

The Building Act: Fundamental Sections in Force

September 2015

Introduction

In September 2015, the first sections of the Building Act were brought into force. These sections were: 1 - 4, 6, 14 - 18, 19 (1), (2), and (3)(a), 20, 21, 39 - 42, 45, 46, 48, 50 - 55, and 58 – 62.

This document provides information to help better understand the sections now in force. It was prepared by the Office of Housing and Construction Standards to support the implementation of the Building Act. It is not legal advice and should not be relied upon for those purposes.

PART 1 – INTERPRETATION AND APPLICATION

Section 1 – Definitions

Purpose: Provides the meanings of terms used in this Act.

Former Provision: None.

Description

- Section 1 provides definitions of terms used in the Act.
- The definition of “building regulation” refers to regulations
 - establishing one or more building codes;
 - regulating building generally for matters not included in a building code; and
 - providing flexibility for the minister to provide modifications or additions to building regulations that would be applicable to different buildings, materials, geographic areas, local authorities or circumstances.

References in this document to “provincial building regulations” refer to building regulations made under section 3 (1).

- The definition of “local authority” in the Building Act corresponds to “authority having jurisdiction” in the British Columbia Building Code, which is a provincial building regulation. The term refers to those bodies that may choose, but are not obliged, to administer and enforce provincial building regulations.
- In addition to local governments (i.e., municipalities and regional districts), the Nisga’a Lisims Government, Treaty First Nations and the University of British Columbia’s board of governors are listed in this definition. The Building Act will apply to these bodies as a law of general application. The University of British Columbia is included as a body that regulates building construction through its own Building Department.

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Section 2 – Application of the Act

Purpose: Establishes where the provisions of this Act are not applicable.

Former Provision: None.

Description

- The provisions of this Act are applicable in all jurisdictions in British Columbia, with the exception of the City of Vancouver. The City of Vancouver has its own “code” by means of the Vancouver Building Bylaw and the regulatory regime for buildings under the Vancouver Charter will be unaffected by these proposals.
- The provisions of the Act also do not apply to buildings in, on or about a mine, unless they are bunkhouses, cook houses and related residential facilities. These facilities are regulated by the Mines Act.
- The Act does not apply to land under federal jurisdiction, such as airports.

Section 3 - Building Regulations

Repeals and replaces sections 692 (1) (a)-(f), and 692 (2.1) of the Local Government Act.

Purpose: Provides the minister with broad authority to make building regulations that:

- 1) establish one or more building codes,
- 2) prescribe requirements that stand alone from those contained within a building code, and
- 3) provide exemptions, modifications or additions to building regulations.

Former Provision: Section 692 (1) of the Local Government Act provides the minister with the authority to make regulations establishing a provincial building code and other building regulations related to the construction, alteration, repair or demolition of buildings. It includes provisions allowing the minister to:

- amend, add to or vary the provincial building code;
- adopt by reference all or part of any other building code or building standard;
- regulate buildings generally for matters not included in the provincial building code;
- exempt certain persons, buildings, classes of buildings, materials or areas from the provincial building code or other building regulations;
- make regulations for exempted persons, buildings, classes of buildings, materials, or areas; and
- provide for the administration of the building code and other regulations.
- Section 692 (2.1) enables the minister to exempt municipalities, regional districts, or parts of regional districts from all or part of the provincial building code or building regulations made under section 692 (1).

Description

- Subsection (1) describes the two types of regulation that the minister may make.
 - A building code: Currently, the British Columbia Building Code applies to the construction of new buildings and the alteration, repair or demolition of existing buildings (henceforth referred to as “building activities”).

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- A stand-alone building regulation that is not a building code: This provision allows requirements to be prescribed for matters that are not already in the Building Code. Current examples of such regulations are the Solar Hot Water Ready Regulation, which prescribes requirements for the construction of single-family houses to accommodate a future solar domestic hot water system, and the Wood Innovation Design Centre Regulation, which prescribes the requirements for the construction of an innovative tall wood building in Prince George.
- Subsection (1) (c) provides flexibility for the minister to provide modifications or additions to building regulations that would be applicable to different buildings, materials, geographic areas, local authorities or circumstances. For instance, the Wood Innovation Design Centre Regulation modifies parts of the Building Code and prescribes additional requirements, all of which apply only to the Wood Innovation and Design Centre in Prince George.
- Subsections (2) (a) to (2) (h) set out what the regulations made under subsection (1) may do as follows:
 - Subsection (2) (a) allows the minister to prescribe requirements for the construction of new buildings or the alteration, repair or demolition of existing buildings (henceforth referred to as “building requirements”). These will be of the same type as those already contained in the main body (Division B) of the Building Code. Local authorities are restricted under section 5 of the Act from establishing additional building requirements.
 - Subsection (2) (b) allows the minister to prescribe site safety requirements. These will be of the same type as those already contained in the Building Code for safety processes that occur on a building construction site. Local authorities are not restricted from establishing additional site safety requirements.
 - Subsection (2) (c) allows the minister to prescribe administrative requirements. These refer to the paperwork and processes that occur in support of building activities, most notably, design and planning of buildings and building activities, and the inspection of buildings and building activities. Local authorities are not restricted from establishing additional administrative requirements.
 - Subsection (2) (d) allows the minister to prescribe classes of persons, such as registered architects and professional engineers, to carry out building activities or the administrative requirements that are prescribed by (2) (c).
 - Subsection (2) (e) allows the minister to adopt, in whole or in part, codes and standards from other jurisdictions or from standard-making bodies. This authority continues the minister’s authority to establish for use in British Columbia building requirements that have been developed elsewhere.
 - Subsection (2) (f) to (2) (h) allows the minister to create regulations that have different requirements for different persons, places and things. This continues and expands the minister’s existing authority to vary the application of provincial building regulations to provide greater flexibility to deal with special circumstances, such as tall wood buildings or special soundproofing details for construction in proximity to busy flight paths.

Section 4 – Enforcement of building regulations by local authorities

Repeals and replaces section 692 (2) of the Local Government Act.

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Purpose: Provides the local authority the power to administer and enforce provincial building regulations.

Former Provision: Section 692 (2) of the Local Government Act specifies that the Building Code and other provincial building regulations (henceforth referred to as “provincial building regulations”) apply to all municipalities or regional districts and have the same force and effect as a bylaw.

Description

- Local authorities are not statutorily obliged to administer and enforce provincial building regulations, but nearly all choose to do so.
- Once a local authority decides to regulate building activities, usually signalled by issuing building permits, this provision enables the local authority to administer and enforce the provisions of provincial building regulations as though they were a local authority bylaw, rule or law.
- Because it is a part of the Ministry of Community, Sport and Cultural Development, the University Endowment Lands is not considered a local authority. Bylaws under the University Endowment Land Act are specifically named to ensure that the University Endowment Lands can continue to enforce provincial building regulations.

Section 6 - Regulations of buildings by Treaty First Nations

Repeals and replaces section 692 (5) of the Local Government Act.

Purpose: Enables the minister and Treaty First Nations to negotiate agreements for the construction, alteration, repair and demolition of buildings (henceforth referred to as “building requirements”) that differ from or exceed the building requirements established by the British Columbia Building Code and other provincial building regulations (henceforth referred to as “provincial building regulations”).

Former Provision: Section 692 (5) of the Local Government Act enables the minister to enter into an agreement with a Treaty First Nation to allow it to establish building requirements that are different from or additional to the building requirements established by the provincial building regulations.

Description

- As a local authority, Treaty First Nations are obliged to adhere to provincial building regulations. Section 6 continues current practice of ensuring that Treaty First Nations maintain their ability to request variations from the provincial building regulations, thus enabling the construction of structures that are culturally appropriate or traditional but non-compliant with the current provincial building regulations.

Section 14 – Administrative Agreement

Purpose: Enables a body outside of government to administer the provincial qualification requirements for building officials and to maintain the register of qualified building officials, under an administrative agreement with the minister. This agreement would initially require approval of the Lieutenant Governor in Council.

Former Provision: None.

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Description

- Subsection (1) enables the minister, with approval from the Lieutenant Governor in Council, to enter into an administrative agreement with a “person”, likely an organization. Under the agreement, the person could administer all or some of the provisions for qualifying exams, continuing professional development, recognition of extra-provincial building official credentials, the register of qualified building officials, annual reports and fees and administrative penalties related to contraventions of the qualification requirements.
- Subsection (2) specifies that the minister does not require approval of the Lieutenant Governor in Council to enter into a new agreement if:
 - the Lieutenant Governor in Council has already delegated specific provisions to the person;
 - an agreement between the minister and the person already exists; and
 - the new agreement will require no additional delegation or removal of delegation of provisions in the Building Act.

This means mutually agreed upon amendments to the agreement could be authorized by the minister as needed. Unilateral amendments by the minister are addressed in subsection (5).

- Subsection (3) enumerates the provisions that must be included in an administrative agreement. These constitute typical provisions of administrative agreements made by government.
- Subsection (4) specifies that an administrative authority must comply with the terms of the agreement.
- Subsection (5) allows the minister, with approval from the Lieutenant Governor in Council, and with prior written notice, to amend or revoke the administrative agreement.

Section 15: Power to delegate administration

Purpose: Provides the Lieutenant Governor in Council the authority to delegate by regulation the administration of provincial qualifications for building officials and maintenance of the register of qualified building officials to a person.

Former Provision: None.

Description

- Subsection (1) gives authority to the Lieutenant Governor in Council to delegate by regulation to a person, (i.e., via a delegation regulation), the administration of provincial building official qualifications.
- Subsection (2) ensures the minister gives reasonable notice to, and consults with, the administrative authority when an amendment to a delegation regulation would substantively alter the administrative agreement.
- Subsection (3) provides that if the Lieutenant Governor in Council repeals the delegation regulation, the administrative agreement is terminated.

Section 16 - Delegation does not make person an agent of government

Purpose: Establishes that the person to whom delegation is made under section 15 is not an agent of the government.

Former Provision: None.

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Description

- The purpose of enabling the delegation of administration of building official qualifications to an independent authority is to transfer responsibility out of government for service delivery aspects of the arrangement. In some statutes, this purpose is achieved by establishing agencies external to government. However, being an agent of the government implies financial obligations between the government and the agency. This is not the intent of this delegation. The Act is explicit that the delegated person or administrative authority is not an agent of the government.

Section 17 - Power of administrative authority to set fees for matters under its administration

Purpose: Provides that the administrative authority may set fees for service in accordance with a fee setting process established by regulation.

Former Provision: None.

Description

- Section 17 gives authority to an administrative authority to set its own fees and establish its own fee setting process. The process for setting fees, however, must be set in regulation, which provides a check and balance against unreasonable fee increases.

Section 18 – Power to order an audit

Purpose: Provides the Lieutenant Governor in Council the power to audit the operations of the designated administrative authority.

Former Provision: None.

Description

- Auditing power ensures an effective oversight mechanism to verify, if deemed necessary, that the authority is fulfilling its obligations under the administrative agreement.

Section 19 – Building Code Appeal Board

Repeals and replaces section 693 (1), (4) and (9)-(12) of the Local Government Act.

Purpose: Continues the existing Building Code Appeal Board under the new Act.

Former Provision: Section 693 (1), (4) and (9) to (12) of the Local Government Act provide for the creation of a Building Code Appeal Board. These provisions speak generally to the members of the Board, quorum requirements, Administrative Tribunals Act provisions that apply to the Building Code Appeal Board, and protection of Building Code Appeal Board members against legal proceedings for damages.

Description

- The existing Building Code Appeal Board hears appeals of local authority decisions on whether a building or part of a building complies with the Building Code or other provincial building regulations.

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- The continuation of the Building Code Appeal Board under the Building Act creates an opportunity to update the provisions for this tribunal to reflect a more modern approach to administrative tribunals, and to provide the Building Code Appeal Board with greater flexibility and more tools to deal with matters the Building Code Appeal Board is asked to hear.
- Subsections (1) and (2) provide descriptions of the Building Code Appeal Board's composition and quorum requirements.
- Subsection (3) (a) continues the application of sections 1 to 8 and section 10 of the Administrative Tribunals Act to the Building Code Appeal Board. These sections are administrative in nature and capture chair and member appointments, member absences or incapacitation, powers of members, responsibilities of the chair, termination of members and remuneration for members.
- Subsection (3) (a) also applies additional provisions of the Administrative Tribunals Act to the Building Code Appeal Board. This will ensure the Building Code Appeal Board is aligned with other similar tribunals. Added provisions of the Administrative Tribunals Act include the following:
 - Sections 11 and 13 provide the Building Code Appeal Board with the discretion to make rules respecting its practices and procedures and to issue practice directives, respectively.
 - Section 18 lays out the consequences of not complying with a Building Code Appeal Board order or rule.
 - Section 26 enables the chair to organize it into panels that may issue final decisions on a matter.
 - Section 27 allows the chair to retain outside experts to assist with an appeal and to determine the remuneration for experts retained.
 - Section 32 allows for appellants to be represented by counsel or an agent.
 - Section 36 provides the Building Code Appeal Board with the discretion to conduct proceedings by written, oral or electronic means.
 - Section 39 allows for the Building Code Appeal Board to adjourn a proceeding after considering the potential impacts of the adjournment on the parties to the appeal and the public interest. Adjournments may also be used by the Building Code Appeal Board if outside expertise is required.
 - Section 44 provides that the Building Code Appeal Board does not have jurisdiction over constitutional questions.
 - Section 46.3 provides that the Building Code Appeal Board does not have jurisdiction to apply the Human Rights Code.
 - Section 51 specifies that the Building Code Appeal Board must make its final decision in writing and give reasons for its decision.
 - Section 56 provides immunity protection for Building Code Appeal Board members. It replaces section 693 (10) to (12) of the Local Government Act.
 - Section 58 provides that the Building Code Appeal Board is an expert panel, and as such, the courts may not change a decision of the Building Code Appeal Board in a substantive way unless it was made in bad faith or without proper procedural fairness.

Section 20 – Appeals

Repeals and replaces section 693 (6) of the Local Government Act.

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Purpose:

- Establishes the type of appeals that the Building Code Appeal Board can hear.
- Defines the parties entitled to make an appeal to the Building Code Appeal Board.
- Sets out the requirements of an application to the Building Code Appeal Board.

Former Provision: Sections 693 (6) of the Local Government Act states that a party to a dispute may bring an appeal to the Building Code Appeal Board.

Description

- Section 20 clarifies and expands the role of the Building Code Appeal Board, which hears appeals of local government decisions on whether a building or part of a building complies with the Building Code or other provincial building regulations.
- Subsection (1) requires the Building Code Appeal Board to hear an appeal of a local authority decision regarding whether a matter conforms to a building regulation. The persons who may appeal are the owner of the building as well as any person retained under contract or subcontract to the owner to provide services regarding the design, construction, alteration, repair or demolition of the building. Employees of contractors or subcontractors are not permitted to appeal. This ensures only principals on a building project who are party to a dispute can initiate appeals.
- Subsection (2) establishes the application requirements for an appeal to the Building Code Appeal Board. This includes a fee that will be prescribed by regulation.

Section 21 – Appeal board decisions

Purpose:

- Enables the Building Code Appeal Board to confirm, vary or reverse a decision a local authority has made regarding compliance with the Building Code and other provincial building regulations.
- Continues the authority established in the Local Government Act that appeal decisions are final and binding.

Former Provision:

- Section 693 (7) of the Local Government Act requires the Building Code Appeal Board to determine any question of interpretation or application of provincial building regulations.
- Section 693 (8) of the Local Government Act speaks to the final and binding nature of appeal board decisions.

Description

This provision continues the authorities in the Local Government Act. It confirms that the Building Code Appeal Board's role is not simply to determine questions of Building Code interpretation or application (though it still may), but to decide appeals.

Section 39 – How to serve notices

Purpose: Provides for how notices issued under the Act's administrative penalty and cost recovery provisions must be served.

Former Provision: None.

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Description

- Subsection (1) (a) establishes that notices served under this Act must be served in accordance with the requirements prescribed by regulation of the Lieutenant Governor in Council.
- Subsection (1) (b) provides a definitive means to establish when a notice is considered to have been received by a person.
- Subsections (2) and (3) enable the Supreme Court to give directions on how to serve notice or to dispense with the service requirements if the person is already aware of the contents of the notice and is avoiding service. If the court makes an order dispensing with service requirements, the notice takes effect without being served.
- Subsection (4) establishes that this section does not apply to notices or documents of the Building Code Appeal Board or the Safety Standards Appeal Board under Part 5 of the Building Act because, for tribunals, these matters are dealt with through the application of the Administrative Tribunals Act.

Section 40 – Offence Act

Purpose: Provides that section 5 of the Offence Act does not apply to this Act or its regulations.

Former Provision: None.

Description

- Section 40 specifies that section 5 of the Offence Act does not apply to the Building Act. Instead, Part 5 of the Building Act creates an administrative penalties arrangement to deal with contraventions of some provisions of this Act.

Section 41 - Regulations of minister

Purpose: Gives authority to the minister to make regulations under this Act.

Former Provision: None.

Description

- Section 41 gives authority to the minister to make regulations under the Building Act. The exception is those regulations expressly stated to be within the authority of the Lieutenant Governor in Council.
- Subsection (1) enables the minister to make regulations. A reference is made to section 41 of the Interpretation Act which outlines general authorities to make regulations. This means that regulations by the minister under the Building Act are to be consistent with the intent of the Building Act, are considered necessary, and include provisions related to the administration and enforcement of the regulation.
- Subsections (2) and (3) enumerate the powers of the minister to make regulations under various sections of the Act.

Section 42 – Regulations of Lieutenant Governor in Council

Purpose: Gives authority to the Lieutenant Governor in Council to make regulations under this Act.

Former Provision: None.

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Description

- Subsection (1) enables the Lieutenant Governor in Council to make regulations. A reference is made to section 41 of the Interpretation Act which outlines general authorities to make regulations. This means that regulations by the Lieutenant Governor in Council under the Building Act are to be consistent with the intent of the Building Act, are considered necessary, and include provisions related to the administration and enforcement of the regulation.
- The intention of Subsection (2) is to allow the Lieutenant Governor in Council to make regulations in respect of matters that are of cross-government significance.

Section 45 – Transition – Building Code Appeal Board

Purpose: Ensures the operations of the Building Code Appeal Board can continue without interruption.

Former Provision: None.

Description

- The Building Act has added a vice-chair position to the composition of the Building Code Appeal Board. Section 45 ensures that the Appeal Board can continue its normal operations during the appointment process without contravening the new Act.

Section 46 – amends section 1 of the Building Officials’ Association Act

Purpose: Ensures the term “building regulations” contained in the Building Officials’ Association Act is aligned with the definition of “building regulation” in the Building Act.

Former Provision: Section 1 of the Building Officials’ Association Act defines “building regulation” as “the British Columbia Building Code and other related codes, standards, enactments governing construction, alteration, repair and demolition of buildings for the health, safety, accessibility and protection of persons and property.”

Description

- Section 46 ensures that the definition of “building regulations” in the Building Officials’ Association Act has the same meaning as “building regulation” in the Building Act.

Section 48 – amends section 55 (2) (a) of the Community Charter

Purpose: Amends section 55 (2) (a) of the Community Charter to replace the term “Provincial building code” with “Provincial building regulations.”

Former Provision: Section 55 (2) (a) of the Community Charter establishes that municipal councils may require building permit applicants to provide professional certification that plans for a proposed building comply with the provincial building code.

Description

- This amendment will ensure that the provisions in section 55 (2) (a) refer to the compliance of building plans with all provincial building regulations, not just the Building Code.

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Section 50 – amends section 1 of the Schedule in the Community Charter

Purpose: Repeals the definitions of “Provincial building code” and “Provincial building regulations” in section 1 of the Schedule in the Community Charter. Replaces them with a definition that gives “Provincial building regulations” the same meaning as “building regulation” in the Building Act.

Former Provision: Section 1 of the Schedule in the Community Charter provides separate definitions for “Provincial building code” and “Provincial building regulations.”

Description

- This amendment repeals the definitions for “Provincial building code” and “Provincial building regulations” in the Community Charter and replaces them with a single definition for “Provincial building regulations”, which has the same meaning as “building regulation” in the Building Act.

Section 51 – amends section 12 (a) of the Homeowner Protection Act

Purpose: Amends section 12 (a) of the Homeowner Protection Act to replace “British Columbia Building Code” with “building regulations within the meaning of the Building Act.”

Former Provision: Section 12 (a) of the Homeowner Protection Act establishes that BC Housing is responsible for establishing and maintaining expertise in building science, especially as it applies to British Columbia and the British Columbia Building Code.

Description

- This amendment will ensure the provision in the Homeowner Protection Act to establish and maintain expertise refers to all provincial building regulations and not just the Building Code.

Section 52 – amends section 289 (a) of the Local Government Act

Purpose: Replaces a reference to “section 692 (1)” of the Local Government Act, which will be repealed when this section of the Building Act comes into force, with a reference to “Provincial building regulations.”

Former Provision: Section 289 (a) of the Local Government Act refers to immunity in relation to failure to enforce a regulation section under 692 (1) of the Local Government Act.

Description

- The change to section 289 (a) of the Local Government Act will mean that a municipality or a regional district will not be held liable for any damages resulting from failure to enforce provincial building regulations, not just the Building Code.

Section 53 – amends section 290 (1) and (3) of the Local Government Act

Purpose: Amends section 290 (1) and (3) of the Local Government Act to replace the term “Provincial building code” with “Provincial building regulations.”

Former Provision: Section 290 (1) and (3) of the Local Government Act limit municipal liability for approving a building permit if a professional engineer or architect certifies the compliance of plans with the provincial building code.

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Description

- This amendment will ensure that the provisions in section 290 (1) and (3) of the Local Government Act refer to compliance with all provincial building regulations, not just the Building Code.

Section 54 – repeals section 692 of the Local Government Act

Purpose: Repeals section 692 of the Local Government Act, which is replaced by the Building Act.

Former Provision: None.

Description

- Section 54 repeals section 692 of the Local Government Act, which contains:
 - the regulation-making authority of the minister with respect to building activities and administration of the building code and other regulations; and
 - provisions on the application of the building code and other regulations to municipalities, regional districts and Treaty First Nations.
- These matters are addressed in Part 2 [Building Regulations], sections 2 to 4 and 6, of the Building Act.

Section 55 – repeals section 693 of the Local Government Act

Purpose: Repeals section 693 the Local Government Act that are replaced by the Building Act.

Former Provision: None.

Description

- Section 55 repeals section 693 of the Local Government Act, which contains provisions regarding the Building Code Appeal Board.
- These matters are addressed in Part 4 [Building Code Appeal Board] of the Building Act.

Section 58 – amends the Schedule to the Public Sector Employers Act

Purpose: Replaces “Building Code Appeal Board (Local Government Act)” with “Building Code Appeal Board (Building Act).”

Former Provision: The Schedule contains the phrase “Building Code Appeal Board (Local Government Act).”

Description

- The application of this Act to the Building Code Appeal Board will be continued under the Building Act.

Section 59 – amends section 70 (2) (a) of the Strata Property Act

Purpose: Amends section 70 (2) (a) of the Strata Property Act to replace “British Columbia Building Code” with “a building regulation within the meaning of the Building Act.” Amends section 70 (2) (a) of the Strata Property Act to remove a reference to section 692 (5) of the Local Government Act, which will be repealed when the Building Act comes into force.

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Former Provision: Section 70 (2) (a) (i) of the Strata Property Act refers to compliance with the “British Columbia Building Code referred to in the Building Regulations of British Columbia,” when the wall between two strata lots is removed. Section 70 (2) (a) (iv) of the Strata Property Act also refers to compliance with an agreement with a Treaty First Nations under section 692 (5) of the Local Government Act.

Description

- The amendment to section 70 (2) (a) (i) ensures that this provision refers to compliance with all provincial building regulations, not just the Building Code.
- The amendment to section 70 (2) (a) (iv) ensures that the reference to section 692 (5) of the Local Government Act is replaced with a reference to section 6 of the Building Act.

Section 60 – amends section 242 (5) (c) of the Strata Property Act

Purpose: Amends section 242 (5) (c) of the Strata Property Act to replace “British Columbia Building Code” with “the building regulations within the meaning of the Building Act.” Amends section 242 (5) (c) of the Strata Property Act to remove a reference to section 692 (5) of the Local Government Act, which will be repealed when the Building Act comes into force.

Former Provision: Section 242 (5) (c) of the Strata Property Act states that a person must submit a strata plan to an approving authority, if proposing to include a previously occupied building in the strata plan. The building must comply with the “British Columbia Building Code referred to in the Building Regulations of British Columbia,” unless the approving authority is a treaty first nation with an agreement under section 692 (5) of the Local Government Act that has established different building requirements.

Description

- The amendment to section 242 (5) (c) of the Strata Property Act ensures that this provision refers to compliance with all provincial building regulations, not just the Building Code.
- The amendment to section 242 (5) (c) ensures that the reference to section 692 (5) of the Local Government Act is replaced with a reference to section 6 of the Building Act.

Section 61 – amends section 12 (1) (b) of the University Endowment Land Act

Purpose: Removes a reference to two repealed sections of the Local Government Act.

Former Provision: Section 12 (1) (b) of the University Endowment Land Act refers to sections 692 to 698 of the Local Government Act.

Description

- Section 692 and 693 of the Local Government Act have been repealed and replaced by the Building Act. References to these sections of the University Endowment Land Act will no longer be current after the Building Act comes into force.

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Section 62 – amends sections 2 and 3 (a) of the Wood First Act

Purpose: Amends sections 2 and 3 (a) of the Wood First Act to replace “British Columbia Building Code” with “building regulations within the meaning of the Building Act.”

Former Provision: Sections 2 and 3 (a) of the Wood First Act refer to consistency of requirements for the use of wood as a primary building material with the “British Columbia Building Code.”

Description

- This amendment will ensure the provision in the Wood First Act regarding the use of wood refers to all provincial building regulations and not just the Building Code.