway and the employees authorized by the Council, that have the authority over the subject that is regulated.

**"BUILDING"** means any structure used or intended for supporting or sheltering any use or occupancy.

**"BUILDING CODE"** means the current edition of the British Columbia Building Code.

**"CONSTRUCT"** means erect, repair, alter, add, demolish, remove, excavate and shore.

**"CONSTRUCTION"** means erection, repair, alteration, enlargement, addition, demolition, removal and excavation.

**"COUNCIL"** means the Council of the Village of Midway.

**"LAND TITLE OFFICE"** means the Land Title Office situated in Kamloops, Province of British Columbia.

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

**"MEDICAL HEALTH OFFICER"** means the Medical Health Officer appointed pursuant to the Health Act;

**"MOBILE HOME"** means a transportable, factory-built single family-dwelling unit that is:

- a) Designed to provide year-round living accomodation for one family; and
- b) able to be connected to utility services; and
- c) exempted under section 1.1.2.2(1)(g) of the British Columbia Building Code; and
- d) in conformity with the CAN/CSA-Z240 MH Series; and
- e) manufactured prior to June 1, 1998; and
- f) a minimum of 2.4 metres in width and a maximum of 4.5 metres in width; and
- g) a minimum of 50m<sup>2</sup> in gross floor area

**"NATURAL BOUNDARY"** means the visible high-water mark of any lake, river, or stream, or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the lake, river, stream or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself.

**"PERSON"** means and includes any individual, corporation, partnership, firm, association, society or party.

**"REAL PROPERTY"** means real property as defined in the "Municipal Act".

**"VILLAGE"** means the Village of Midway.

## SECTION 6 PROVISIONS

- 6.1 The current National Building Code where referenced, British Columbia Building Code, British Columbia Plumbing Code and any future edition, revisions, amendments and supplements as ordered by provincial regulation, are incorporated into and form part and parcel of this Bylaw.
- 6.2 Except as otherwise provided in Subsection 6.3 where:
- (a) a building is built, this Bylaw applies to the design and construction of the building;
  - (b) the whole or part of a building is moved, this Bylaw applies to the part moved and to any remaining part affected by the change;
  - (c) the whole or part of a building is demolished, this Bylaw applies to the demolition and to any remaining part affected by the change;
  - (d) a building is altered, this Bylaw applies to the alterations and to all parts of the building

affected by the change;

(e) repairs are made to a building, this Bylaw applies to such repairs;

(f) the class of use or occupancy of a building or part thereof is changed, the Bylaw applies to all parts of the building affected by this change;

(g) a building or structure is damaged by fire, flood, earthquake or other causes, this bylaw applies to the repair or demolition of all parts of the building or structure whether damaged or not;

(h) a plumbing system is constructed, extended, altered, renewed, or a connection made to a sewer or sewage disposal system, this Bylaw shall apply;

(i) a heating system is connected to a chimney or flue except a solid fuel appliance this Bylaw shall apply;

(j) a support structure under the Condominium Act is to be constructed, this Bylaw applies to the design and construction of the support structure;

(k) (i) where a mobile home or double wide is placed on property within the Village of Midway this Bylaw applies to on-site preparations (foundations, basements, additions, interconnection of modules, connections of services and installation of other components such as chimneys, fireplaces and wood burning appliances);

(ii) all other aspects of the mobile home are exempt from the requirements of this Bylaw provided the mobile home is certified as complying with the Canadian Standards Association, Standard Z240. This exemption also applies to factory built housing certified by the Canadian Standards Association prior to placing on-site, as complying with the Canadian Standards Association, Standard A277.

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### SECTION 6 PROVISIONS

6.3 (a) This Bylaw does not apply to one-storey buildings less than 46 m<sup>2</sup> (500 sq.ft.) in ground area used or intended for:

- (i) agricultural or horticultural purposes, or
- (ii) animal raising, or;
- (iii) poultry raising.

(b) This Bylaw does not apply to non-structural repairs valued at less than two thousand, five

hundred (\$2,500.00) dollars as determined by the Building Inspector made to buildings used or intended for:

- (i) single family houses;
- (ii) private garages or residential accessory buildings;
- (iii) agricultural or horticultural purposes;
- (iv) animal raising, or;
- (v) poultry raising.

(c) This Bylaw does not apply:

(i) when a fixture, valve or faucet is repaired or replaced, a stoppage cleared or a leak repaired if no change in the piping is required.

## **SECTION 7 GENERAL PROVISIONS**

7.1 Metric units are used for all measurements in this Bylaw with the approximate equivalent of those units in currently used units of Imperial measures are shown in brackets following each metric measurement and such bracketed figures are included for convenience only and do not form part of this Bylaw.

7.2 The use, siting, and size of all buildings shall conform to any zoning bylaw applicable to the land on which the building is to be situated, constructed, repaired, altered or moved.

7.3 No building permit shall be issued if the work is in contravention of any statute, regulation or bylaw in effect for the location.

## **SECTION 8 SEVERABILITY**

8.1 If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

## **SECTION 9 APPLICATION**

9.1 This Bylaw shall apply to the Village of Midway.

## **SECTION 10 PROHIBITION**

10.1 No person shall commence or continue any work provided for in Section 6.2 or related to building unless he has a valid and subsisting permit issued by the authority having jurisdiction.

10.2 No person shall occupy or use any building or part thereof contrary to the terms of any permit, notice or certificate given by the authority having jurisdiction.

**SECTION 10 PROHIBITION**

- 10.3 No person shall, unless authorized by the authority having jurisdiction, alter, deface, cover, remove or in any way tamper with any notice or certificate posted upon or affixed to any building pursuant to any provisions of this Bylaw.
- 10.4 No person shall do any work that is at variance with the description, plans and specifications for the building, structure, work or thing for which a permit has been issued, unless such change has been approved by the authority having jurisdiction.
- 10.5 No person shall interfere with or obstruct the entry of the authority having jurisdiction acting in the conduct of administration of the Bylaw.

**SECTION 11 DUTIES**

- 11.1 The authority having jurisdiction may:
- (a) administer this Bylaw;
  - (b) keep records of any application received, permits and orders issued, inspections and tests made and shall retain copies of all papers and documents connected with the administration of this Bylaw.
  - (c) establish whether or not any method or type of construction or material used in the construction of any building conforms with the requirements and provisions of the Building Code;
  - (d) issue occupancy permits as set out in "Appendix B" or issue final inspection reports in lieu of when he is satisfied construction is in substantial compliance with this Bylaw.

**SECTION 12 POWERS**

- 12.1 The authority having jurisdiction may:
- (a) ensure that employees or persons charged with administration of this Bylaw carry proper identification;
  - (b) enter at all reasonable times, upon any property subject to the regulations of the Council, in order to ascertain whether such regulations or directions are being obeyed.
  - (c) direct that tests of materials, devices, construction methods, structural assemblies or foundation conditions be made, or sufficient evidence or proof be submitted, at the expense of the owner, where such evidence or proof is necessary to determine whether the material, devices, construction of foundation meets the requirements of this Bylaw. The records of such tests shall be kept available for inspection

during the construction of the building.

(d) direct written notice, or by attaching a placard to the premises, the correction of any condition, where in the opinion of the authority having jurisdiction, such condition violates the provisions of this Bylaw, order the cessation of work that is proceeding in contravention of this Bylaw.

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**SECTION 13 PERMITS**

13.1 Where:

(a) an application has been made; and,

(b) the proposed work set out in the application conforms with this Bylaw and all other applicable Bylaws of the authority having jurisdiction and further, does not contravene any Provincial or Federal statute or regulation; and,

(c) the applicant for a permit has paid the fee prescribed and as set out in "Schedule C" attached hereto;

the authority having jurisdiction may issue the permit for which the application is made.

13.2 (a) Neither the issuance of a permit under this bylaw nor the acceptance and/or review of plans, drawings or specifications and/or supporting documents, nor any inspections made by or on behalf of the Village shall in any way relieve the Owner and/or his Agents from full and sole responsibility to perform the work in strict accordance with this bylaw, the current edition

of the British Columbia Building Code and all other codes, standards and applicable enactments.

(b) It shall be the full and sole responsibility of the Owner (and where the Owner is acting through an agent, the Agent) to carry out the work in respect of which the permit was issued in compliance with the current edition of the

British Columbia Building Code and this bylaw and all other applicable codes and standards and enactments.

(c) Neither the issuance of a permit under this bylaw nor the acceptance and/or review of plans, drawings or specifications and/or supporting documents, nor any inspections made by or on behalf of the Village constitute in any way a representation, warranty, assurance, or statement that the current edition of the British Columbia Building Code, this bylaw or other applicable codes, standards or enactments have been complied with.

(d) No person shall rely upon any permit as establishing compliance with the bylaw or assume or conclude that the bylaw has been administered or enforced according to its terms. The person to whom the building permit is issued and his or her agents are responsible for making such determinations.

13.3 Every permit is issued upon the condition that:

- (a) the work is to be started within six months from the date of issuing the permit;
- (b) the work is not to be discontinued or suspended for a period of more than one year;
- (c) the permit shall lapse in the event that either of the conditions in (a) or (b) above is not met;

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**SECTION 13 PERMITS**

- 13.3 (d) the permit shall lapse in any event, 18 months after date of issue;
- (e) an additional fee as set out in "Schedule C", shall be paid if the permit is renewed;

13.4 The application referred to in Subsection 4 shall:

- (a) be made in the form prescribed by the authority having jurisdiction;
- (b) be signed by the owner;
- (c) state the intended use of the building;
- (d) include as exhibits, copies in duplicate of the specifications and scale drawings of the building with respect to which work is to be carried out, showing:
  - (i) dimensions of the building;
  - (ii) the proposed use of each room or floor area;
  - (iii) the dimensions and the legal description of the land on which the building is situated or is to be situated;
  - (iv) the grades and elevations of the streets and sewers abutting the land referred to in clause (iii) when required by the authority having jurisdiction;
  - (v) the position, height and horizontal dimensions of all buildings on the land referred to in clause (iii);
  - (vi) a survey of the building site by a British Columbia Land Surveyor, when required by the

authority having jurisdiction;  
other (vii) the technical information specified in parts of this Bylaw required to be included on the drawings relating to those parts;  
(viii) such other information as is necessary to illustrate all essential features of the design of the building;  
lines, (ix) plot plan showing location of all buildings and their distances from all property other buildings, any water courses or lakes, location of septic tank and tile field and location of highway access.

13.5 When required by the authority having jurisdiction, the application shall also be accompanied by;

(a) a plan that shows the locations and size of every building drain and of every trap or inspection piece that is on a building drain, and of every soil or waste pipe, trap and vent pipe;

in (b) the plans and specifications shall be submitted the form and quantities required by the authority having jurisdiction and shall have this information available for examination and bear the name and address of the designer; and

to (c) contain any and all other information necessary establish compliance with this Bylaw.

13.6 (a) Every application submitted for a permit to erect a building subject to the provisions of Part 3 of the National Building Code shall conform to the following, before a permit is issued:

**SECTION 13**

**PERMITS**

13.6 (a) (i) prior to the issuing of a permit,  
application must be made to the authority  
having

jurisdiction for both a Sanitary Sewer  
Connection and Water Connection application  
and pay the required fee; where connection  
to a sanitary sewer is not possible or  
proposed see Section 15 (1)(d)

(ii) all drawings for the project shall bear  
the seal and signature of a member of  
the Architectural Institute of British  
Columbia and/or Association of  
Professional Engineers of British  
Columbia, Proof of Liability Insurance is  
required when Certification is required by a  
Professional Engineer.

(iii) the individual drawings shall have the  
professional seal affixed thereto and  
shall be qualified as to architectural,  
structural, civil, mechanical and  
electrical, so that it is clearly  
understood which professional  
disciplines have been properly designed  
and detailed;

(iv) a letter shall be provided to the  
authority having jurisdiction prior to  
issuing a building permit, certifying that  
members of the appropriate professional  
disciplines have been retained  
to provide professional services  
during construction. A standard form letter is  
available for this purpose;

(v) during construction, copies of inspection  
reports prepared by the Professional Engineer  
and/or the Architect shall be sent to the  
authority having jurisdiction if requested;

(vi) where schedules B1, B2 and C are provided  
for  
proof  
of  
a project, they shall be accompanied by  
of Liability Insurance for the duration  
the project.

(b) The authority having jurisdiction may require  
of any plans submitted, regardless of building  
code classifications as to use and occupancy, the  
seal and signature of a member of the  
Architectural Institute of British Columbia or the  
Association of Professional Engineers of British  
Columbia before they are accepted for a building  
permit, if:

(i) the site conditions require special  
foundation design, drainage design or other  
engineering consideration;

(ii) the proposed building is not of standard  
wood frame construction;

(iii) the proposed building or structure is of a category requiring professional design, such as reinforced concrete and masonry, structural steel, heavy timber, tilt up or other special construction where schedules B1, B2 and C are provided for a project, they shall be accompanied by proof of liability insurance for the duration of the project.

## **SECTION 13**

### **PERMITS**

13.7 The authority having jurisdiction may revoke a permit and issue a "stop work order" where there has been a violation of:

- (a) any condition under which the permit is issued;
- (b) any provision of the Building Code;
- (c) any breach of this Bylaw or other applicable Bylaws of the authority having jurisdiction.

The revocation and "stop work order" shall be in writing and shall be transmitted to the holder of the permit by registered mail and shall be deemed to have been received by the permit holder three (3) days after posting.

13.8 The authority having jurisdiction may issue a permit for the construction of a phase of a building before the plans and specifications for the whole building have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the Bylaw. The issuance of the permit, notwithstanding, the requirements of this Bylaw, apply to the remainder of the building, as if the permit had not been issued.

13.9 It shall be unlawful for any permit holder under this Bylaw, to depart from the plans and specifications without the approval of the authority having jurisdiction, who may require the submission of amended plans and specifications showing such departure. The approval of the authority having jurisdiction must also be obtained for any addition to or replacement of, any plumbing in the case of the alteration or repair of any existing building.

13.10 The authority having jurisdiction may issue a permit for the erection or placement of a temporary building, structure or shelter, and such permit shall specify when the temporary building, structure or shelter shall be removed. The application for such permit shall contain the information required by this Bylaw or such additional information as required by the authority having jurisdiction.

13.11 Where a building permit has been issued for a single family residence, the owner may apply for a permit to occupy the building prior to completion of construction, which permit may be withheld until the building or part thereof complies with this Bylaw and with the health and safety requirements of the Bylaws of the authority having jurisdiction or the provisions of any Provincial or Federal Statutes.

## **SECTION 14**

### **RESPONSIBILITY OF THE OWNER**

14.1 Neither the granting of a permit nor the approval of the drawings and specifications nor inspections made by



system is not possible or proposed, the owner shall obtain and present to the Building Inspector a Sewage Disposal Permit which has been approved by the authority having jurisdiction and:

- (i) has not been appealed during the designated appeal period; or
- (ii) if appealed, has been disposed of in a manner which is satisfactory to the appeal body.
- (e) where it is desired to connect a building or storm sewer with any building or storm sewer extension, furnish such information as the authority having jurisdiction may require to show that the proposed sewers will be laid at such depth and in such a position as to connect the property with the building or storm sewer extension;
- (f) obtain where applicable, highway or street access permit to the property;

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## **SECTION 15 DUTIES OF THE OWNER**

15.1 (g) determine Agricultural Land Reserve limitations and Provincial Flood Plain restrictions. (refer to the Village of Midway's Flood Plain Management Bylaw No. 293, 1998

(h) give at least 72 hours notice to the authority having jurisdiction and request his inspection of the work:

(i) after the forms for footings and foundations are complete, but prior to placing of any concrete therein;

(ii) after removal of formwork from a concrete foundation and installation of perimeter drain tiles and damp-proofing, but prior to back-filling against foundation;

(iii) when framing and sheathing of the building are complete including fire-stopping, bracing, chimney, duct work, plumbing, but before any insulation, lath or other interior or exterior finish is applied which would conceal such work;

(iv) before a building drain, sanitary or storm sewer is covered, and if any part of a plumbing system is covered before it is inspected it shall be uncovered if the authority having jurisdiction so directs and when considered necessary, underground building drains, branches,

storm drains and sewers shall be retested after the completion of all back-filling and grading by heavy equipment;

is (v) after the building or portion thereof complete and ready for occupancy, but before occupancy takes place of the whole or a portion of the building.

**SECTION 16 DOCUMENTS ON SITE**

16.1 The owner or applicant to whom a permit is issued shall, during construction, keep:

(a) posted in a conspicuous place on the property in respect of which the permit is issued, the building permit or copy in lieu thereof, and;

(b) a copy of the drawings and specifications on the property in respect of which the permit was issued.

**SECTION 17 EQUIVALENTS**

17.1 The provisions of this Bylaw are not intended to limit the appropriate use of materials, equipment or methods of construction not specifically authorized herein.

An owner desirous of providing an equivalent material, equipment or methods of construction not specifically authorized herein must present to the authority having jurisdiction sufficient evidence to satisfy the authority having jurisdiction that the proposed equivalent will provide the level of performance required by this Bylaw.

**SECTION 18 MOVING PERMITS**

18.1 Moving buildings:

(a) the moving of any building into or within the Village of Midway requires a permit to do so;

(b) on receipt of an application to move, the building shall be inspected to ensure it will comply with all applicable codes and Bylaws. No moving permit shall be issued where a building, in its new location, because of age and/or appearance, may downgrade surrounding property values.

**SECTION 19 CLIMATIC DATA**

19.1 Climatic data used for the design of buildings in the Village of Midway:

	<u>Design element</u>	<u>Design Value</u>
January	2 1/2% design dry bulb temperature.....	-20 °C
January	1% design dry bulb temperature.....	-22 °C
July	2 1/2% design dry bulb temperature.....	35 °C
July	1/2% design wet bulb temperature.....	20 °C



READ A SECOND TIME this 2nd day of March , 1998.

READ A THIRD TIME this 2nd day of March , 1998.

RECONSIDERED AND FINALLY PASSED AND ADOPTED this 23rd day of  
March , 1998.

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MAYOR

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CLERK

I hereby certify this to be a true and correct copy of Bylaw No. 290, being a bylaw to administer and enforce the Building Code.

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CLERK

**SCHEDULE 'A'**  
**TO BY-LAW NO. 290**  
**THE APPLICATION FOR BUILDING PERMIT**

Every application for a permit shall include the following acknowledgements by the permit applicant:

- (1) I acknowledge that if I am granted a building permit pursuant to this application that I am responsible for compliance with the current edition of the British Columbia Building Code, this bylaw and any other applicable enactment, code, regulation or standard relating to the work in respect of which the permit is issued, whether or not the said work is undertaken by me or by those whom I may retain or employ to provide design and/or construction service.
  
- (2) I acknowledge that neither the issuance of a permit under this bylaw, the acceptance nor review of plans, specifications, drawings or supporting documents, nor inspections made by or on behalf of the Village constitute a representation, warranty, assurance or statement that the current edition of the British Columbia Code, the Building Bylaws of the Village of Midway or any other applicable enactment, code, regulation or standard has been complied with.
  
- (3) Where the Village requires that Letters of Assurance be provided by a Registered Professional pursuant to Section 1 of the Village of Midway Building Bylaw and Section 290 of the Municipal Act I confirm that I have been advised in writing by the Village that it relied exclusively on the Letter of Assurance of "Professional Design and Commitment for Field Review" prepared by \_\_\_\_\_  
(insert name of registered professional) in reviewing the plans, drawings, specifications and supporting documents submitted with this application for a building permit.

(4) I confirm that I have relied only on the said Registered Professional for the adequacy of plans, drawings, specifications and supporting documents submitted with this application.

(5) I understand that I should seek independent legal advice in respect of the responsibilities I am assuming upon the granting of a building permit by the Village pursuant to this application and in respect of the execution of this acknowledgement.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF APPLICANT/AGENT

**SCHEDULE 'B'**  
**TO BY-LAW NO. 290**  
**CERTIFICATE OF OCCUPANCY OF A BUILDING**

ISSUED PURSUANT TO SECTION 8.1(d) OF BYLAW NO. 290

APPLICANT/OWNER:

\_\_\_\_\_

ADDRESS OF BUILDING:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

LEGAL DESCRIPTION:

\_\_\_\_\_

\_\_\_\_\_

APPROVED OCCUPANCY:

\_\_\_\_\_

THE BUILDING CONSTRUCTED AND UNDER AUTHORITY OF BUILDING PERMIT NO. \_\_\_\_\_ MAY NOW BE OCCUPIED. IT IS UNLAWFUL TO CHANGE THE CLASS OF OCCUPANCY OF ANY BUILDING OR PART THEREOF WITHOUT FIRST OBTAINING AN OCCUPANCY PERMIT FROM THE BUILDING INSPECTOR.

THIS PERMIT MUST BE AFFIXED TO A CONSPICUOUS AND PERMANENT PLACE IN THE SAID BUILDING AND SHALL NOT BE REMOVED.

\_\_\_\_\_  
CHIEF BUILDING INSPECTOR

NAME: \_\_\_\_\_

(please print)

DATE: \_\_\_\_\_

**VILLAGE OF MIDWAY**

**SCHEDULE 'C'  
TO BY-LAW 290**

**A. BUILDING PERMIT FEES**

The Schedule of fees to be charged for the issuance of a permit under this Bylaw is as follows:

Declared or Assessed Value.

The permit fee for the construction, reconstruction, addition, extension, alteration and repair of any buildings or any other work requiring a permit and not specifically listed here;

Minimum Fee.....\$40.00

\$7.00 per \$1,000.00 or portion thereof.

The fee for each plumbing fixture, which includes all traps and hot water tanks shall be:

\$10.00 per fixture when issued in conjunction with a Building Permit or

\$10.00 per fixture plus \$75.00 flat rate when issued separately from a building permit.

**B. NON-REFUNDABLE APPLICATION FEE**

Every permit application shall include a non-refundable application fee:

Actual Permit Fee up to \$10,000.00 of construction cost;

\* \$ 50.00 for each application \$10,000.00 to \$50,000.00;

\* \$150.00 for each application valued over \$50,000.00.

\* This fee will be applied against the cost of the permit.

**C. RELATED BUILDING PERMIT FEES**

Re-inspection Fee.....	\$75.00
Demolition Fee.....	\$50.00
Moving permit.....	\$75.00
Temporary Building Permit.....	\$75.00**
Mobile Home or Modular Home Placement.....	\$75.00**
Minimum Inspection Fee.....	\$50.00

\*\*Plus construction values of new work on-site such as foundations, basements, additions and plumbing.

**D. BUILDING PERMIT REFUNDS**

Where a Permit has been issued pursuant to this Bylaw and construction has not commenced:

- \* 75% of the permit fee may be refunded upon application for the cancellation of the permit;
- \* No refund in the amount of less than \$50.00 shall be made.
- \* Applications for refunds must be received within 12 months of permit issuance.

**E. NOTICE ON TITLE**

Administrative charge to remove.....	\$200.00
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**Adopted by the Council of the Village of Midway, March 18, 2002.**