



Agenda No:	5.3
Mtg Date:	July 9/09

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DEVELOPMENT & ENVIRONMENTAL SERVICES DEPARTMENT REPORT

For the Governance & Services Committee July 9, 2009

TO: Regional Board
FROM: Ray Paterson, Chief Building Inspector
DATE: June 25, 2009
SUBJECT: Inactive Building Permits/Stop Work Orders with a Bylaw
Contravention Notice

RECOMMENDATION:

That the Regional Board endorse the following policy for closing inactive Building Permits/Stop Work Orders with a Bylaw Contravention Notice:

1. Building Permits that are inactive for more than a one year period.
2. Buildings that are occupied without approval where occupancy has not been granted – regardless of time frame.
3. Building Permits that are still active but are still not completed within four years from the date of permit issuance.

PURPOSE:

To examine the Procedure and Timing of Bylaw Contravention Notices on property titles where Building Permits are incomplete or unsafe conditions exist.

BACKGROUND:

The method of closing Building Permits is an on-going process. Regional District of Central Okanagan Building Bylaw #835 stipulates that the exterior finish of a building be completed within one year from the date of Permit issuance. The Building Permit is supposed to be completed within two years. The surcharge (\$200.00, \$100.00 or \$50.00 depending on permit fee) is not refunded unless the permit is completed with two years from the date of issuance.

For the most part the surcharge has been an incentive for permit holders to complete their project within the two years in order for the refund of the surcharge.

Within the Regional District there also exists a large number of non-permanent residents that do not the need or desire to complete their project within a timely manner. As long as the project proceeds and the work does not stop for more than a six month period the permit file remains active.

When a Building Permit exists that is either older than two years or has not received an inspection within six months, the owner is sent a letter requesting a status update for the permit.

Staff have developed a system for keeping track of the permit status. If we are not successful in dealing with the permit holder, additional letter(s) are sent informing them of a report to the Regional Board requesting a Notice be placed on the property title.

Our Staff will send four to five letters to the property owner before a Report is sent to the Regional Board. We have taken this approach for two reasons;

It provides the owner time to complete their permit if they are so inclined and shows due diligence on our part to bring closure to the permit file.

There are approximately three hundred and fifty-four open permits. All of the permits have been reviewed. Permits that have been inactive or non-compliant are being dealt with through our letter procedure.

Review of Bylaw Contravention Notice

A Bylaw Contravention Notice is placed on a Certificate of Title to limit the liability of the Regional District of Central Okanagan. The reasons for implementing this process are:

1. Failure to complete a Building Permit to the minimum standards as required by the Regional District of Central Okanagan Building Bylaw, B.C. Building and Plumbing Code.
2. Failure to obtain a Building Permit for buildings/structures constructed without approval.

The process of placing a Bylaw Contravention Notice on Title has been effective. Prospective purchasers are made aware of potential problems. As a result, the Bylaw Contravention is occasionally removed or a new Building Permit is obtained to correct deficiencies and to remove the Bylaw Contravention Notice.

Respectfully submitted,


Ray Paterson, R.B.O.
Chief Building Inspector


Dan Plamondon, Manager
Development & Environmental Services