
PART 13 - BUILDING
Division 4 - Issuance of Permits and Permit Fees

Subdivision 1 – Permit Fees

- 13.4.1.
1. Permit Fees Payable – in addition to applicable fees and charges that may be required under other Divisions, a permit fee, in the amount established by Schedule A of this Part, shall be paid in full before issuance of any permit under this Part.
 2. Plan-Processing Fee - a permit fee for a building permit shall include the applicable plan-processing fee as set out in Schedule A to this Part. The plan-processing component of the building permit fee is payable when owner's submit an application for a building permit.
 - a. The owner must pay an additional plan-processing fee if the building permit application is amended or revised either before or after the issuance of the permit, to accommodate changes to the design made in the course of construction;
 - b. The plan-processing component of the building permit fee is not refundable.
 4. Building Permit Fee Reduction – when a building permit is issued acknowledging reliance on Professional Plan Certifications under Section 13.2.3. or the building inspector requires the use of a Structural Engineer of Record in the design of a Standard building the fee payable shall be reduced by:
 - a. Complex buildings – 20% up to a maximum of \$1000;
 - b. Standard buildings – 50% up to a maximum of \$1000;
 - c. Standard buildings, foundation only – 50% of the portion of fees related to the foundation work calculated as follows:
$$\frac{\text{Foundation Cost}}{\text{Total Building Cost}} \times \text{Total Permit Fee} \times 50\%$$
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Subdivision 1 – Permit Fees (Continued)

5. Commencement of Work without Building Permit – every person who commences work requiring a building permit under this Part without first obtaining such a building permit shall, if a stop work notice is issued, pay double the fees set out in Schedule A to this Part to obtain the required building permit.
6. Cancellation of Building Permit Application - an application for a building permit shall be cancelled if the owner has not paid the remainder of the building permit fee within 180 days of written notification to the owner that the building permit is ready to be issued. When a building permit application is cancelled under Section 13.4.1.6. the plans and related documents submitted with the application may be destroyed.
7. Refunds of Permit Fees – the owner may obtain a refund of the permit fees set out in Schedule A to this Part when a permit is surrendered and cancelled before any construction begins, provided the refund shall not include the plan-processing fee.
8. Re-Inspections –
 - a. where more than one inspection is necessary to establish compliance with the *Building Code* and this Part, for each inspection after the first inspection, the owner shall pay the re-inspection fee as set out in Schedule A to this Part before each additional inspection is performed.
 - b. notwithstanding *Section 13.4.1.9.(a)*, the owner is not required to pay a re-inspection fee where multiple inspections for framing and insulation in the same building are required during the months of November through March.

Subdivision 2 – Securities

- 13.4.2. 1. Damage Deposit for Municipal Protection – before the owner is issued a permit which proposes work of a value greater than \$10,000 that includes excavation or construction on lands abutting a municipal highway, sewer, drain, water main or other municipal property, the owner shall execute a “Damage Deposit” form and deposit with the District the required security.
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Subdivision 2 – Securities (Continued)

- 13.4.2. 2. No Damage by Owners – every owner to whom a permit is issued is responsible to ensure that no damage is caused to a municipal highway, sewer, drain, water main or other municipal property during the course of construction authorized by the permit, and if such damage should occur, the owner shall promptly and immediately repair the damage to the District’s satisfaction, and if the owner does not do so, the owner is responsible for the District’s costs to undertake repairs of that damage.
- 3 Use of Security – if the owner causes any damage to a municipal highway, sewer, drain, water main, or other municipal property which is not satisfactorily repaired by the owner, the District may provide written “Notice to Owner” of the District’s use of the security and the District may repair the damage and use the security to recover the District’s costs of repairs.
4. Insufficient Security – if the District’s cost of repairs is greater than the security provided, the owner shall pay the amount of the insufficiency to the District forthwith upon receipt of the District of Kitimat’ s invoice for that amount.
5. Return of Security – upon confirmation that municipal property has not been damaged or, if damage has occurred, that it has been satisfactorily repaired by the owner, the security shall be returned, less any repair costs incurred, upon the issuance of an occupancy permit for the building.
6. Replacement of Security – in the event that the District uses the security provided under Section 13.4.2.1. and the construction authorized by the owner’s permit has not been completed, the owner must replace the security immediately upon request of a building inspector. If the building inspector is of the opinion that construction has proceeded to the point that any possibility of damage to municipal works or property has passed. Replacement security may be waived or amount reduced at sole discretion of the building inspector.
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Subdivision 3 – Issuance of Permits

- 13.4.3. 1. Issuance of Permits - a building inspector shall issue a building permit for which application has been made only after the following requirements have been met:
- a. a completed application for a permit has been submitted and all required supporting documentation, and the contents are satisfactory to the building inspector;
 - b. the proposed work set out in the application conforms with the *Building Code*, this Division, and Part 9 of the *Municipal Code*;
 - c. the owner has paid all applicable permit fees and provided all required security as set out in this Part;
 - d. the owner has paid all charges and met all requirements imposed by other Divisions and enactments in relation to the issuance of a building permit;
 - e. no covenant in favour of the District, agreement, enactment or regulation prevents or prohibits the work, or requires the permit to be withheld;
 - f. the owner has retained an architect if required by the provisions of the *Architects Act*;
 - g. the owner has retained a professional engineer or geoscientist if required by the provisions of the *Engineers and Geoscientists Act*.
2. Homeowner Protection Act – notwithstanding anything in this Division, a building permit shall not be issued unless the building inspector is provided with documentation required under the *Homeowner Protection Act*.
3. Expiry of Permit – every permit other than a demolition permit is issued upon the condition that the permit shall expire and the rights of the owner under the permit shall terminate when TWENTY-FOUR (24) months have elapsed from the date of issuance of the permit.
4. Expiration of Demolition Permit – a demolition permit shall expire SIX (6) months after the date of issuance.
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Subdivision 3 – Issuance of Permits (Continued)

5. Extension of Building Permit – when a permit has expired before the work authorized by the permit has been completed, the owner may obtain a TWELVE (12) month extension on the permit to undertake or complete the work by paying an additional fee equal to 25% of the original building permit fee. An extension will only be granted once, thereafter a new building permit and the payment of an amount equal to the original building permit fee are required. Where construction has not actually commenced and the work authorized by the permit would contravene Part 9 of *Municipal Code*, the building inspector shall not grant an extension or issue a new permit.
 6. Excavation Term Limit - when a site has been excavated for a building authorized by a building permit, but no construction within the excavation has been completed within SIXTY (60) days or the building permit has expired, upon written notice from a building inspector, the owner shall promptly fill in the excavation to restore the original site gradient. In the event that the owner has not undertaken the work required by the date specified on the written notice from the District, the District may undertake the work at the cost of the owner. The owner shall pay the cost forthwith upon receipt of the District's Invoice.
 7. Permit Issuance Date – a building permit shall be deemed to have been issued as of the date the permit was signed by the building inspector.
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